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Re-presenting Protesters' Identities: A Critical Ideological Analysis of UK Political Discourse

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Re-presenting Protesters' Identities:

A Critical Ideological Analysis of UK Political Discourse

Daniel García Jaramillo

A thesis submitted in partial fulfilment of the requirements of

Sheffield Hallam University

For the degree of Doctor of Philosophy

December 2025

Candidate Declaration

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Abstract

After a series of protests demanding political action against climate change and institutional racism, the UK Government introduced the Police, Crime, Sentencing and Courts Bill 2021 in Parliament, which included measures to tighten conditions for protesting and expand police officers' powers to tackle non-violent protests. The Bill finally became an Act of Parliament in 2022.

Drawing on Discursive and Rhetorical Psychology (DRP) and Social Representations Theory (SRT), this thesis examines how Government ministers and Members of Parliament (MPs) represent protests and protesters' identities when advocating for or opposing the measures in the PCSC Bill 2021 during its parliamentary scrutiny. This study reveals how, despite the consensual portrayal of the right to protest as a cornerstone of British democracy, MPs advocating for the Bill represent protesters as selfish, deviant minorities whose purpose is to disrupt the rights and daily routines of hard-working citizens. Contrarily, MPs opposing the Bill represent protesters as social justice campaigners who act in defence of other democratic rights and the future of humanity, whilst being systematically repressed by members of the Government through police interventions.

The study also reveals how different representations appear to underlie MPs' discourse, depending on the kind of protest being discussed: while the discourse surrounding climate activists is supported by a neoliberal capitalist representation of how society functions, the discourse on anti-racist protesters is demarcated by a racialised representation of the British national community. By drawing on both representations, MPs end up reproducing hegemonic meanings that compromise the conditions for life and marginalise the voices of those who have been oppressed by unequal social structures by positioning them as illegitimate political actors.

The primary contributions of this thesis are threefold. Firstly, it provides novel findings on the discursive representations of social protests and protesters' identities in contemporary elite political discourse in the UK, and their material implications for the future of the right to protest. Secondly, it strengthens the relationship between DRP and SRT by emphasising how integrating them enables the analysis of discursive practices aligned with interlocutors' rhetorical goals, as well as the reproduction or resistance of taken-for-granted knowledge in everyday communication. Thirdly, it proposes that social representations, despite their original configuration in discourse, have material effects by constraining which arguments are deemed reasonable in specific contexts.

Table of Contents

Acknowledgements ..... **iii**

Abstract ..... **iv**

Table of Contents ..... **v**

List of Tables ..... **x**

Chapter 1. Introduction **1**

1.1. A Critical Approach to the Concept of Identity 1

1.2. Theoretical and Methodological Position 3

1.3. Elite Political Discourse 6

1.4. Aim of the Thesis 7

1.5. Populating Social Psychology: Positioning the Author as Part of 'the People' 9

1.6. Overview of the Thesis 9

SECTION I Theoretical and Methodological Approach **14**

Chapter 2. Discursive and Rhetorical Psychology: Constructing Realities in Talk and Text **15**

2.1. The Turn to Language 15

2.2. Crisis in Social Psychology 18

2.3. Discursive and Rhetorical Psychology 19

2.3.1. Principles of Discourse and Rhetorical Psychology *20*

2.3.2. Discursive Psychology *26*

2.3.3. Critical Discursive Psychology *27*

2.3.4. Rhetorical Psychology *32*

2.4. DRP's Philosophical Foundations 34

2.4.1. Critical Realist Approach to Discursive and Rhetorical Psychology *36*

Chapter 3. Social Representations: Naturalised Meanings Upholding the Status Quo **40**

3.1. Approaching the Concept of Social Representations 41

3.2. Processes of Social Representations 45

3.2.1. Anchoring: Making the Strange Familiar *45*

3.2.2. Objectifying: Creating a Shared Code for Communication 46

3.3. Social Representations: Meanings Constituting Our Social Realities 47

3.3.1. Versions of Representations and Reality 48

3.4. Social Representations: Maintaining an Almost Stable Reality 50

3.4.1. Social Representations: Everyday Ideologies Upholding the Status Quo 52

3.5. Negotiating Representations: Possibilities for Social Change 54

3.5.1. Unequal Negotiation Power in the Act of Representing 55

3.5.2. The Role of Discourse in the Act of Representing 57

Chapter 4. DRP and SRT in Conversation: A Monological Critique and Dialogical Justifications 59

4.1. Reified and Consensual Universes 61

4.2. Traces of Cognitivism or Dialogical Minds 63

4.3. Groups and Levels of Consensus 65

4.3.1. Levels of Consensus 66

4.3.2. Consensus as Representational Repertoires 67

4.4. Action Orientation and Rhetorical Features of Representing 69

4.4.1. The Performative Function of Social Representations 70

4.4.2. Rhetorical Features of Social Representations 72

4.5. Discursive Constructions or Social Representations 75

Chapter 5. Argumentative and Repetitive Features of Communication: Integrating DRP and SRT 78

5.1. Theoretical Literature Review: Previous Proposals for Integrating DRP and SRT 82

5.2. Interpretative Repertoires and Social Representations: An Interdependent Relationship 86

5.3. The Restrictive Role of Social Representations in Discursive Productions 88

5.3.1. Temporal Dimension: The Restrictive Role of Past Discourses 88

5.3.2. The Restrictive Effects of Hegemonic Representations 89

5.4. Integrative Proposal Between DRP and SRT in a Nutshell 91

SECTION II Context of Study and Analysis 95

Chapter 6. Object of Study, Empirical Literature Review, and Context of Study 96

6.1. Social Protests: The Active Doing of Collective Political Identities 97
6.2. Identity: DRP and SRT Perspectives 99
6.2.1. DRP Approaches to Identity 99
6.2.2. SRT Approaches to Identity 101
6.3. Empirical Literature Review: DRP and SRT Approach to Social Protests 103
6.3.1. DRP Studies on Social Protests and Protesters' Identities 103
6.3.2. SRT Studies on Social Protests and Protesters' Identities 107
6.4. Distinguishing Features of Elite Political Discourse 109
6.5. Context of Study: Re-presenting Social Protest in UK Elite Political Discourse 112
6.5.1. Social Protests in the United Kingdom 112
6.5.2. Police, Crime, Sentencing and Courts Bill 2021/Act 2022 114
6.6. Research Questions 116

Chapter 7. Method 118

7.1. Data 118
7.1.1. Data Selection 119
7.2. Analytical Procedure 122
7.3. Structure of Analytical Chapters 126

Chapter 8. Re-Presenting the Right to Protest and Protesters' Identities: The Villains and Heroes of Democracy 127

8.1. Protesters' Identities in the Discourse of MPs Advocating for the Bill 130
8.1.1. Disruptors of Society 130
8.1.2. Violators of Others' Democratic Rights 134
8.1.3. Deviant Minorities 139
8.1.4. Genuine and Illegitimate Protesters 142
8.2. Protesters' Identities in the Discourse of MPs Opposing the Bill 146
8.2.1. Protesters Need to be Disruptive 146
8.2.2. Social Justice Campaigners and Protectors of Democratic Rights 149
8.2.3. Keepers of Longstanding National Traditions 153
8.2.4. Members of Society Oppressed by an Anti-Democratic Government 154

Chapter 9. Climate Activists: The Disruptive Defenders of Life 159

9.1. Climate Activists in the Discourse of MPs Advocating for the Bill 159

9.1.1. Selfish Disruptors of Others' Lives *159*
9.1.2. Hypocritical and Incompetent Protesters *162*
9.2. Climate Activists in the Discourse of MPs Opposing the Bill 165
9.2.1. Protectors of Life *166*
9.2.2. Competent and Emotional Young Activists *167*

Chapter 10. Anti-Racist Protesters: The Ones Who *Must Not* Be Named 171

10.1. Anti-Racist Protesters in the Discourse of MPs Advocating for the Bill 171
10.1.1. Malicious People Acting Against National Symbols *171*
10.1.2. Heinous and Violent Criminals *178*
10.1.3. Anonymous Desecrators of Memorials *180*
10.2. Anti-Racist Protesters in the Discourse of MPs Opposing the Bill 184
10.2.1. Anonymous Attackers of Statues of Slave Traders *185*
10.2.2. Anonymous Campaigners for Social Change *189*
10.2.3. Repressed Social Justice Activists *190*
10.2.4. Anti-Colonial and Anti-Racist Protesters *194*

Chapter 11. Conclusion 199

11.1. UK Elite Political Discourse on Social Protests 200
11.2. The Extra-Discursive Power of Hegemonic Social Representations 202
11.2.1. The Benignness of Democracy and the World of Nations: Hegemonic Representations Underlying MPs' Arguments about Social Protests *203*
11.2.2. Neoliberal Capitalism: Hegemonic Representation Underlying MPs' Arguments about Climate Activists *204*
11.2.3. A Racialised National Identity: Hegemonic Representations Underlying MPs' Arguments about Anti-Racist Protesters *207*
11.3. Theoretical, Methodological, and Empirical Contributions 210
11.4. Limitations and Suggestions for Future Research 213
11.5. The Current Status of the Right to Protest in the UK 215
11.6. Concluding Words 217

References 220

Appendix A. Policy Papers 277

Policy Paper 1. PCSC Bill 2021: Overarching factsheet 277

Policy Paper 2. PCSC Bill 2021: Protest powers factsheet 283
Policy Paper 3. PCSC Bill 2021: Criminal damage to memorials factsheet 293
Policy Paper 4. Overarching equalities statement: Criminal law 296
Policy Paper 5. PCSC Bill 2021: Noise-related provisions factsheet 310

Appendix B. News Stories 315

News Story 1. Government takes legal action against M25 climate protesters 315
News Story 2. Government extends legal action against protesters obstructing the A20 and strategic routes to the Port of Dover 318
News Story 3. Tougher penalties for protests causing disruption on motorways . 321
News Story 4. Government cracking down on highly disruptive protest tactics 323

Appendix C. Transcript of Second Reading of the PCSC Bill 2021 in the House of Commons 326

List of Tables

Table 1. Frequency of mentions of protests in different stages of the PCSC Bill 2021 in Parliament 121

Chapter 1. Introduction

The right to protest is a contemporary issue in the UK. Social protests around the world have increased steadily over the last 15 years (Brannen et al., 2020), and the UK ranked fifth among countries with the highest number of protesters arrested during that period (Ortiz et al., 2022). A social protest is broadly understood as a mechanism of collective expression, used by people who do not routinely have a voice in traditional political spaces, to raise public awareness about social inequalities, draw the agenda for social and humanitarian rights, challenge the political elite or cultural norms, or demand political action (Carey Jr et al., 2014; Gailus, 2015; Giugni, 2004; Klandermans, 2015). Considering that the lay public has less access to institutional resources and mass media (Seargeant, 2023), social protests serve as a valuable means of making their voices and claims heard. As Reicher (2004, p. 933) puts it, "it is only through collectivity that the powerless gain power and are able to effect change".

In the United Kingdom, there has been a resurgence of mass protests since 2019, with mass public participation in protests related to the climate emergency, organised by members of the Extinction Rebellion group in 2019, and against structural racism in the aftermath of the murder of George Floyd in 2020 (Wall, 2024). In response, the UK Government introduced the Police, Crime, Sentencing and Courts Bill 2021 (henceforth PCSC Bill 2021) into Parliament (House of Commons, 2021). This became the first in a series of bills through which politicians incorporated legal measures to impose conditions that restrict the right to protest in the UK (Liberty and Big Brother Watch, 2021). After more than 13 months of parliamentary debate, the Bill was enacted as an Act of Parliament (Police Crime Sentencing and Courts Act 2022), bringing with it material conditions that restrict the voices of people campaigning for social justice and more equitable societies. When people come together to resist and demand political action, it is assumed that they share a collective identity that is related to the issue driving them to protest (Jørgensen & Phillips, 2002).

1.1. A Critical Approach to the Concept of Identity

Scholars studying collective action and social movements have identified that developing and sharing a common identity is one of the primary reasons driving people to participate in protests (Diani, 1992; Klandermans, 2015). Traditionally, identity has

been considered an essential entity residing within our minds, possessing a fixed stability that makes it a measurable construct (see Allport, 1954). However, such an essentialist approach promotes the belief that we have a particular, immutable nature, restricting what we are and what we are not allowed to be (Burr, 2015). In contrast to such an essentialist conception, those adopting a critical stance in social psychology argue that we achieve, negotiate, and contest identities in the way we talk about ourselves and others, which means that identities are assumed to be flexible, plural, and context-dependent (Gough & McFadden, 2001; Howarth, 2002b, 2002a; Tuffin, 2005). Before continuing to elaborate on how I conceive of identities in this work, I briefly introduce what is arguably the core of critical social psychology —the stance I adopt in this research.

Critical social psychologists are concerned with politics and social change, challenging psychological assumptions and practices that preserve an oppressive and exploitative status quo, whilst promoting human well-being (Gough & McFadden, 2001; Hepburn, 2003). One of the common premises for most critical social psychologists is that it is primarily through our use of language in our everyday talk and texts that we perform actions and constitute our social worlds (Hepburn, 2003), which makes the analysis of discourse "the key to understanding social life" (Tuffin, 2005, p. 105). Our work as critical social psychologists, or social scientists, committed to the construction of equal societies, involves highlighting how social inequalities are not inherent but rather develop from widely reproduced discourses that are materialised in institutional practices (Elcheroth et al., 2011; Gough & McFadden, 2001). Thus, our analytical interest tends to be on how, through our use of language, we—human beings—engage with the maintenance or resistance of unequal power relations and oppressive practices within our cultures (Howarth, 2004; Tuffin, 2005).

Returning to identities, critical social psychologists argue that when we talk about ourselves and others, we tend to construct identities in particular ways that have interactional, social, and political implications (Tuffin, 2005). Members of differing social groups can construct and uphold particular versions and ways of understanding their own group, its counterparts, and broader society, according to their desired political realities (Kilby, 2016). Moreover, the way people are represented in others' discourse has potential social effects, such as constituting the basis for social exclusion, marginalisation, and social inequalities (Howarth, 2004).

Therefore, in this research, I adopt the understanding of identities as 'ways of talking about ourselves and others' (Billig, 1995; Shotter & Gergen, 1989); as something we do (Widdicombe, 1998). My concern is not with the true definition of protests, nor with whether the description of protesters' actions or events is accurate. Instead, my interest is in how the speakers elaborate diverse versions of protesters' identities and to what end. This way of understanding identities has been a distinctive feature of certain discourse approaches in psychology, such as Discursive and Rhetorical Psychology, as well as in dialogical-critical approaches to Social Representations Theory.

1.2. Theoretical and Methodological Position

Discursive and Rhetorical Psychology (henceforth DRP) is a particular social psychological approach to studying our social realities and psychological phenomena that emerged in the UK in the 1980s (Billig, 1996; Edwards & Potter, 1992; Potter & Wetherell, 1987). Arguably, the primary interest for discursive and rhetorical psychologists is to explore how we use language to achieve specific rhetorical ends and to build certain versions of reality as more factual than others (Potter, 1996). In contrast to other psychological approaches, discursive and rhetorical psychologists avoid conceptualising and making assumptions about what have traditionally been defined as inner cognitive processes, and instead remain exclusively focused on what we do through our talk and texts (Edwards & Potter, 1992). From this approach, language is not considered a tool for communicating our inner experiences, but rather a means we use to engage in different interactional practices. In broader terms, some authors have distinguished between three main strands in DRP: discursive psychology, critical discursive psychology, and rhetorical psychology. Discursive psychology is the strand closely related to conversation analysis, focusing on the psychological work achieved in specific interactions (Wiggins, 2017). Critical discursive psychologists also pay attention to what is achieved in particular interactions, exploring how what is achieved relates to social patterns of discourse (i.e., interpretative repertoires) reproduced in our contexts (Edley, 2001; Wetherell, 1998). Rhetorical psychology is based on a particular understanding of people as argumentative beings, conceived as able to take particular stances on specific objects or events, always at the expense of alternative stances, whilst emphasising that this can be observed in our everyday

discourses (Billig, 1996, 1999a). Regarding the discursive production of identities, how we define ourselves and others is never a neutral act; instead, it constitutes an action performed in specific rhetorical contexts to fulfil a particular function (Potter & Wetherell, 1998).

Some scholars working from a discursive and rhetorical psychological perspective adopt a relativist approach in which reality is assumed to be constructed in the way we talk or write about it (Edwards et al., 1995). Others adopt a critical realist approach, arguing that there are independent material elements of reality that have an extra-discursive existence and constrain what we produce in our discourses (Sims-Schouten et al., 2007; Sims-Schouten & Riley, 2019). According to Sims-Schouten et al. (2007, p. 103), these extra-discursive factors produce "a context in which certain discursive constructions are more easily enabled or disenabled than alternative constructions". The physical environment, biological issues, and institutional power are often considered examples of extra-discursive features that restrict our discourses (Cromby & Nightingale, 1999). In contrast to the physical environment and biological issues, social institutions are social creations, primarily conceived and maintained through discourse (Bangerter & Cornelissen, 2017).

Institutional power is related to the capacity of members of social institutions, such as politicians, to establish particular understandings as factual and legitimate, thereby constituting the common-sense knowledge that supports, for instance, a government policy. Knowledge positioned as common sense can be conceived as discursive constructions that come to be seen as natural due to the relative stability they gain through their reproduction and repetition (Banta, 2012). This appearance of 'factuality' enables them to constrain the production of new or alternative discourses (Blanco et al., 2018). That is, for new discourses to make sense, they need to resonate with hegemonic networks of meanings constructed by patterns of discourses circulating in our cultures (Howarth, 2011). Shared networks of meanings existing in our cultural backgrounds that provide sense and constrain our discourses have been defined in another longstanding social psychological theory as social representations.

In opposition to the individualist, static, and unthinking conception of society that characterises experimental psychology, Serge Moscovici introduced Social Representations Theory (henceforth SRT) in the early 1960s, seeking to understand how we come to make sense of new phenomena (Moscovici, 1961/2008). Social

representation theorists argue that it is through our daily communication that we configure certain understandings of the people, objects, and events that inhabit our surroundings as more legitimate than others (Castro et al., 2018; Howarth, 2006a; Moscovici, 1984, 1998). When something becomes a 'hot topic', whether due to its novelty or controversy, we draw on familiar meanings already available in our cultures to make it a familiar object (Moscovici, 1984). Although there is no unique definition of social representations due to the diverse approaches that have been developed within the theory (see Sammut et al., 2015a), in this thesis, and in agreement with other scholars (see Santos et al., 2023), I understand social representations as the meaning resources that we have socially (re)produced and that we draw on when producing our discourses. They constitute the contents of our common sense. Some of these meanings constitute the objects we talk about and constantly negotiate in our daily communications; others, instead, have become naturalised in our cultures and can only be inferred as the taken-for-granted knowledge underlying our discourses (Moloney & Walker, 2002). These naturalised meanings are called hegemonic social representations (Moscovici, 1988), which may maintain and legitimise inequalities in society in conscious and non-conscious ways, guiding our everyday interactions and actions (Howarth, 2004).

A 40-year history of controversy characterises the relationship between discursive and rhetorical psychologists and social representations theorists. Its controversy, however, has allowed arguments about potential integrations to continue being elaborated to the present day, despite some attempts to impose an endpoint. Whilst some discursive psychologists reject any potential integration (McKinlay et al., 1993; Potter & Edwards, 1999; Potter & Wetherell, 1998), rhetorical psychologists and social representation theorists argue that an integration between the theories is possible (Billig, 1988; Moscovici, 1998). Some have pointed out concessions that would be required for an integration that would ultimately benefit both sides. These consist of social representation theorists abandoning the cognitivist burden on the theory by focusing instead on the rhetorical goals we achieve through the way we re-present in our talk and texts, and of discursive and rhetorical psychologists acknowledging that meanings or narratives sedimented in our cultures feed our discursive practices (Gibson, 2015).

By focusing exclusively on how we argue and negotiate about contested issues and the version of reality that should prevail (e.g., the argumentative features of communication), we risk missing the consensually held representations that are reproduced in the background of our arguments, providing them with coherence (e.g., the repetitive features of communication). Hegemonic social representations are understood as the meanings circulating in our cultural backgrounds that give our discourses sense and, in doing so, constrain what is or is not possible to say in particular contexts. Although primarily configured in discourse, naturalised hegemonic representations acquire a quasi-ontological power akin to that of extra-discursive features in the sense that they can restrict what is or is not reasonable to say in specific contexts. That is, social representations have the power to promote the construction of certain realities while limiting other alternatives. Thus, social representations fulfil an influential role in upholding the current status quo (Augoustinos, 1998).

In sum, exploring how we argue about new or controversial objects enables us to analyse not only how such objects are socially re-presented and the respective social and political implications, but also the cultural meanings, i.e., social representations, that our discourses draw on to make sense.

1.3. Elite Political Discourse

The introduction of the PCSC Bill 2021 in Parliament, in response to mass protests organised in 2019 and 2020, put the right to protest on the public agenda, turning it into a contemporary, controversial issue in the UK. Thus, it is expected that related discourses were produced, mobilising diverse social representations of the identities of the social actors involved. Although it is expected that contemporary debates about protests and protesters circulate across different genres of discourse (Fairclough, 1992), such as everyday talk, scientific discourse, and media images, I am particularly interested in the discourse of elite politicians for three reasons. First, elite politicians often present their arguments in ways that make other stances seem unreasonable, thereby making their discourses more likely to be taken as unproblematic truths, whilst competing views tend to be marginalised (Howarth, 2004; Kilby, 2016). Secondly, the discourse of elite politicians transcends the boundaries of interactional settings due to their greater access to institutional resources, which

enables them to continuously broadcast their messages to mass audiences (Billig, 1995; Seargeant, 2023). Thirdly, elite politicians have the power to materialise what comes to stand as legitimate or illegitimate protests in legislation. In short, elite politicians have the power to shape the legal mechanisms that people have available to raise awareness of social issues. This, in turn, speaks to issues of democracy and social justice.

There have been some previous studies exploring protests from a DRP or SRT perspective, but only a few have focused on protests in the UK. Moreover, most research on collective actions in the UK has been conducted from a Social Identity Theory perspective, aiming to emphasise that we behave rationally when being part of a crowd (Drury, 2025; Drury et al., 2019, 2022; Reicher, 1996), in contrast to traditional conceptions of protests as events in which participants behave irrationally (Le Bon, 1897). Regarding previous studies of protests in the UK, some scholars adopted a DRP or SRT approach to explore how people accounted for the 1980s St Paul 'riots' in Bristol (Litton & Potter, 1985; Potter & Reicher, 1987) and the 1995 Brixton 'riots' (Howarth, 2014). Regarding more recent events, some authors explored how non-participants account for the so-called 'England Riots' in 2011, also emphasising how public understanding of the events differs from traditional psychological conceptions of crowd behaviours (Goodman et al., 2014). Similarly, and related to protesters' identities, H. M. Lewis and Vignoles (2024) explored how climate activists are re-presented in the comment section of a UK-based online newspaper. However, despite the PCSC Bill 2021/Act 2022 being a 'hot topic', discourses surrounding it have remained unexplored from both a DRP and an SRT approach. Consequently, the current study is the first to employ DRP and/or SRT to explore how elite UK politicians re-present social protests and protesters' identities in the context of the PCSC Bill 2021/Act 2022.

1.4. Aim of the Thesis

My aim in this thesis is to explore how and to what end Members of the UK Parliament re-present the identities of people protesting when advocating for, or when opposing measures that will restrict legal rights to protest, and which hegemonic representations that maintain the status quo are reproduced when elite politicians talk about people protesting. To examine this, I analyse parliamentary debates on the PCSC

Bill 2021/Act 2022. In doing so, I aim to make original contributions in theoretical, methodological, and empirical areas.

Although social representation theorists have emphasised the prescriptive role of hegemonic social representations in guiding how we make sense of our surroundings (see Batel & Castro, 2015, 2018; de Rosa, 2006; Moscovici, 1984, 1988), this role of representations tends to remain excluded from discursive psychological approaches focusing on current interactions. Similarly, critical realist discursive analysts have been primarily focused on the constraining effects of non-discursive material elements, such as the physical nature of objects or the material organisation of the space (see Cromby & Nightingale, 1999; Sims-Schouten et al., 2007; Willig, 1999a), rather than on constraining effects of representations. More recently, some critical realist discursive scholars have referred to the influence that wider institutional discourses have on informing everyday discourse (see Sims-Schouten & Riley, 2019). The notion of wider institutional discourses resonates with the SRT's notion of hegemonic representations. By theoretically integrating both critical realist discursive approaches and SRT, I propose that hegemonic social representations, despite being primarily constructed in discourse, can be considered to possess extra-discursive properties similar to those of material elements of reality. Because hegemonic representations are assumed to constitute the symbolic background from which discourses are elaborated, it is possible to say that they have the power of restricting what are (un)reasonable ways of arguing about social objects populating our versions of reality.

Methodologically, I aim to strengthen the integration between DRP and SRT by considering both argumentative and repetitive features present in all communication. By recognising the potential of this synthesis, we can gain a theoretical and analytical perspective that provides us with tools to examine not only how wider representations inform our talk and text, but also how these representations are (re)produced and resisted in everyday discourse (Castro et al., 2018; Howarth, 2006a). That is, we will arguably be in a better position to explain through our analytic enterprises the maintenance or resistance of hegemonic meanings that uphold unequal institutionalised practices in society.

Empirically, I aim to provide novel findings on the discursive configuration of social protest and protesters' identities within elite UK political discourse, the

hegemonic representations that underpin these configurations, and the material implications for the future of legitimate political activism and the right to protest in the UK. Ultimately, integrating DRP and SRT into the analysis of political discourses surrounding the PCSC Bill 2021/Act 2022 might offer insights into the evolving, dynamic phenomenon of social protests.

1.5. Populating Social Psychology: Positioning the Author as Part of 'the People'

Before presenting the overview of the thesis, and due to the pervasive use of the third person in academic writing, a few words regarding the use of first-person pronouns that I adopt feel necessary. Although understanding the social nature of human beings is the purpose of social psychologists, most of them have positioned themselves as if they were not part of the human and social realm they seek to understand, as if they were immune to what others are not (Augoustinos et al., 2014). The use of the third person conveys the appearance of 'objectivity' and 'scientificity'; however, as social psychologists, we deal with social rather than natural phenomena (Billig, 2013). As social scientists, our understanding of reality stems from our own experiences and those of others, as well as from the theories we have engaged with and that shape our analytical perspective: what we see and what we overlook. Similarly, we are not immune to the cultural and academic backgrounds that restrict what we can(not) say, nor are our discourses unoriented to action. Therefore, when describing the theoretical and methodological foundations I adopt in this thesis, rather than referring to what *people* do, I use the first-person plural pronoun to refer to what *we* do. Similarly, I aim to populate the theories and methodologies I adopt in this thesis as much as possible, for instance, by stating 'we construct our discourses' rather than 'discourses are constructed'. By using the first-person, I intend to emphasise that, as social psychologists, we are part of the *people*.

1.6. Overview of the Thesis

Given the theoretical, methodological, and empirical contributions I aim to make, I divide this thesis into two sections. In the first section, I focus on the theoretical and methodological approach I adopt, providing an in-depth description of DRP and SRT, and arguing that both can be integrated. In doing so, I conducted a theoretical literature review, presenting the relationship between the two approaches

over the last four decades and the previous integrative proposals. In the second section, I start by reviewing the empirical literature on how identities, protests, and protesters' identities have been studied through DRP and SRT approaches, and then proceed to analyse the contemporary discourse of the UK political elite concerning protests and protesters' identities in the context of the PCSC Bill 2021/Act 2022.

Section I: Theoretical and Methodological Approach

In Chapter 2, I introduce one of the theoretical and methodological approaches I adopt: Discursive and Rhetorical Psychology. I start the chapter by providing a contextual background to the emergence of this approach, introducing the turn to language and the development of social constructionism. Next, I introduce the core principles that are shared by authors working in what are usually considered the three main strands of this theoretical and methodological approach: Discursive Psychology, Critical Discursive Psychology, and Rhetorical Psychology. I proceed to describe these strands by emphasising their distinguishing features. At the end of the section, I describe the philosophical foundations of DRP, pointing out how, while some discursive and rhetorical psychologists adopt an ontological and epistemological relativist stance, others advocate for a critical realist position, emphasising that there are extra-discursive features that restrict what we produce in our discourses. I conclude the chapter by stating that social representations, despite being above all discursive productions, also possess extra-discursive features.

In Chapter 3, I introduce the second theoretical and methodological approach: Social Representations Theory. First, I describe the origins of SRT, introduce the concept of social representation, and explain how, through the processes of anchoring and objectifying, social representations help us make the strange familiar and create a shared code for communication. Then, I refer to the main approaches to social representations, emphasising how, whilst some have been absorbed by individualist social cognition, others maintain a more sociopsychological position by placing representations in the in-between spaces between individuals. I continue by presenting the relationship between social representations and reality, especially how social representations fulfil a role in maintaining a stable appearance of reality and, therefore, uphold the current social order. Finally, I emphasise that analysing discourse enables us to identify and problematise what has been taken for granted, opening

opportunities for social change. That is, if we conceptualise SRT as a theory concerned with social change and committed to social justice, it is essential to examine how hegemonic representations that perpetuate the current social order are reproduced in everyday interactions and how representations that challenge it are rhetorically undermined.

One of my aims in this thesis is to propose an integration of DRP and SRT that challenges unequal and oppressive meanings that uphold the status quo. To do this, a theoretical literature review is needed. In Chapter 4, I summarise the longstanding, controversial relationship that has developed between DRP and SRT over the last four decades, highlighting the main areas of contention. In Chapter 5, I introduce the integrative proposal between DRP and SRT, arguing how, by focusing on argumentative and repetitive features of communications, we gain theoretical tools that allow us to explain how, when we make sense of our realities, we end up reproducing hegemonic meanings sedimented in our cultures. Because this is not the first proposal for integrating DRP and SRT, in Chapter 5, I also introduce previous integrative suggestions, emphasising how the one I present in this thesis differs from them, especially regarding the intrinsic relationship I argue exists between interpretative repertoires and social representations. I finalise the chapter by describing how social representations restrict our discursive productions and how we can explore this by examining our daily communications and questioning the taken-for-granted.

Section II: Context of Study and Analysis

Having outlined the theoretical and methodological approach I adopt in this thesis in Section I, in Chapter 6, I introduce how social protests and their relationship with the development of collective identities have been theoretically defined from a social psychological perspective. Next, I present how identity has been explored in both the DRP and SRT traditions, followed by a summary of the empirical literature on social protests using one of these approaches. After the literature review, I outline some distinctive features of elite political discourse and how their discourse, delivered in Parliament, differs from that in other communicative settings. Finally, I proceed to situate the present study in its specific sociohistorical context, presenting the role that social protests have played in the history of the United Kingdom and the immediate

context that led to the introduction of protest measures in the PCSC Bill 2021. I conclude the chapter by stating the research questions that guide the analysis of parliamentary debates.

In Chapter 7, I introduce the data and analytical procedure I follow in this thesis, explaining how I collected and selected MPs' speeches from parliamentary debates, how I prepared the data and how I proceeded to analyse it.

Chapters 8, 9, and 10 constitute the analytic chapters of the thesis. Considering that political speeches delivered in parliaments tend to be monologues that do not reflect the features of natural everyday conversations (Billig, 1996), I organise each analytical chapter into two parts: I begin by analysing how MPs advocating for the Bill re-present protests and people protesting, followed by how MPs opposing the Bill do so. Just as I focus on the different ways of re-presenting according to the ultimate rhetorical goal of each part of the debate (i.e., to approve or reject the PCSC Bill 2021), I also emphasise what meanings appear to be consensual and which arguments remain unchallenged, arguing that these reflect what can be understood as socially reproduced common knowledge: hegemonic representations.

In Chapter 8, I analyse how MPs and members of the Government re-present the right to protest and protesters' identities when talking about protests in general. That is, when the discussion was not focused on a specific protest in which people were expressing particular concerns. Through the analysis of the different ways of talking about protests and people protesting, I present how, while the right to protest tends to be positioned as a foundation of democracy, MPs arguing for or against the measures in the Bill rhetorically struggle to position protesters as acting to the detriment of or in defence of democracy.

Members of the Government named two specific types of protests as cases that prompted them to propose new measures restricting the right to protest: environmental protests and anti-racist protests. In Chapter 9, I examine how MPs re-present the identities of climate activists, the people protesting to demand political action to protect the environment. In Chapter 10, I examine how MPs re-present the identities of people demanding political action against structural racist practices in society.

Finally, Chapter 11 constitutes the conclusion of the thesis. In this section, I discuss the social implications of how UK elite politicians re-present the right to protest

and protesters' identities, focusing particularly on how protesters are criminalised and their demands delegitimised. Similarly, I discuss the hegemonic representations that I argue uphold MPs' discourses by providing them with sense, and that appear to constrain what constitutes a reasonable argument when talking about social protests. After this, I reflect on the theoretical and methodological implications of integrating DRP and SRT when analysing discursive practices and the discursive configuration of meanings. Next, I summarise the main contributions of this research, acknowledge some limitations, and offer suggestions for future research. Finally, I refer to the current status of the right to protest in the UK and emphasise how this thesis constitutes a form of resistance in the constant struggle to promote social change and to contribute to the construction of more equal and just societies.

SECTION I

Theoretical and Methodological Approach

Chapter 2. Discursive and Rhetorical Psychology: Constructing Realities in Talk and Text

Discursive and Rhetorical Psychology (DRP) is the name given to a set of theoretical and methodological approaches in discourse analysis that introduced a new way of doing psychology by the end of the 1980s and the beginning of the 1990s. It emerged from some of the works that influenced the 'turn to language' (Ibáñez, 2011) and the crisis of the social sciences and humanities in the 1970s (Gergen, 1973).

In this chapter, I begin by presenting the precursors of DRP. Next, I introduce DRP, the principles that distinguish it from other approaches, and the three main strands within it. At the end of the chapter, I present the philosophical foundations of DRP and argue that adopting a critical realist stance would enable us to offer a more integrated understanding of our social realities.

2.1. The Turn to Language

The 'turn to language' refers to a shift in perspective regarding language that some started adopting since the 1950s, moving from its conception as a set of signs used to describe reality to its conception as a tool through which we produce knowledge and construct versions of reality (Ibáñez, 2011; Willig, 2008). Intellectual developments influenced this reconceptualisation of language in various disciplines, including philosophy, history, communication, and sociology (Willig, 2008). Examples of such precursors to the understanding of language as a social action are Volosinov/Bakhtin's dialogism proposal, Wittgenstein's linguistic philosophy, Austin's speech act theory, and post-structuralist works (Billig, 1997; Wiggins, 2017).

Volosinov/Bakhtin (1973) criticises the idea that psychological phenomena are states inherent within individuals, arguing that paying attention to how we use language in practice reveals how psychological states are formed and exist in our linguistic exchanges. Wittgenstein (1976) claims that examining how we talk and write in our everyday practices shows that we use language flexibly for different ends. Instead of a stable system of codes that translate internal states into words, Wittgenstein claims that we learn to use language (i.e., what is appropriate to say in specific contexts) by observing how others conventionally use language in similar situations. Austin (1962) argues that we do not use language only to name or

communicate, but also to perform actions such as promising, accusing, accepting, declaring love, or declaring war. Even when we produce statements that others could label as true or false, we perform the actions of stating, explaining, or describing.

Post-structuralism is a term that encompasses various works that reject the notion that absolute truths exist and that language accurately reflects reality (Wiggins, 2017). One of the most influential poststructuralist works is the one developed by Foucault (1979, 2008, 2020). Foucauldian discourse analysts consider discourse to be a collection of texts and practices that form the objects they speak about (Foucault, 1971; Parker, 1989). Foucault adopted a methodological relativist stance, rejecting any consideration of what is real and focusing exclusively on what we consider as real, how we produce knowledge (or 'regimes of truth'), and to what ends that knowledge reproduces power relations in society (Foucault, 1971).

The new conception of language promoted by these works led to the development of a new epistemology, called social constructionism. Berger and Luckmann (1966) describe how our realities are not natural but the product of social practices that, due to their repetition, have become institutionalised habits. Following their proposal, during the 1970s and 1980s, some social scientists started to position language as their focus of interest, conceiving it as a social practice through which we construct our realities (Burr, 2015). From a social constructionist perspective, it is acknowledged that language is an important tool in the production of knowledge, and since it is possible to describe a social phenomenon in different ways, there is no unique knowledge (Willig, 2008). Usually, those adopting a social constructionist epistemology share a critical stance toward taken-for-granted knowledge, understanding it as being historically and culturally specific, and sustained by social processes (Burr, 2015; Gergen, 1973). Thus, rather than judging the veracity or falsity of particular understandings, research in social constructionism is concerned with the diverse ways we construct social realities, exploring how we use them and tracing their social implications (Willig, 2008).

Based on social constructionist principles, scientific knowledge, which had been considered the ultimate truth, began to be questioned. Sociologists of scientific knowledge argue that such knowledge does not emerge from the correct application of methods in experiments. Instead, scientific knowledge is constructed by scientists performing the experiments (Collins, 1983). Gilbert and Mulkay's (1984) analysis of

scientists' accounts illustrates how scientists draw on particular ways of talking, or repertoires, to present their interpretations as natural outcomes of experiments, while those of other scientists are presented as biased outcomes driven by personal interests.

Parallel to social constructionist developments, Ethnomethodology and Conversation Analysis were other sociological approaches proposed in the 1960s that emphasise the relevance of studying everyday practices empirically, in contrast to abstract or theoretical examples (Wiggins, 2017). Ethnomethodology was developed by Garfinkel (1967) and Goffman (1959) with the interest in exploring how we account for our daily practices and achieve common understandings in our everyday lives. Consequently, the primary concern for ethnomethodologists is to identify the methods we use to perform our daily activities (Coulon, 1995). Contrary to previous sociological approaches, Garfinkel and Goffman emphasised that to understand how we make sense of our worlds, it is important to analyse how we explain our behaviours in our everyday settings.

Among the diverse activities that we perform daily, some ethnomethodologists have decided to focus on a specific kind of human behaviour: conversations. Conversation Analysis was initially proposed by Sacks (1995) in the 1960s and further developed in collaboration with Schegloff and Jefferson (Sacks et al., 1974). Conversation analysts positioned everyday conversation, which they prefer to call talk-in-interaction, as their object of study. They analyse, for instance, how we produce and manage actions such as agreeing, rejecting, giving a compliment or a warning in our natural settings. To do so, conversation analysts developed a systematic procedure to explore our mundane interactions empirically (Lerner, 2004). One of their premises is that to understand what is happening in a conversation, the analyst needs to observe the indexicality of our utterances (Sacks et al., 1974). When we interact, we do so in an organised way, taking turns in a conversation filled with words, as well as details such as intonation, silences, overlaps, corrections, and interruptions. Since each of these elements fulfils a particular purpose in interactions, conversation analysts developed the Jeffersonian transcription system, which includes these fine-grained details of conversations (Jefferson, 2004). Another premise is that to understand how we talk and what we do when we talk, we need to examine what we actually do and say, rather than relying on a theoretically driven approach. Because of the priority given to

what we do in interactions, some analysts have argued that Conversation Analysis is the only approach empirically grounded in social reality (Schegloff, 1997; see Billig, 1999; Wetherell, 1998, for a critique of this claim).

2.2. Crisis in Social Psychology

It was primarily in the 1970s that the 'turn to language' and social constructionism were introduced into psychology (Parker, 2015). The dominant approach to the discipline was characterised by the belief that researchers produce objective knowledge and propose universal laws that explain social interaction (Gergen, 1973). Traditionally, experiments were treated as an end in themselves rather than as a means to offer clues about social and cultural forces (Israel & Tajfel, 1972). This characterisation began to be challenged due to its promotion and imposition of dominant groups' values as the model to follow, and for producing decontextualised knowledge that ignores the real-world social, political, and economic contexts in which we live (Burr, 2015). According to Gergen (1973), unlike natural scientists, social psychologists do not deal with repeatable, stable facts. Instead, social phenomena and the knowledge we produce about them are embedded in specific historical and cultural contexts. Furthermore, social phenomena are transformed by shifts in historical and cultural contexts, making it challenging to generalise knowledge beyond the context in which it is produced. Additionally, due to our linguistic capacities to negate and resist (Billig, 1996), when a universal rule is communicated, we are always able to adjust our behaviour based on such communication, which would introduce a rupture in the proposed universal law (Gergen, 1973).

This questioning of traditional conceptions and ways of doing psychology gave rise to what was labelled the 'crisis in social psychology'. Fernández Christlieb (2019) describes this as the moment when some social psychologists realised they knew nothing about anything because they were trying to do physics, rather than psychology, inside artificial laboratory settings in universities, rather than exploring the places where everyday life occurs. In response, there was an increased demand for changes in the formal, methodological, and political grounds in which social psychology was being conducted (Brown & Locke, 2017). New methodologies, based on qualitative research methods, started to be developed and adopted by many social

psychologists wishing to do things differently. One of the new methodologies was discourse analysis (Parker, 2015).

Discourse analysis is understood as the study of the "set of meanings, metaphors, representations, images, stories, statements, and so on that in some way together produce a particular version of events" (Burr, 2015, pp. 74–75). However, different kinds of discourse analysis have emerged. Some discourse analysts remain exclusively concerned with discourses abstractly circulating at sociological and ideological levels, such as those working from critical linguistics (see Fowler et al., 1979), Critical Discourse Analysis (see Fairclough, 1992; Wodak & Meyer, 2001), Foucauldian informed Discourse Analysis (see Hall, 1997), or Deconstruction Analysis (see Burman, 2008; Parker & Shotter, 1990). Other discourse analysts remained close to the interest of ethnomethodologists and conversation analysts in exploring actual discourse (Burr, 2015). These discourse analysts came to be known as discursive and rhetorical psychologists, whose approach is presented in the following sections.

2.3. Discursive and Rhetorical Psychology

Discursive and Rhetorical Psychology is the name given to a set of theoretical and methodological approaches in discourse analysis that introduced a new way of doing psychology by the end of the 1980s and the beginning of the 1990s. DRP is a theoretical and methodological approach because it develops a particular understanding of discourse and psychological phenomena and proposes a systematic and empirical way to approach them (Billig, 1997; Potter, 2003).

A caveat regarding the term used to refer to this theoretical and methodological enterprise is necessary. While some authors tend to employ only *Discursive Psychology* (Augoustinos & Tileagă, 2012; Batel & Castro, 2018), others emphasise that there are various approaches or 'flavours', and that grouping them all under the term Discursive Psychology would be a simplification (Billig, 2009, 2017; Gibson, 2019a). Because of this, when some have used only the term *Discursive Psychology* to refer to the overall approach or some of the other strands, misunderstandings have arisen (see Augoustinos, 2019; Batel & Castro, 2018; Potter, 2019). In this thesis, I employ *Discursive and Rhetorical Psychology* as an umbrella term containing three different strands: Discursive Psychology, Critical Discursive

Psychology, and Rhetorical Psychology. Rather than establishing a hard distinction between them, I draw this division primarily for clarification purposes.

Three books are considered the foundational works of DRP: *Discourse and Social Psychology* (Potter & Wetherell, 1987), *Arguing and Thinking* (Billig, 1996, second ed.), and *Discursive Psychology* (Edwards & Potter, 1992). The authors of these books propose that we should make discourse our object of study to understand social life and psychological phenomena. While Foucauldian-oriented analysts consider discourse as societal narratives, or big 'D' Discourse, discursive and rhetorical psychologists (henceforth DRPs) understand discourse as any form of spoken talk or written text we produce in our daily communicative practices, adopting the definition provided by Gilbert and Mulkay (1984), and which some label as little 'd' discourse (Batel & Castro, 2018; Putnam, 2008). It is the DRP understanding of discourse, as our everyday talk and texts, that I adopt in this thesis.

Although other approaches, such as those mentioned in the introduction to this chapter, have already focused on discourse, DRPs follow certain principles that distinguish their work from others, which I present in the following section.

2.3.1. Principles of Discourse and Rhetorical Psychology

Discursive psychologists, critical discursive psychologists, and rhetorical psychologists share an interest in analysing what we do when we use language. Despite some differences, the three strands share four major principles: we perform actions through our discourses, analysts take an anti-cognitivist stance, discourses are embedded in particular contexts, and discourses are both constructed and constructive. These four principles were derived from linguistic, philosophical, sociological, and post-structuralist works (Potter & Wetherell, 1987).

We Perform Actions Through Our Discourses. DRPs reject the 'mirror' conception of language, arguing that language is a medium of action, rather than a tool that reflects an interior world (Edwards, 1997; Potter, 1996). Instead, they argue that we accomplish actions through the use of language (Edwards & Potter, 1992) because all discourse, whether spoken or written, makes things happen (Potter & Wetherell, 1987). Blaming, attributing, categorising, justifying, criticising, disclaiming, and denying are some actions we do when using language. Identifying the particular

action performed through discourse is an intrinsic endeavour for DRPs, especially because “It is only when we start to look at the functions to which the talk is put that we can begin to fully understand what is happening in social life” (Potter & Wetherell, 1987, p. 72). Therefore, DRPs’ interest is in how we accomplish actions with our discourses in our daily interactions.

This principle primarily emerges from philosophical works, such as Wittgenstein, Volosinov/Bakhtin, and Austin. However, instead of considering abstract situations, DRPs remain focused on discourse that is actually uttered in our everyday talk and texts (Potter, 1996). By looking at actual discourses, we can see that when we seek to persuade, blame, criticise or request, contrary to what Austin initially proposed, it is more common to do it indirectly rather than directly (Potter & Wetherell, 1987). For instance, when analysing the language of racism, Wetherell and Potter (1992) highlight how their participants describe and explain events in ways that invite negative inferences about a particular group of people without speaking explicitly against them. Because language is often used indirectly, DRPs prefer to explain our behaviours based on what we do with our talk and text, avoiding assumptions about intentions or underlying cognitive processes (Billig, 2017; Potter, 1996). In other words, DRPs tend to take an anti-cognitivist stance.

Analysts Take an Anti-Cognitivist Stance. Since DRPs understand language as an action, they argue that there is no need to theorise about our mental worlds. Instead, DRPs argue that psychological phenomena, such as attitudes, attribution, emotion, perception, memory, identity, gender, and others, are not individual processes occurring within our minds; rather, they are viewed as social practices. As Billig (1997, p. 40) states, “Many of the phenomena which psychologists have traditionally called ‘internal states’ are, in fact, constituted in social activity, especially through discourse”. In contrast to other approaches to discourse that make assumptions about hidden mental processes (see Van Dijk, 1988), DRPs treat psychological phenomena as something we formulate, deploy, and deal with when interacting with others (Edwards, 1991; Edwards & Potter, 1992; Potter, 1998). It is the interest in how we deploy psychological phenomena in discourse that makes DRP a psychological approach (Wetherell, 2007).

Wittgenstein's philosophy of language (1976) is also one of the major influences regarding the anti-cognitivist stance. If we learn to use language by following the conventional ways other people use it, then psychological concepts do not reveal a hidden realm inside our heads. As soon as we communicate thoughts and emotions, we use language according to what we learn is the appropriate way to do it (Wiggins, 2017). Similarly, we perform gestures or facial expressions according to normative conventions that allow us to identify the meaning of others' gestures or expressions (Billig, 1997).

Still, DRPs do not deny that we think or feel. They are not anti-cognition, nor are they worried about the ontology or the actual nature of cognitive processes (Wiggins, 2017). The anti-cognitivist stance means that since "notions of mind and reality are constituted in the course of situated actions" (Edwards & Potter, 1992, p. 31), the study of psychological phenomena should be done by analysing how we present, manage, and use these phenomena in discourse (Edwards, 2011; Wetherell, 2007). We make use of psychological concepts in our daily interactions (Edwards & Potter, 1992), whether explicitly (e.g., "I remember that... ") or implicitly (e.g., "What happened was... ") to achieve certain interactional goals. Therefore, developing assumptions about underlying cognitive structures is something that DRPs avoid unless participants bring them on in their interactions to perform a discursive action (Potter & Edwards, 2012). However, to better understand the actions we perform through discourse, we need to pay attention to the local context in which we utter them.

Discourses Are Embedded in Particular Contexts. To understand the action achieved through discourses, DRPs emphasise the relevance of context (Potter & Wetherell, 1987), which can refer to the sequential position, the social situation, or both. The sequential position refers to the specific place an utterance occupies in a sequence of turns in an interaction. That is, how the utterance relates to what is said before and after (Potter, 1996). The social situation refers to the interlocutors involved and the place where the interaction is happening, two factors that influence what we say (Wiggins, 2017). The context in which discourse is embedded provides information that analysts can use to infer the action being performed through discourse.

DRPs draw on Ethnomethodology and Conversation Analysis, adopting the relevance of analysing what we say or write in our natural contexts through the use of

a systematic and empirical method (Edwards, 2011; Potter & Edwards, 2012). This empirically grounded approach to discourse distinguishes DRP from other approaches that also avoid making assumptions based on cognitive processes, such as in Foucauldian analysis. Instead of considering discourse as an all-present abstract entity, DRPs maintain a "strong focus on what is there: on the specifics and details which are part of particular settings" (Potter, 1996, p. 67). Therefore, while Foucauldian analysts consider discourse as homogeneous and unitary, DRPs argue that, because we use discourse in flexible ways according to the context, variation rather than consistency tends to be the norm (Potter & Wetherell, 1987).

Although the same action can be performed in different ways, we organise our discourse according to the interactional situation. The kind of discourse through which we achieve a particular function does not necessarily work in the same way in other settings, with other participants, or in another sequence of utterances (Wiggins, 2017). In other words, we construct our discourse. This leads us to the fourth principle of DRP.

Discourses Are Constructed and Constructive. Considering the first part of this principle, we construct our discourse when we produce our talk and texts by putting together different cultural and linguistic resources, such as words, metaphors, maxims, intonations, and gestures (Wiggins, 2017). Although putting these resources together involves a selection of what to include or omit, instead of being the outcome of active deliberations, what we include or exclude in our discourse is mainly based on what we consider to be appropriate or the natural thing to say in the circumstances (Potter & Wetherell, 1987). Regarding the second part of the principle, DRPs argue that discourses are constructive because when we produce them, we build a particular version of reality that has consequences in our interaction (Potter & Wetherell, 1987; Wiggins, 2017). For instance, when we talk or write about a particular person, object or event, we introduce a version of reality in which that person, object or event exists as we define it. Also, the way we describe, talk or write about them makes particular inferences available (Potter, 1996).

Adopting a constructionist stance to reality, DRPs are particularly interested in analysing how we produce versions of reality. Instead of seeing the construction of reality as something that happens inside our heads, as Berger and Luckmann (1966)

suggest, DRPs follow the empirical enterprise developed by sociologists of scientific knowledge, observing how we construct factuality through our discourse in particular settings (Potter, 1996). Also, as different versions of an object or event can be constructed, situations of conflict can emerge (Burr, 2015). Because what we present as factual can be challenged by others, when we construct versions of reality, we unavoidably undermine alternative ones (Billig, 1996; Potter, 1996). DRPs are interested in examining how we position a particular version of reality as legitimate, how we construct factuality and to what ends, especially when accountabilities are at stake (Edwards & Potter, 1992). In contrast to the 'regimes of truth' proposed by Foucauldian analysts, DRPs do not consider knowledge as an entity existing *out there*. Instead, they consider knowledge as something that we achieve in our daily practices, in the way we formulate objects and subjects in discourse (Potter, 1996). Sometimes we do this by inoculating our interest so that the version presented appears more neutral. However, when our investment in a particular version is hard to hide, we might mention our interest explicitly to avoid accusations of bias and to give an honest appearance to our accounts (Potter, 1996).

DRPs have developed analytical tools or discursive devices to examine how we manage our accountability, along with the kind of actions we perform (Wiggins, 2017). Potter (1996) lists a series of devices we commonly use to construct and manage our stakes and interests, as well as the appearance of neutrality and accuracy of what we construct in discourse. For instance, consensus and corroboration are used to show that others agree or that a neutral witness agrees with the version of reality presented, making it appear as if something exists independently of the person producing the discourse. Narrating events may make the constructed reality seem logical, and providing details may lend credibility to the speaker as accurately recalling the events. Similarly, category entitlements can be used to present a person as someone who has the knowledge or authority to determine what something *really* is. We use these and other devices in discourse to manage our stake, positioning ourselves as having no interest in the events or objects we talk about, as if they were just out there, offering a unique possibility to be described (Edwards & Potter, 1992).

In summary, DRPs combine elements from various traditions to examine our everyday interactions using a systematic and empirical method, which allows them to

approach how we organise our discourses, what kind of versions of reality we construct, and how we perform and use psychological phenomena in our day-to-day conversations. The four principles mentioned have guided the work of DRPs since this approach was proposed in the second half of the 1980s until the time of writing the current thesis (see Demasi et al., 2021; Edwards & Potter, 1992; Potter & Wetherell, 1987; Tileagă & Stokoe, 2016; Wiggins, 2017; Wiggins & Riley, 2019). Regarding their precursors, DRPs tend to position themselves between conversation analysis and Foucauldian analysis, arguing that what they propose is "somewhat broader than the conversation analytic concern with talk in interaction, but rather more focused on the specifics of people's practices than the Foucauldian notion of a discourse as a set of statements that formulate objects and subjects" (Potter, 1996, p. 105). Although remaining between these two approaches, some DRPs have moved closer to Conversation Analysis, while others have moved closer to Foucauldian analysis (Jørgensen & Phillips, 2002; Riley, 2002).

In its origins, DRPs paid attention to the way the cultural context influences the content of our discourse (Billig et al., 1988; Potter & Wetherell, 1987; Wetherell & Potter, 1992). However, in subsequent years, some DRPs began to focus only on participants' practices in interaction, adopting a strong conversation-analytic stance (Edwards, 1997; Stokoe & Edwards, 2007; Widdicombe & Wooffitt, 1995; Wiggins & Potter, 2003). The ones who morphed into a more conversation-analytic approach to discourse continue to be labelled as discursive psychologists, while the ones who have continued working based on the original proposal tend to be positioned under the label of critical discursive psychology (Wiggins, 2017). Another major strand is rhetorical psychology, which proposes a new model of human beings based on the works of ancient rhetoricians (Billig, 1996).

Because of these different concerns, DRPs have taken different stances when studying discourse (Wetherell, 2007), and each strand would provide a different answer to the question 'Why this utterance here'. In the following sections, I present the singularities of Discursive Psychology, Critical Discursive Psychology, and Rhetorical Psychology.

2.3.2. Discursive Psychology

Discursive Psychology is the strand of DRP that remains closely related to Conversation Analysis. Discursive psychologists adopt the conversation analytic premise that everything that can be said about discourse needs to be restricted to what seems to be relevant to the interlocutors (see Antaki, 1994; Antaki & Widdicombe, 1998; Edwards, 1997). What matters is "the participants' own meaning-making through talk-in-interaction and not the analysts' interpretations of that talk in terms of the wider social patterning of talk" (Jørgensen & Phillips, 2002, p. 106). Any consideration of cultural, social or political features that are not mentioned by the people interacting is rejected to avoid what Schegloff (1997) defines as 'theoretical imperialism': claiming to know better than the people involved in the interaction.

Similar to conversation analysts, discursive psychologists pay equal attention to the fine-grained details of interactions, such as silences, pace, and intonation (Potter & Edwards, 2012). Moreover, the turns in the interaction, the sequences of utterances and the structure of conversations are also matters of interest for discursive psychologists (Wiggins, 2017), considering that "the study of what an utterance means will not reach a satisfactory conclusion without some understanding of the occasion on which the utterance is used" (Potter, 1996, p. 44). Hence, to answer the question 'Why this utterance here', discursive psychologists rely on the sequences, structure and fine details of the conversation (Edwards, 2006).

This large overlap in interests and scope of analysis between Discursive Psychology and Conversation Analysis has led some to argue that they are hardly distinguishable anymore (Augoustinos, 2019; Wooffitt, 2005), or that Discursive Psychology has become "a branch of conversation analysis" (Willig, 2017, p. 423). Still, there are two main differences between these approaches. First, while conversation analysts are concerned with how we achieve interactional actions, such as opening a conversation, changing topics, telling stories, and so on, discursive psychologists are interested in the way we manage actions and psychological phenomena in discourse (Edwards & Potter, 1992). Secondly, while conversation analysts are exclusively concerned with talk in interactions, discursive psychologists are also concerned with the way we construct versions of reality in text (Potter, 1996).

Discursive psychologists aim to describe and accumulate knowledge about the rules we follow when formulating psychological states and constructing versions of

reality in our interactions (Edwards, 1997). For example, they have explored how assessments (Wiggins & Potter, 2003), attributions (Antaki, 1994), identities (Antaki & Widdicombe, 1998; Benwell & Stokoe, 2006), categories (Edwards, 1991; Stokoe, 2012), race categories (Stokoe & Edwards, 2007), emotions (Edwards, 1997), memory (Edwards & Potter, 1992), intentions (Edwards, 2006) and cognition (Potter, 1998) are invoked to perform particular actions. Additionally, special interest is placed on how we manage our accountability when constructing versions of reality (Edwards & Potter, 1992; Wiggins & Riley, 2019).

Nevertheless, not all DRPs agree that fully adopting the premises of Conversation Analysis leads to the best way of studying society (Billig, 1999b; Wetherell, 1998). Although all acknowledge the relevance of analysing what we say in our everyday settings, some argue that what analysts can say about a particular discourse does not need to be restricted to what people raise as relevant (Billig, 1999b). Assuming so would be considered a naïve epistemological position because all analysis is based on the analyst's assumptions of reality (Billig, 1999b). According to Willig (2008, p. 107), by avoiding considering the social context surrounding interactions, discursive psychologists are "unable to account for *why* particular individuals, or groups of individuals, pursue particular discursive objectives" (emphasis in original).

We are settled in specific social, political, and cultural settings, drawing on cultural resources to produce and perform actions through discourse (Wetherell, 1998). Moreover, because the concepts and meanings we use in our interactions have been constructed in a continuous social dialogue, the contents of our dialogues emerge from historical and social roots (Billig et al., 1988). Consequently, what we do through discourse should be explored by integrating the rigorous, systematic approach of discursive psychologists with the wider social patterns of talk (Wetherell, 1998). This interplay between the cultural context and what we say in interactions constitutes the object of study of critical discursive psychologists.

2.3.3. Critical Discursive Psychology

While some DRPs moved closer to conversation analysis, others remained closer to post-structuralist and Foucauldian analysis. They still pay attention to what is being done in interaction, but do not restrict themselves to analysing only what is

relevant for those involved in the interaction (Edley, 2001). Instead, they attempt to locate mundane interactions within their social, cultural and historical settings (Wetherell, 1998; Wiggins, 2017). Those who have adopted both the empirical approach to discursive practices performed in interaction and the analysis of patterns of discourse that exist in society are known as critical discursive psychologists (Edley, 2001).

Critical discursive psychologists are concerned both with empirically examining discourse and with assessing the interplay between discourse and cultural conditions through which subjects and their realities are constituted (Willig, 1999a). To do this, critical discursive psychologists analyse discourse at two levels (Riley, 2002; Wetherell, 1998). At one level, they analyse how we perform interactional practices and formulate and manage psychological states, such as invoking identities, in the specific sequential position in which they are uttered. At this level, critical analysts perform a similar analysis to that of discursive psychologists, focusing on how we construct different versions of reality depending on the sequences of the interaction (Edley & Wetherell, 1999). However, restricting the analysis exclusively to the first level is deemed unacceptable because collecting small fragments of interactions transcribed in great detail "leads to an especially narrow analytic gaze on that data and its context" (Wetherell, 2007, p. 671). Critical discursive psychologists are less concerned with the fine-grained details of conversations and more with the consequences of discourse in constituting our subjectivities and possibilities as human beings (Wetherell, 2007).

On the other level, critical discursive psychologists examine how discourses reflect patterns of talk circulating within the cultural context of the participants. At this level, the analysis is more closely aligned with that of post-structuralist theorists. Critical discursive psychologists argue that we draw on patterns of talking available in our culture when constructing discourses and versions of reality, rather than producing them from scratch to respond to the demands of interactions. As Edley and Wetherell (1999, p. 182) state, "Society provides us with a set of ready-made resources with which to think and talk about the world". That is, society provides us with ways of talking about things, and consequently, critical discursive psychologists are concerned with the patterns of talk that are drawn on in discourse.

When we consider these two levels, we gain a point of view from which we can explore the relationship between cultural ways of talking about certain things and the

dynamics of interactions (Edley & Wetherell, 1999), emphasising both what we do and the resources we use to produce our discourses (Jørgensen & Phillips, 2002). Critical discursive psychologists identify broader patterns of discourse in the same way they identify the local pragmatics developed in an interaction: looking at the discourse we have produced (Edley & Wetherell, 1999). Some critical discursive psychologists (see Edley, 2001; Wetherell, 1998, 2007) make use of three integrative concepts to carry on their analyses: interpretative repertoires, subject positions, and ideological dilemmas.

Interpretative Repertoires. The concept of interpretative repertoires was first developed by Gilbert and Mulkay (1984), who analysed how scientists use an empirical and contingent style when discussing their own and others' work, respectively. It was later integrated into the DRP enterprise by Potter and Wetherell (1987; see also Wetherell & Potter, 1992). They are defined as relatively restricted patterns of terms, metaphors, figures of speech, and grammar styles that we use to characterise and evaluate objects of reality (Edley & Wetherell, 1999; Potter[1] & Wetherell, 1987). Initially, DRPs put a strong emphasis on lexicon and grammar to identify and distinguish between interpretative repertoires (Litton & Potter, 1985; McKinlay & Potter, 1987; Potter & Litton, 1985b; Potter & Wetherell, 1987). However, due to DRPs' main concern with language use, the emphasis shifted from stylistic features to the "*content* of discourse and how that content is organized" (Wetherell & Potter, 1992, p. 90, emphasis in original). Thus, interpretative repertoires came to be treated as culturally specific and "relatively coherent ways of talking about objects and events in the world" (Edley, 2001, p. 198), reflecting the culturally familiar understandings that prevail in a particular culture about certain objects or events (Wetherell, 1998). Critical discursive psychologists are concerned with identifying the repertoires we use when we speak or write, the function for which they are produced, and what they indicate about what is (not) possible to say about particular issues (Edley, 2001).

In contrast to the concept of Discourse developed by Foucauldian approaches, in which ways of talking about issues are considered uniform bodies of knowledge with agentic features, critical discursive psychologists make use of 'interpretative

[1] As Goodman (2017, p. 152) states, "It is worth noting that Potter has moved somewhat from his earlier position and is now unlikely to use interpretative repertories in his own work, while continuing to be cited for developing the literature on them".

repertoires' to highlight that discourses are something that we actively produce (Edley, 2001). That is, we utilise patterns of talk available in our contexts to achieve specific interactional goals (Wetherell & Potter, 1992).

Nevertheless, not all ways of talking are equally available, with some repertoires appearing more frequently, stable, and pervasive than others (Edley, 2001; Edley & Wetherell, 1999). These repertoires are the taken-for-granted understandings that exist in a specific culture, the contents of our common sense (Wetherell, 1998). If we understand reality based on the interpretative repertoires available in our culture, those repertoires that appear as the most natural ways of talking occupy a hegemonic position (Gramsci, 2011). In other words, hegemonic repertoires are the repertoires that have been established as the most accurate ways of describing reality (Augoustinos et al., 2014).

When we construct versions of reality, these are not only about objects or events; they are also about ourselves and our subjectivities (Wetherell, 2007). Those versions "are profoundly constitutive of people's subjectivity, of the possibilities for being human and for being a social actor" (Wetherell, 2007, p. 665). When talking about identities, we inevitably position ourselves and others in particular ways, from which inferences can be drawn. The analysis of subjectivities constructed in discourse is done based on another analytical concept: subject positions.

Subject Positions. Drawing on post-structuralist works (Althusser, 1971; Mouffe, 1992), critical discursive psychologists argue that we constitute and bring into being our and others' identities through discursive practices, positioning them in diverse places in the social fabric (Davies & Harré, 1990; Wetherell, 1998, 2001). We always occupy a position when interpellated in discourse, a place from which expectations about our rights, responsibilities, power and vulnerabilities are made (Davies & Harré, 1990). How we position subjectivities also has consequences for what we or others can(not) say (Willig, 2008). Thus, rather than being full agents of our discourse, we are constrained by how we are positioned.

Due to the different ways in which identities can be constituted, we occupy different positions rather than being positioned only in one unique way (Jørgensen & Phillips, 2002). Because the way we talk varies within and between discourses, the identities of speakers and the people they talk about are also expected to change

(Edley, 2001). A person is thus a plurality constituted by various discourses, by the different positions they have occupied in discourses (Mouffe, 1992). Sometimes, the expectations that emerge from a particular position in which a person is put can contradict the expectations of other positions produced by a different discourse (Davies & Harré, 1990). However, when a person is positioned in a way in which alternatives do not seem possible, it is assumed that a unique identity about a person has been naturalised and, thus, becomes hegemonic (Laclau & Mouffe, 2001).

Although multiple and even inconsistent positions can be found regarding the same person, critical discursive psychologists assume that we are not merely subjected to discourses surrounding us. We are also creators of discourse, and speakers can resist and constitute their own identities (Edley, 2001). In other words, we are both producers and the products of discourse (Billig, 1991). Still, identities are constituted in conversations by using available terms that have been used to talk about identities in the past (Wetherell, 1998). Therefore, to analyse subject positions, we need to look at the kind of interactional business the speaker performs when constituting an identity and the repertoires drawn in such construction (Edley, 2001). Nevertheless, a dilemma may arise when two conflicting interpretative repertoires are available for the same issue. This leads us to the third analytical concept: ideological dilemmas.

Ideological Dilemmas. The concept of ideological dilemmas was developed by Billig et al. (1988). Traditionally, ideology has been considered a monolithic and constraining body of ideas that is imposed over the members of a particular society (e.g., Althusser, 1971). Instead, Billig et al. (1988), based on Mannheim's proposal, argue for a conception of ideology as a lived rather than an intellectual phenomenon. Lived ideology is equated to common sense, the everyday ways of reasoning and practices that people in a particular group perform. Far from being a unitary and consistent body of ideas, ideology is constituted by contradictory and conflicting themes, evaluations and maxims that exist in our culture (Gibson, 2019a). This fragmented and even contradictory nature of our common sense has consequences for the way we structure our everyday lives (Edley & Wetherell, 1999) and informs the content of our everyday thinking and arguments (Billig, 1993).

Due to the existence of contradictory patterns of talk, when we talk, we have already chosen one way of talking over others, regardless of whether that decision was

deliberated (Billig et al., 1988; Wetherell, 1998). Using the analytical tool of ideological dilemmas, critical discursive psychologists explore how contrary themes are revealed in our everyday discourse (Edley, 2001). These ideological contradictions can appear explicitly when the speaker acknowledges two different patterns of talk available but argues for one of them, or implicitly when the semantic structure of the only pattern mentioned offers clues to identify the potential counter-theme (Billig et al., 1988). When facing ideological dilemmas, we transform the contents of common sense into controversial issues, thereby opening up possibilities to transform the cultural stock from which we produce discourses (Edley & Wetherell, 1999).

Putting all this together, there are different ways of discussing particular issues in our societies, and we utilise those patterns of talk (interpretative repertoires) to construct versions of reality in our interactions, including versions of our own or others' identities (subject positions). When answering the question 'Why this utterance here', critical discursive psychologists do not restrict themselves to the sequences and fine-grained details of interactions, as discursive psychologists do (Wetherell, 2007). Instead, they emphasise that the contents of our utterances reflect patterns of talking that have historically developed in a particular culture (Edley, 2001). Furthermore, as the different ways of talking can be in conflict and contradict each other (ideological dilemmas), we are inevitably moved to argue for one alternative at the expense of others. When we argue in favour of a particular way of talking, we are at the same time arguing against competing ways (Billig, 1996), which means that our constructions of reality are produced rhetorically (Edley, 2001). Exploring how we use culturally available resources to construct versions of reality while rejecting alternative ones is the main concern of rhetorical psychologists.

2.3.4. Rhetorical Psychology

Rhetorical psychology is the strand of DRP theoretically developed by Michael Billig (1991, 1995, 1996, 1999a), which assumes that human beings are inherently argumentative (Billig, 1996). This assumption of people as argumentative beings is based on the works of ancient sophists, especially Protagoras' claim that for every issue, there are always two sides that can be argued for.

When we talk about an object or event, the way we construct it inevitably puts us in a position regarding that object or event (Billig, 1996). Even the vocabulary and terms we use are already loaded with evaluations (Billig et al., 1988). Hence, while discursive psychologists are concerned with the way categories and evaluations are formulated in discourse, rhetorical psychologists are concerned with how categorising and evaluating indicate speakers' position regarding other alternatives (Gibson, 2019a). Because every description or evaluation we make when arguing for a particular way of understanding is, at the same time, a critique of other possible understandings, we are involved in a constant debate (Billig, 1996). Consequently, for rhetorical psychologists, it is important to look at the constructed version of reality while considering which alternative versions are marginalised (Billig, 1991).

As rhetorical beings, our conversations with others tend to unfold in a sequence of turns, where an argument presenting a version of reality is followed by a counterargument that challenges that version (Billig, 1996). The challenge can work whether by pointing to the weak points of the original argument or by presenting an alternative version that appears more solid and thus more resistant to potential counterarguments. To answer the question 'Why this utterance here', rhetorical psychologists rely on the argumentative context in which versions of reality are constructed. That is, to understand what is being argued for, we must understand what is being argued against (Billig, 1991). Consequently, the implications of whatever version is established as the most believable are not only relevant for those involved in the interaction. They can influence the way we discuss various issues and, consequently, have social and ideological effects (Billig, 1999b).

Contrary to the other two strands of DRP, rhetorical psychologists argue that we can understand how thinking works without considering underlying cognitive processes or making assumptions about speakers' intentions, but by looking at their discourse. According to Billig (1996, p. 2), "Thinking is a form of internal argument, modelled on outward dialogue". In the absence of others, we are always able to offer arguments in support of or against particular versions of reality (Billig, 1996). The contents of our thinking are the culturally common understandings available in our contexts, those which comprise our common sense (Billig, 1991), making thinking a social rather than an internal activity (Billig, 1996). Additionally, rhetorical psychologists propose that processes of thinking can be observed in the way we argue.

The speed at which conversations develop and the circumstances in which opposing arguments are presented leave little, if any, space to plan our next argument beforehand (Billig, 2009). If there were no arguments and positions to take, no thinking would be possible (Billig, 1996).

Sometimes it may seem that there are no counterarguments to a particular version of reality, which appears so solid that other alternative versions seem harder to develop. A solid version of reality is constituted by the arguments that have been reproduced frequently over time, becoming natural ways of talking in a particular context (Billig, 1995). Patterns of talk and practice that make versions of reality seem natural and taken for granted constitute our daily common sense (Billig, 1995; Eagleton, 1991). If a particular version of reality appears as obvious, then it is assumed that potential counterarguments supporting an alternative version have been suppressed from the contents of common sense, remaining forgotten (Billig, 1999a). Nevertheless, hegemonic understandings are not permanent. When the argumentative context changes, we adapt our discourse according to the demands of the interaction, which might open the possibility of introducing counterarguments (Billig, 1996).

Considering the three strands of DRP together allows us to have a broader scope when analysing society through this discursive approach. For instance, while discursive psychologists who remain close to Conversation Analysis emphasise the importance of looking at the discourse we produce in our natural settings (whether talk or text), those who adopt a more critical approach remind us that versions of reality do not come out of nowhere but reflect patterns of talking and writing that exist in our cultures. Additionally, those emphasising the rhetorical features of our discourse remind us that every version of reality is constructed in opposition to an alternative one, providing us with an analytical lens to explore how opposing contents of common sense are discursively contested.

2.4. DRP's Philosophical Foundations

Despite sharing the same principles, not all DRPs agree with the philosophical premises that underpin their research and assumptions about the nature of an objective reality independent of our discourse (Gilles, 1999). Analysts in the three strands tend to adopt a methodological relativist stance, looking at how and to what

ends we present versions of reality as factual (Cena et al., 2024; Gibson, 2019a; Potter, 1996). Some scholars, mainly within the discursive psychological strand, have argued that researchers should refrain from making claims about reality and instead adopt a relativist stance (Edwards et al., 1995). Accordingly, the analyst's task should be restricted to identifying and describing systematically the set of practices we display in interactions (Edwards, 2012), a task that, as others have argued, is less concerned with social change (Augoustinos, 2019).

Others, mainly critical discursive psychologists and rhetorical psychologists, argue that the methodological-relativist stance does not require adopting the strict relativism proposed by Edwards et al. (1995). Although we only have access to the versions of reality that have been discursively constructed, this does not mean that all versions are equal or that we cannot have preferences. For instance, Billig (1996) argues that although it is always possible to develop two different arguments from the same issue, this does not preclude the possibility that one version is more useful than others. Similarly, Wetherell and Potter (1992, p. 62) state that "Some versions of reality may be infinitely preferable to others, and should be argued for and pushed forward whenever possible". Paraphrasing the classic Thomas and Thomas' theorem (1928, as cit. in Merton, 1995), the versions of reality that we define and treat as real end up being real in their consequences.

Relativism has been useful in challenging and undermining hegemonic 'regimes of truth' (Foucault, 1979) and DRPs have developed an empirical approach to study the constitution of those hegemonic understandings in talk and text. However, some critical discursive psychologists have directly criticised the strict relativist stance proposed by discursive psychologists, arguing that this kind of relativism can only offer partial and contingent analyses of pieces of talk (Nightingale & Cromby, 1999). According to Cromby and Nightingale (1999, p. 2), the "strong emphasis on the role of language in the constitution of both world and person has produced a corresponding lack of attention to other significant elements of human life". Consequently, discursive psychologists are charged with failing to address how the materialisation of the discursively created reality affects the elaboration of further discourses (Willig, 1999a). This group of critical discursive psychologists proposes that, in addition to considering language as a medium for constructing versions of reality, it is also important to recognise that material conditions constrain those constructions (Locke & Budds,

2020). Thus, analysts are expected to integrate the empirical rigour of DRP with critical realist concerns about material conditions and structures of power.

2.4.1. Critical Realist Approach to Discursive and Rhetorical Psychology

Some authors suggest that social constructionist psychologists should integrate both the real and the constructed by adopting a critical realist stance (Michael, 1999). Critical realism is a metatheory originally proposed by Roy Bhaskar (2008, 2011). Bhaskar proposes that there are two different kinds of objects of knowledge: intransitive and transitive. On the one hand, intransitive objects of knowledge are those that exist independently of human intervention, meaning they can continue to exist even when no knowledge about them is produced. Moreover, intransitive objects have causal potential: they make things happen, although we can infer their existence only through the phenomena they produce (Willig, 1998). On the other hand, transitive objects are the bodies of knowledge, such as theories, methods, or models, produced by human beings and that would cease to exist without humanity. Transitive objects of knowledge depend on prior transitive knowledge; that is, we produce new theories, methods, or models based on existing ones.

Critical realists assume that there is a distinction between what is real and what can be observed, acknowledging that our understanding is always biased and contingent upon previous understandings. As humans, our empirical observations are limited because we can only experience reality indirectly. All phenomena that we experience are understood to be generated by non-discursive underlying structures (Sims-Schouten et al., 2007). Thus, critical realists understand reality as composed of different structures (i.e., intransitive objects) that exist independently of our knowledge of them (i.e., transitive objects). Subsequently, Bhaskar (2008) warns against falling into the epistemic fallacy of reducing reality (ontology) to what we can say about reality (epistemology).

Critical discursive psychologists working from a critical realist stance reject the claim that it is not possible to conceive a reality beyond discourse (see Edwards et al., 1995) and argue, instead, that although reality is always mediated by discourse, our descriptions do not make the object of our discourse less real (Willig, 1998). They adopt an epistemological relativism, understanding that meanings are constructed in our discursive interactions, but maintain an ontological realist stance, assuming that

extra-discursive realities impact those meanings (Sims-Schouten et al., 2007). As Willig (1998, p. 96) states, “we as human agents find ourselves within a context in which things are always already going on or being done”. We construct meanings and versions of reality through our discourse, but these constructions are assumed to be constrained by social and material conditions surrounding their production (Sims-Schouten et al., 2007). Along with exploring the interactional business and the versions of reality we construct or draw into discourse (which is the main concern of DRPs), critical realist discourse analysts systematically interpret how material or extra-discursive realities inform our talk and texts, even when they are not explicitly mentioned (Sims-Schouten & Riley, 2019). Hence, adopting a critical realist stance enables analysts to explore why some discourses are more likely to be elaborated upon than others, based on the material factors surrounding the speakers.

Different authors have proposed three specific factors as having an extra-discursive ontology constraining our discourse: embodiment, materiality, and institutional power (Bhaskar, 2011; Cromby & Nightingale, 1999; Sims-Schouten et al., 2007; Willig, 1999a). According to Cromby and Nightingale (1999), embodied factors are related to the biochemical aspects of the body, physical conditions, and personal histories such as childhood experiences. Material factors refer to the physical features of objects and the resources available in the places we inhabit. Institutional Power refers to the ability of institutions (e.g., governments and corporations) to control access to resources and maintain social structures that create inequalities (e.g., capitalism, sexism, racism, nationalism). At the same time, social institutions are part of the social structure, which in turn emerges from the network of discourses that constitute our cultures (Newman, 2020). Thus, in contrast to materiality and embodiment, institutional power is a product of human processes (Bhaskar, 2011).

Drawing on Foucault’s work, Sims-Schouten et al. (2007) conceptualise institutional power in two ways. One is related to the capacity to make things happen (e.g., members of parliament have the power to enact legislation and police officers have the power to enforce it). The other one relates to the capacity of institutions, such as science and government, to position a particular version of reality as accurate and legitimate. These versions of reality treated as real constitute the common-sensical knowledge that might, for instance, support the enactment of an act of parliament.

The way critical discursive psychologists who take a critical realist stance conceptualise power resonates with the conception of hegemony developed by those taking a relativist stance. Critical discursive psychologists aligned with a relativist stance argue that there are versions of reality that remain relatively stable in a particular culture, constituting the prevalent common sense of its members. Instead of a fixed set of ideas, hegemonic versions of reality are plural, flexible, and sometimes inconsistent (Wetherell & Edley, 1999). These common-sensical versions of reality are established as hegemonic due to their constant and mainly banal reproduction in our discourse (Billig, 1995). In other words, hegemonic versions of reality are the taken-for-granted understandings of the world, versions that remain unchallenged in a particular social and historical moment (Billig, 2001), becoming sedimented in culture (Laclau & Mouffe, 2001). Although we produce our discourse in flexible ways, hegemonic patterns of talking provide us with possibilities of being according to the subject positions available, positions that are immersed in unequal relations of power (Edley, 2001; Wetherell & Potter, 1992). That is, constituting someone's identity in a certain way can provide them with access to social, political, and economic privileges, while different constitutions might keep them excluded and oppressed.

Similarly, those who adopt a critical realist stance are also concerned with the more stable and pervasive ways of talking in a particular context. However, not everyone can occupy a subject position that makes their discourses socially accepted (Laclau & Mouffe, 2001). Not everyone has the same access to discursive resources because structural conditions, such as class, ethnicity, and gender, can limit the possibilities of what can(not) be said (Chouliaraki & Fairclough, 1999; Jørgensen & Phillips, 2002). Members of social institutions have more influence in positioning certain discourses above others because of their access to powerful tools of representation (Kilby, 2016; Wodak, 2012). Based on this, critical realists are interested in seeing how discourses reproduced by (members of) social institutions restrict the cultural resources available to elaborate our versions of reality (Sims-Schouten et al., 2007).

Dominant discursive constructions, such as those reproduced by governments, come to be seen as natural due to the relative stability they gain through their reproduction and repetition (Banta, 2012). They make the world and its organisation seem like a natural phenomenon rather than a social achievement. Due to their

appearance of factuality, institutional discourses create a set of conditions that make certain sense-making possible (Sims-Schouten & Riley, 2019). The hegemonic patterns of talking that constitute our common sense can impose boundaries on what is (un)acceptable to say (Sims-Schouten et al., 2007). Consequently, the relative stability that certain discourses gain through their reproduction, repetition, naturalisation, and institutionalisation gives them enough intransitivity to be treated as having a material ontology, similar to extra-discursive objects that constrain the production of versions of reality (Banta, 2012; Blanco et al., 2018).

New discourses make sense because of the network of meanings constructed by previous ones (Howarth, 2011), especially if they are hegemonic (Newman, 2020). Words that are automatically associated with a familiar theme lead us to expect certain references and particular meanings (Potter & Wetherell, 1987), such as the terms “human rights activists” or “thugs”, which are often used to refer to people who protest. Understanding this relationship and how common sense influences and shapes our discourse is a premise for critical realist discursive psychologists (Sims-Schouten & Riley, 2019). Even discursive psychologists who take a strict relativist stance have expressed that our talk and texts are constituted by “widely shared views, commonplaces of reasoning and more or less standard devices for factual accounting” that are available in our cultures (Edwards & Potter, 1992, p. 38).

As I discussed in earlier sections, some authors have described the link between cultural background and discourse in terms of interpretive repertoires. Others, adopting a critical realist perspective, refer to ‘structures of meaning’ created by institutionalised discourse (Willig, 1999). Similarly, some propose that a ‘cultural backdrop’ provides us with the shared systems of meaning we use in our discourse (Parker, 1992, 1999). Regardless of which term we prefer, shared cultural backgrounds, characterised by specific patterns of talking that provide the common sense that supports our discourse, have been the subject of study in a longstanding theory within social psychology: Social Representations Theory. I dedicate the next chapter to this theory.

Chapter 3. Social Representations: Naturalised Meanings Upholding the Status Quo

In this chapter, I introduce the Social Representations Theory (SRT), presenting how the concept has been defined from its different approaches and emphasising the conception of social representations I adopt in this research. Next, I describe what social representation theorists (henceforth SRTs) argue are the two main processes through which we represent and make sense of our realities. Then, I proceed to describe how social representations play a role in shaping particular versions of reality and the ways in which different conceptions of representations relate to specific ontological and epistemological perspectives. In the following section, I conceptualise how certain versions of reality become natural and taken-for-granted ways of interpreting our surroundings, having ideological implications in upholding the current social order. I finalise the chapter by discussing possibilities for resisting and elaborating alternative futures and how the analysis of everyday and institutional discourses, as proposed by DRPs, can contribute to this end.

SRT, introduced by Serge Moscovici in the early 1960s (Moscovici, 1961/2008), is concerned with the construction of common-sense knowledge and its everyday reproduction (Aimé et al., 2013). SRTs understand common sense as the symbolic universes we inhabit, which fulfil particular functions in society (Marková, 1996; Moscovici & Marková, 1998). These symbolic universes shape how we conceive reality and are (re)produced through our social and institutional communications (Jodelet, 1984). In other words, common sense is grounded in the language we use in our everyday lives (Moscovici & Marková, 1998). Thus, SRTs are mainly interested in the contents of common sense and their meaning for specific groups (Flick, 1998).

The concept of social representation was developed from the concept of *collective representations*. Durkheim (1898) defines collective representations as homogeneously shared understandings which can only be generated or transformed in exceptional cases and through particular collective rituals. Durkheim (1898) proposes collective representations in opposition to individual representations, which are unique to each person, arguing that to understand collective phenomena, there is no need to study individual practices. In contrast, and with the intention of developing a theory that explains the relationship between human psychology and cultural trends, Moscovici (1961/2008, 1988; see also Farr, 1998) proposes *social representations* as a

common ground between collective and individual representations. In other words, SRT occupies a space between reductionist individualism and social determinism (Wagner, 1998). Moreover, due to the rapid development of communication systems over the last century, representations are constantly and mundanely re-elaborated, producing a heterogeneous symbolic landscape in which only some representations gain a relative stability (Moscovici, 1984). Therefore, referring to *social* rather than collective representations emphasises the possibility of diverse rather than unique ways of representing reality, even within the same group of people (Moscovici, 1988).

One of the premises for SRTs is that to understand social psychological phenomena, we need to consider the macro-social conditions in which they appear (Wagner et al., 1999). Studying social representations entails examining how we produce representations and how these representations intervene in social life (Moscovici, 1984, 1985; Moscovici & Marková, 1998). In other words, it means to study "social life in the making" (Moscovici, 1988, p. 219). In contrast to individualistic approaches, SRT repositions social psychology as a social science, situating us within our social and cultural contexts and examining how these contexts influence the construction and interpretation of our realities (Augoustinos et al., 2014; Flick, 1998; Moscovici, 1984, 1988).

The relationship between human psychology and cultural trends is elucidated by putting communication at the centre of the theory (Moscovici, 1998). Social representations develop and evolve through interactions in which our understanding of reality is scrutinised, producing what Moscovici (1984, 1988) refers to as the unceasing babble of a *thinking society*. In communication with others, "Thinking is done out loud" (Moscovici, 1984, p. 21). Therefore, to study how and about what we talk in our social encounters is to study the incessant babble of the thinking society.

3.1. Approaching the Concept of Social Representations

The concept of social representation has been defined in different ways, having "as many interpretations as it has users" (Sfard, 2005, p. 367). This is mainly due to Moscovici's unwillingness to provide a unique definition that might restrict the heuristic concerns of those analysing society through SRT, and to avoid SRT being reduced to experimental variables (Moscovici, 1988, 1998). However, some scholars

claim that loosely defining social representations has affected the theory's power and usefulness (Jovchelovitch et al., 1993; Wagner, 1998).

Moscovici has referred on different occasions to social representations as networks of concepts and pictorial elements, cognitive systems, stock of social knowledge, organisation of beliefs and of language, theories, systems of values, ideas, and practices created in our interpersonal communications (Moscovici, 1973, 1981, 1988, 2000; Moscovici & Marková, 1998). Overall, he refers to social representations as the contents and network of contents that allow us to make sense of our realities:

> Social representations, as I have already mentioned, concern the contents of everyday thinking and the stock of ideas that gives coherence to our religious beliefs, political ideas and the connections we create as spontaneously as we breathe. They make it possible for us to classify persons and objects, to compare and explain behaviours and to objectify them as parts of our social setting (Moscovici, 1988, p. 214).

Other authors have offered diverse definitions of social representations, depending on the methods they have adopted to explore them (Breakwell & Canter, 1993). Some have defined them as reference systems, categories, and ways of thinking that are socially elaborated (Jodelet, 1984, 1991). Some depict them as organising principles (Doise et al., 1993), while others describe them as a set of cognitions (Flament, 2003) or cognitive structures (Abric, 2001; Moliner & Abric, 2015).

Due to the lack of a unique definition of social representations, different approaches have emerged within SRT. Some SRTs have developed a primarily individualistic *psychological* social psychology approach, conceiving social representations as cognitive structures or schemata that can be studied through surveys or laboratory experiments (Breakwell, 1993; Moliner & Abric, 2015; Wagner et al., 1999). This is identified as the structural approach, from which representations are conceived as entities with a specific structure: a central core that remains relatively stable and peripheral elements that change to adapt to the demands of the context (Abric, 1993, 2001). However, the structural approach has been criticised by some SRTs for adopting a mostly static view of representations that excludes the dynamic and

symbolic features of social representations, considering them as finished and independent objects, and for its similarity with the reductionist studies of social cognition (Banchs, 2000; Batel & Adams, 2016; Parales-Quenza, 2005; Moloney & Walker, 2002). Additionally, some SRTs consider approaches based on conventional methodologies (e.g., surveys and experiments) a threat to the theory, as they remove the social features and dynamism of representational fields by assuming that these features are to be found within the minds of individuals (Farr, 1984; Jovchelovitch, 2008; Moloney & Walker, 2002; Räty & Snellman, 1992a; Rodríguez Salazar, 2003; Rose et al., 1995).

In contrast, SRTs who have adopted a *sociological* social psychology approach conceive social representations as living cultural resources embedded in the meanings of words, reproduced in public discourse, and whose contents evolve over time (Billig et al., 1988; Moscovici, 1988). Studying social representations from this approach requires an understanding of our representations as inherently social creations and dynamic in nature (Moscovici, 1982, 1984). First, social representations are social due to their origin in language, the conditions and contexts in which they are produced, the communications through which they are reproduced, and the functions they fulfil (Echebarría Echabe & Gonzalez Castro, 1998; Jodelet, 1984). Secondly, social representations are dynamic and flexible because they are continuously re-configured in conversations, personal narratives, historical and traditional tales, education, and mass media (Flick, 1998; Jodelet, 1984; Jovchelovitch, 2002; Marková, 2000; Moscovici, 1984, 1988, 1961/2008; Vala & Castro, 2013). Therefore, social representations are not simply given but are produced through transformative processes of interpretation and ascription of meaning (Flick, 1998). When relating to others, we make sense of objects, introduce them into an intersubjective reality, and adapt their meanings according to social demands, making it possible to communicate them in our everyday interactions (Jovchelovitch, 2002). Two of these sociological social psychology approaches to SRT are the dialogical (Marková, 2000, 2003b) and critical (Batel & Adams, 2016; Howarth, 2006a) approaches.

From the dialogical approach, social representations are not assumed to be located inside our minds, nor are they independent of us. Instead, social representations are considered to exist in the in-between relational space between us and others (Marková, 2000, 2003a). From this approach, it is assumed that meaning-

making or re-presenting can occur only in relation to others, whether interlocutors or institutional settings (Batel & Castro, 2018; Marková, 2000). This remains the case even when others are not physically present, but their previous discursive productions are still acknowledged, or when turn-taking sequences in conversations are absent, as is often the case in politicians' public speeches addressing their audiences (Marková, 2003b).

Usually rooted in the dialogical approach, the critical perspective reminds us that the representations we produce are permeated by unequal power relations (Batel & Adams, 2016; Batel & Castro, 2018; Howarth, 2006a; Wallace & Batel, 2024). The critical approach highlights the pragmatics and political features of representation, as well as the ideological implications of their reproduction and contestation (Batel & Castro, 2018). Rather than limiting their analysis to descriptions of structures or contents, which carries the risk of making oppressive social structures seem natural, critical SRTs are concerned with the role representations fulfil in supporting or challenging constructed versions of reality that legitimise power structures, social inequalities, political violence, wars, oppression, and marginalisation (Howarth, 2001, 2006a; Howarth et al., 2004; Jovchelovitch, 1997). Assuming that research is never value-free, critical SRTs are politically engaged and reflective about the potential implications of their work, arguing that the epistemological, ontological, and methodological assumptions we adopt are always consequential for research and society (Batel & Adams, 2016).

In this research, I adopt the dialogical and critical approaches. The dialogical approach by understanding social representations as the meanings that are (re)produced through our communicative practices. Once they are socially shared, these meanings become part of the set of meanings that constitute our social knowledge and common sense, thereby becoming part of the cultural resources we use to construct and make sense of our social realities (Augoustinos et al., 2014; Jodelet, 1991; Moscovici, 1988; Santos, 2022; Studer, 2013). The critical approach by understanding that social representations are permeated by unequal relations existing in society and have the power to legitimise or resist certain social realities at the expense of others (Batel et al., 2016; Batel & Adams, 2016; Howarth, 2006a, 2007; Jovchelovitch, 2001). According to SRTs, we construct social realities through two mutually complementary processes, which I introduce in the next section.

3.2. Processes of Social Representations

Two of the main functions attributed to social representations, making the unfamiliar familiar and making communication (and the construction of shared realities) possible, occur through the processes of anchoring and objectification (Moscovici, 1973, 1984).

3.2.1. Anchoring: Making the Strange Familiar

Social representations allow us to understand and position ourselves and others in our material and social worlds. When we represent people, objects or events, we conventionalise them, making it possible to know what to expect from them (Augoustinos et al., 2014). However, when an extraordinary event disrupts the expected course of things and does not align with our previous understandings, it challenges our conception of reality and prompts us to seek new explanations (Moscovici, 1984). Scientific and technological developments, debates between different social groups, social structural changes, the appearance of extremist political parties, the claims of social movements, or the enactment of new legislation are examples of events that often disrupt the expected course of our realities (Moscovici, 1961/2008; Orfali, 2006; Santos et al., 2023; Vala & Castro, 2013; Wagner et al., 1999). When unfamiliarity arises due to a mismatch between the world and our ways of talking about it, we represent the strange phenomena by imbuing them with meaning based on familiar and cultural ways of categorising reality (Moscovici, 1998).

To anchor means naming and placing something strange into a familiar category, assessing its suitability, and establishing its relation with other familiar objects under the same category (Augoustinos et al., 2014; Kilby, 2016; Moscovici, 1984, 1988). When we anchor, we name and classify something using available linguistic resources and by comparing it with the stock of culturally available categories, providing the whole entity with an everyday meaning (Augoustinos et al., 2014; Jodelet, 1984; Moscovici, 1988). Thus, the process of anchoring leads toward stability since it allows us to classify something unknown and cope with changes in already-known phenomena (Flick, 1998; Marková, 2000), turning unfamiliar phenomena into something familiar (Moscovici, 1988).

Decisions about how to categorise are reached by generalising or particularising (Moscovici, 1984). While generalising involves reducing the distance between objects, emphasising the familiar features they have in common, particularising involves keeping objects separated by considering each as uncommon and unique, based on distinctive features. According to Moscovici (1984, p. 33), this is what is at stake in the process of anchoring unfamiliar objects, "the need to define them as conforming to or diverging from the norm". Moreover, the linguistic categories we use to classify involve a value judgment that reflects our positive or negative position about the person, object, or event being represented (Jodelet, 1984; Moscovici, 1984). Therefore, based on the category in which we anchor the new phenomenon, assumptions about what to expect from it are developed.

Once the way we anchor a phenomenon becomes widely shared and consensual between members of the same community, it becomes conventionalised. This does not mean that further changes are not possible. Change in the way we represent familiar phenomena can occur when we adjust how we communicate them according to interactional intakes (Moscovici, 1984). Additionally, the way we use them in our interactional encounters can enlarge, differentiate, unite, or affect the understanding of categories (Flick, 1998).

3.2.2. Objectifying: Creating a Shared Code for Communication

Social representations also make communication between members of the same community possible by providing them with a shared code for naming and categorising themselves and their realities (Moscovici, 1973, 1984). The transition from a shared code of communication to the construction of shared realities is achieved through the process of objectification.

The function of objectifying consists of transforming abstract phenomena into something concrete, thereby making it something we can apprehend, control, and talk about (Moscovici, 1984). Objectifying can be done by associating abstract phenomena with specific names, attaching them to particular images, or giving a material reality to abstract notions (Jodelet, 1984). Thus, Moscovici and Hewstone (1983) propose three sub-processes of objectifying: personification, figuration, and ontologisation. To personify is to link a particular phenomenon to a person or a group (e.g., the end of South Africa’s Apartheid with Nelson Mandela [see Höijer, 2011], psychoanalysis with

Freud [see Moscovici, 1961/2008], or SRT with Serge Moscovici). The process of figuration happens when we attribute metaphors or images to abstract notions (e.g., the computer information-process metaphor used to understand human cognition [see Moscovici, 1988]). Finally, ontologisation involves ascribing physical properties to an idea (e.g., depicting climate change through storms, heatwaves, and floods [see Höijer, 2011]). In this sense, despite existing only in the immaterial, symbolic environment (Moscovici, 1982), objectified social representations are treated as having a "near *physical* existence" (Marková, 1996; Wagner, 1998, p. 12).

Additionally, through the process of objectification, phenomena are turned into self-contained and impersonal entities, becoming widely shared meanings that we use in our communicative practices (Moscovici & Marková, 1998). We can assume that a phenomenon has been objectified when we can talk about it with the assurance that others understand it without further explanation (Negura & Plante, 2021). In other words, it has become a meaning that constitutes our social realities.

3.3. Social Representations: Meanings Constituting Our Social Realities

We represent to understand ourselves and the world that surrounds us by creating new meanings that enable us to comprehend and integrate them into the already familiar social substratum of meanings produced in society. Once the unfamiliar is socially represented, it ceases to be controversial and becomes a self-evident part of the reality we have socially accepted as existing (Howarth, 2006a; Moscovici, 1988). In this sense, social representations are conceived as ways of world-making, constructing and shaping our realities (Augoustinos, 1998; Jodelet, 1991; Moscovici, 1984, 1988; Oyserman & Markus, 1998).

To understand how representations constitute our realities, Wagner (1998) proposes to distinguish between entities and objects. On the one hand, the author defines an entity as the 'somethings' (events or things) that affect our lives but are not named, characterised, or discussed because there is no awareness of them, at least within a particular community. On the other hand, an object is "any material, imaginary or symbolic entity which people name, to which people attribute characteristics and values, and therefore are able to talk about" (Wagner, 1998, p. 306). An entity becomes a social object when it is isolated, named, imbued with meaning, and integrated into the network of meanings that constitute the common

sense of a group; in other words, when it is socially represented (Wagner, 1996, 1998). Once the object is represented, it becomes detached from the context in which it was originally produced and becomes an available meaning to be used in different contexts (Doise, 1993; Wagner, 1996).

The set of meanings of represented objects constitutes our *symbolic universe* or *domesticated world* (Marková, 1996; Wagner, 1998). The entities that are 'out there' but have not been domesticated (i.e., represented) remain excluded from the domesticated world of a group (Wagner, 1998). Still, the infinity of 'somethings' can eventually impact a group's local worldview. Furthermore, what has not been domesticated by a social group might constitute a represented object in the domesticated world of another group (Wagner, 1998). Even when different communities share a common represented object in their symbolic universes, its meaning can still vary (Moscovici, 1984). Consequently, a represented object is "always culturally, socially and historically situated" (Negura & Plante, 2021, p. 126). However, not all SRTs agree on the extent to which social representations constitute our realities.

3.3.1. Versions of Representations and Reality

Based on how the concept of social representations has been used, Wagner (1998) argues that there are four different ways in which SRTs tend to conceive the relationship between social representations and reality: a super-weak, weak, strong, and super-strong version. As I argue below, these possible relationships between social representations and reality echo different ontologies attributed to social representations.

In a super-weak version, social representations are understood as systems of attitudes, beliefs, and values that can be discovered and are not dependent on discursive productions (Wagner, 1998). The super-weak version is thus related to what is considered a naïve-realist ontology, in which a person assumes to have direct and objective access to reality through their sensory experiences (Ross & Ward, 1996). A representation is thus treated as a pure reflection of an independent reality. When there is disagreement with others, this can be explained in terms of a lack of accurate knowledge or personal bias.

In a weak version, social representations are conceived as mental representations we discursively construct about objects that have inherent attributes and exist independently in our surroundings (Wagner, 1998). In this version, representations are viewed as objects that determine our practices in a cause-and-effect relationship. Although they are not considered pure reflections of an external world, it is assumed that we can assess the accuracy of a representation (Wagner, 1998). We could say that the weak version echoes the realist ontology, in which reality exists independently of our representations of it (Searle, 1993). Despite this separation, it is possible to assess the truthfulness of our representations by contrasting them with the 'facts' of reality, and consequently, it is assumed that objective knowledge can be produced independently of 'subjective' representations.

From both strong and super-strong interpretations of social representations, there is an ontological view of reality in which domesticated objects form the basis of our material and symbolic realities (Wagner, 1998). In a strong version, social representations are viewed as socially constructed and constructive phenomena that constitute a familiar world for those who share them, existing simultaneously in minds, talk, and actions (Wagner, 1998). In this version, mental expressions are not separated from action, and although it is assumed that there is an independent reality, we can only get to know it through the way we name and imbue objects with meaning, i.e. through how we represent them (Wagner, 1998). Consequently, assessing a representation's accuracy would be impossible because social representations are equal to the objects of our domesticated worlds. It is assumed to be impossible for us to apprehend what has not been (yet) represented. This strong version of social representations resonates with the postulates of critical realism, which posits that, although we conceive of an independent reality, we can only experience it indirectly through the knowledge we produce about it (Bhaskar, 2008). From this perspective, although existing independently, our conception of reality depends on how we represent it (Moscovici, 1984). Therefore, social representations are ontologically identical, not to reality itself, but to the object they are assumed to represent (Wagner, 1996, 1998).

The super-strong version is similar to the strong one in that representations are considered socially constructed and constructive. However, it emphasises the world-making feature of representations by assuming that there is no reality beyond what is

represented. This super-strong version relates to the strict relativism proposed by Edwards et al. (1995), in which nothing exists independently beyond what has been discursively represented. However, some SRTs consider the super-strong version problematic. Similar to critical realist concerns, Jovchelovitch (2001) warns against considering symbolic universes ontologically equal to an independent reality. Symbolic universes have social, cultural, and historical roots, and they are populated by representations whose production is linked to unequal power dynamics in society, having real consequences in our lives (Jovchelovitch, 2001). Additionally, reality itself, the world of intransitive objects or entities existing independently of human activities (Bhaskar, 2008; Wagner, 1998), may be transformed but cannot be constructed from scratch. Even when we transform it according to the symbolic knowledge we produce about it, reality does not cease to exist (Jovchelovitch, 2001; Negura & Plante, 2021). Thus, in coherence with the critical realist concern I adopt in this study, social representations are assumed to constitute our social realities: the meanings that populate our symbolic and domesticated worlds and mediate any understanding of independent reality. This implies that, if reality is perceived as remaining mainly immutable, this is due to the role of naturalised hegemonic social representations.

3.4. Social Representations: Maintaining an Almost Stable Reality

Along with understanding how we create our social realities, it is equally important to understand how they are maintained and reproduced on a daily basis. Although their permanent configuration prevents social representations from becoming sedimented as immutable entities (Moscovici, 1984), they can still be treated as if they were. Through conversations, we create and share an implicit stock of meanings that can become accepted and taken for granted by the members of a social group, creating "nodes of stability and recurrence" without which social life would not be possible (Moscovici, 1984, p. 21)

According to Negura and Plante (2021), most studies on social representations have focused more on the anchoring process, while objectifying, which plays a key role in providing materiality to the social realities we create, has received less attention. As mentioned above, one of the ways in which we objectify social representations is through the sub-process of ontologisation, which consists of attributing a similar status of physical objects to abstract entities, conceiving them as real or natural (Negura &

Plante, 2021). In other words, to ontologise is to give life to abstract and verbal entities (Moscovici & Hewstone, 1983). When such apparent independent and concrete representations remain stable over time, and what was once unfamiliar and strange becomes pervasively familiar, we can say that they have been naturalised.

Naturalised social representations[2] are the ones that are taken for granted, socially meaningful, and fulfil a near-permanent function in society (Hakoköngäs & Sakki, 2016; Philogène, 1999). Because naturalised representations constitute a knowledge that is not typically nor easily questioned (Hakoköngäs & Sakki, 2016), rather than making a phenomenon familiar, their role consists of keeping it as such. For this reason, some authors argue that naturalising, rather than being part of anchoring or objectifying, should be considered a third process in SRT (Hakoköngäs & Sakki, 2016).

Habitual patterns of talk keep representations current, formalising and solidifying them as self-contained, stable phenomena (Marková, 1996; Moscovici & Marková, 1998). Similarly, practices arise from naturalised representations and the representation's existence is simultaneously affirmed by the practices it generates (Negura & Plante, 2021). The greater the extent to which a representation is shared with others, the more the realities they construct seem to be independent and autonomous (Moscovici, 1988). Thus, representations become naturalised when they have been instrumentally and unconsciously used in communicative practices (i.e., their existence remains unquestioned), validated through daily experiences (i.e., they have material and tangible effects on our lives), and decontextualised from the original situation that triggered their production, which gives them the appearance of immutability and permanence (Hokkanen, 2021; Negura & Plante, 2021; Philogène & Deaux, 2001). Without their regular repetition in our discourses and practices, representations would cease to exist in our symbolic environments (Hakoköngäs & Sakki, 2016; Marková, 1996).

Considering that we make sense of new phenomena by drawing on already familiar meanings (Augoustinos et al., 2014; Daanen, 2009; Hakoköngäs & Sakki, 2016; Wagner et al., 1999), representations can also have material effects (Negura & Plante, 2021) similar to those of extra-discursive features. Once representations become

[2] Some authors also referred to naturalised social representations as "essentialised social representations" (see Augoustinos & Riggs, 2007).

commonsensical, taken-for-granted knowledge due to their repetition, they can act in prescriptive and coercive ways by providing the symbolic codes that influence what and how we represent our realities (Moscovici, 1984; Voelklein & Howarth, 2005). That is, the way we represented our realities in the past constrains how we represent them in the present, and how we represent our realities in the present restricts how we will represent them in the future. Additionally, they not only influence our understanding of the world but also support particular versions of reality over others (Howarth, 2006a). Because of this, our common sense constitutes a major ideology (Moscovici, 1984) and, therefore, how we represent our realities has ideological implications.

3.4.1. Social Representations: Everyday Ideologies Upholding the Status Quo

Representations do not emerge from nowhere. As human beings, we encounter a world in terms of meaning (Duveen & Lloyd, 1990), being born into a symbolic and social environment of language, institutions and traditions that we tend to take for granted as natural and physical environments (Moscovici & Marková, 1998). This symbolic and social environment that surrounds us is conceived as part of our ontological reality (Marková, 1996). The weight of representations' custom and cumulative content confronts us with the irresistible force of ontological material objects (Marková, 1996; Moscovici, 1984, 1988). Thus, despite representations being configured in discourse, representations are "extremely real and concrete" in their social, political, and material effects (Jovchelovitch, 2001, p. 177).

The power of social representations stems from how they shape and prescribe our current understanding of the world, based on how we have represented reality in the past (Marková, 1996; Moscovici, 1984). They are even more powerful when "they are taken for granted, transparent, and therefore seem logical, necessary, and natural" (Oyserman & Markus, 1998, p. 108). We represent on top of existing meanings circulating in our cultures, drawing on common stocks of knowledge to make sense of the objects we encounter in our daily lives and reject potential interpretations if they appear implausible or irrelevant when compared with previous understandings (Augoustinos et al., 2014; Howarth, 2006a; Jodelet, 1984, 2006; Moscovici, 1988; Philogène & Deaux, 2001). The more representations are reproduced and the more they mediate how we make phenomena familiar, the more authority they gain as constraining structures of meaning (Marková, 2000; Moscovici, 1984, 1988).

Since society cannot exist without us reproducing or transforming social structures, conventions, and widely shared practices (Bhaskar, 2008), routinised ways of representing our realities are essential for societal functioning (Moscovici & Hewstone, 1983). Through the representations that become sedimented, we end up institutionalising social arrangements, practices, and beliefs (Moscovici, 1988), presenting the existing social structure as natural. Therefore, social representations fulfil a role in reproducing society and, more specifically, upholding a particular social order. In other words, they fulfil ideological functions by maintaining and preserving current power relations (Augoustinos, 1998; Howarth, 2014).

The link between SRT and ideology appears clear by considering Gramsci's (2011) conception of ideology (Augoustinos, 1998). Instead of referring to ideology as a structured and coherent system of political thought (i.e., the intellectual perspective of ideology), Gramsci conceives ideology as common sense or sense-making practices that inform our everyday lives, an organic conception of ideology that resembles Eagleton's (1991) conception of everyday ideology (see Chapter 2). When specific patterns of making sense become dominant, and a version of reality is treated as factual, we can talk about an ideological hegemony (Gramsci, 2011). An ideological hegemony, or hegemonic social representation (see Chapter 4), guides how we make sense of "the structural organization of society: the dominant social, political, and economic relations" (Augoustinos, 1998, p. 160). Individualism, consumerism, positivism, patriarchy, and nationalism are examples of hegemonic ideological themes in some societies, which, despite criticism, tend to remain (almost) intact over time (Augoustinos, 1998; Howarth, 2014). These widely shared representations may contribute to the preservation of existing power dynamics and the maintenance of social inequalities (Augoustinos, 1998; Howarth, 2001; Räty & Snellman, 1992a).

Examining how hegemonic representations are maintained allows us to understand what is at stake when particular versions of reality are promoted and how representations advocating for alternative versions are marginalised (Howarth, 2006a). The continuous use of naturalised representations in our current interactions legitimises and sustains oppressive, dominant, and marginalising power relations and practices (Voelklein & Howarth, 2005), restricting who has access to resources (Howarth, 2006a). Similarly, institutional settings illustrate how certain stabilised representations can segregate society (Rose et al., 1995). Some studies on social

representations have shown how they legitimise marginalising certain members of society, positioning some as different and as a threat to institutionalised practices supporting the status quo (see Jodelet, 1991; Joffe, 1996). Therefore, how we represent constitutes an inherently political action that can reveal or perpetuate social inequalities (Marková, 1996; Mehan, 1996). However, in the same way that some social representations carry meanings that uphold the status quo, others carry alternative meanings that provide tools for resistance and challenging dominant representations (Augoustinos, 1998; Howarth, 2006a). Because every claim of reality involves the reproduction of power and meanings that legitimate the social order, debate, conflict, and resistance are expected in the practice of representation (Howarth, 2004, 2006b; Howarth et al., 2004).

3.5. Negotiating Representations: Possibilities for Social Change

Our present discourses and versions of reality are actively influenced by past discursive productions. However, despite social representations fulfilling a conservative role by making certain worldviews and practices seem stable (Moscovici, 1998), there is always space and possibility for us to acknowledge, challenge, and transform representations (Moscovici, 1984). Discursive routines that keep naturalised patterns of representation out of our consciousness lose their prescriptive power and ontological status when they become a controversial matter (Billig, 1999a; Marková, 1996; Moscovici, 1988).

Considering that representations are maintained through our daily activities, the study of the ideological features of representations or everyday common sense requires a conception of the person as engaged in a dialectical relationship: “a product of society and an active agent who can effect change in society” (Augoustinos, 1998, p. 169). In this sense, we are not passive victims of dominant representations but agents able to engage in their reproduction, resistance, or transformation (Moscovici, 1984; see also Billig, 1993).

The less we discuss the taken-for-granted meanings ingrained in our cultures, the greater their influence on how we configure our worlds. However, taken-for-granted meanings do not remain forever unnoticed and reproduced in the background of our conversations. Revisiting what we take for granted when defining a social phenomenon and the implications of such definitions forces us to bring to the

foreground what has been sedimented as natural knowledge (Gillespie, 2008; Jovchelovitch, 1996; Marková, 1996, 2003a; Negura & Plante, 2021).

Problematising naturalised representations by revealing their political features and questioning their ideological taken-for-granted role in society introduces enough tension and conflict to disrupt our routines. Where there is tension, "there is dialogue, something to be negotiated, constructed and created" (Marková, 2000, p. 428), thereby opening possibilities to produce change in the way societies are organised and operate (Marková, 2000; Moscovici, 1998, 2001; Negura & Plante, 2021). Having become contested topics, efforts to establish a legitimate meaning and turn it again into a familiar object reveal opportunities for new meanings to be negotiated, new representations to be sedimented, and new realities to be elaborated. The more alternative discourses are reproduced, the more the possibilities to deconstruct oppressive representations, disrupt their relationship to power, and introduce representations that make alternative futures possible (Howarth, 2006a; Wagner, 1998).

With different competing knowledge systems struggling for the hegemony of meanings, it is essential to examine the ideological function of representations not only in legitimising and upholding the status quo, but also by considering the situations in which dominant representations are undermined or overhauled by the production of alternative representations that delegitimise and destabilise the status quo (Augoustinos, 1998; Duveen, 2000; Howarth, 2014; Jovchelovitch, 2001; Moloney & Walker, 2002; Wagner et al., 1999). This allows us to see the coding and decoding processes of ideology (Hall, 1997). However, not everyone has the same power to mobilise representations as factual descriptions of reality.

3.5.1. Unequal Negotiation Power in the Act of Representing

We are active and creative agents capable of combining meanings in new and surprising ways (Moscovici, 1961/2008). Ambiguity and contradiction in the process of representing make it possible to have spaces for dialogue and debate, to resist, negate, and transform (Howarth, 2006a). In this sense, Moscovici (in dialogue with Marková, 1998, p. 403) argues that "A social representation is not a quiet thing consisting of an object and a science and the transformation of that object". Instead, the representational field is made of ideological battles in which different understandings

compete to prevail (Mehan, 1996; Shapiro, 1989). Even within institutional contexts that seem hard to resist, introducing alternative explanations that expose and delegitimise hegemonic versions of reality is always possible (Howarth, 2006b, 2009; Jensen & Wagoner, 2009).

Everyday life is an arena of struggle in which we battle for legitimacy, making claims, negotiating, and contesting particular versions of reality to be considered factual (Santos et al., 2023). Despite everyone being able to claim to know what is real when negotiating meanings (Howarth, 2006a), not all representations are equally valued. Certain groups in society have more power to access the public sphere and increase the chances of imposing their versions of reality as truthful (Jovchelovitch, 1997). Moreover, some representations are more valued than others because they are supported by institutional systems of meaning and knowledge, such as science, law, or religious institutions (Zulato et al., 2023). For instance, elite politicians can influence the construction or transformation of meanings and open or restrict possibilities for social change through the enactment of legislation (Batel & Castro, 2018; Castro & Batel, 2008).

Additionally, stocks of meaning are not equally shared in society, with some having privileged access to different kinds of knowledge and communicative practices (Marková, 2000). Despite social representations being produced through communicational processes among a multitude of people, those who occupy dominant social positions (e.g., politicians and scientists) have greater access to mass media to impose in society their ways of representing reality as the most appropriate ones for what is at stake (Howarth, 2001; Jovchelovitch & Priego-Hernández, 2015; Milgram, 1984; Moscovici, 1988; Wagner, 1998). Even when there is resistance to representations circulating in the media, they remain powerful enough to become the content of interpersonal communications (Elcheroth et al., 2011).

Based on this, it is possible to assume that meaning-making occurs in asymmetrical power relations within society (Batel & Castro, 2018; Castro & Batel, 2008), and the likelihood of certain representations becoming hegemonic depends on the social power of those advocating for them. However, social inertia or social change is not a unidirectional process. Despite powerful actors imposing certain meanings, their general adoption is not always immediate and can sometimes be resisted. For instance, through the role of active minorities and collective movements, hegemonic

meanings can become controversial topics. Even in repressive contexts, “partial adoption, resistance, conflict over resources, dynamism and contingency have always defined social and cultural change” (Jensen & Wagoner, 2009, p. 226).

Performing a dialogical-critical analysis of social representations entails examining how social change can be provoked or resisted by reproducing or challenging sedimented meanings in society (Castro & Batel, 2008; Elcheroth et al., 2011). It implies focusing on social issues and a commitment to problematise and make visible naturalised societal structures that marginalise and oppress groups of people in society (Batel & Adams, 2016; Voelklein & Howarth, 2005). For this reason, Howarth (2006a, p. 66) argues that “social representations theory needs to become critical”. To achieve this, it is essential to study social representations in the contexts in which they circulate, examining how meanings are asserted or contested, the consequences of using or resisting certain versions of reality, and who the winners and losers of dominant representations are (Howarth, 2006a). In other words, it is necessary to explore the place where social representations are daily negotiated: our everyday communicative practices (Castro & Batel, 2008).

3.5.2. The Role of Discourse in the Act of Representing

The study of social representations can be conducted at various levels, ranging from the societal to the interpersonal or even the intraindividual level of analysis (Duveen & Lloyd, 1990). However, “ideas circulate in the social world as utterances, as expressions, as words which are spoken or inscribed” (Thompson, 1984, p. 2). Our cultural, historical, and political contexts are reproduced and maintained through our discourses (Gillespie, 2011; Marková, 2011), and it is through daily communication that shared realities held by members of a group can be socialised, and we can learn the categories we should use to understand our worlds (Duveen & Lloyd, 1990). Thus, because we configure, reproduce, resist, and transform social representations in our everyday communicative practices (Augoustinos et al., 2014; Moscovici & Marková, 1998), SRTs consider communication “the most important process in the study of social representations” (Moscovici in discussion with Marková, 1998, p. 394). For this reason, dialogical-critical SRTs have put discourse and communication as the places where social representations should be studied (Batel & Castro, 2018; Duveen & Lloyd, 1990; Farr, 1993; Flick, 1998; Hokkanen, 2021; Howarth, 2006a; Jovchelovitch, 2008;

Marková, 2000; Moscovici, 1984; Psaltis, 2015; Sammut et al., 2015b; Vala & Castro, 2013; Wagner, 2015; Wallace & Batel, 2024).

Overlooking how social representations are drawn on and (re)produced in discourse and communication, the *microgenesis* of social representations risks reinforcing their sedimentation in culture (Duveen & Lloyd, 1990; Moscovici, 1984). In other words, it is in our talk and texts that we can examine how the pillars upholding the status quo are maintained and the sparks of social change are ignited.

The importance attributed to our everyday talk and texts makes SRT a "radical discourse-oriented" enterprise (Wagner, 1998, p. 304). Despite SRT not privileging a particular method (Farr, 1993), the theoretical and methodological approach of Discursive and Rhetorical Psychology offers great opportunities for studying the genesis, negotiation, and function of social representations (Howarth, 2011; Kilby, 2017). However, attempts to integrate DRP and SRT have provoked a great debate within social psychology. In the next chapter, I present the relationship that has been established between these two theoretical approaches and the attempts and resistance to integrating them, before stating the methodological approach I adopt in this research in Chapter 5.

Chapter 4. DRP and SRT in Conversation: A Monological Critique and Dialogical Justifications

In this chapter, I provide a brief overview of the relationship between DRP and SRT, focusing on the various points of tension that have been raised from this relationship. At the end of the chapter, I introduce the debate between 'construction' and 'representation', and explain why the latter is preferred for the integrative approach I propose in Chapter 5.

DRP and SRT have both presented strong critiques of the dominant individualistic, positivist, and experimentalist approach in social psychology (Batel & Castro, 2018). Despite the apparent mutual advantages of integrating both approaches, as illustrated in the first two chapters, DRPs and SRTs[3] have engaged in a four-decades-long academic debate which, nevertheless, has contributed to the development of a social psychology more prepared to understand meaning-making and social change through our discourse and communication practices (Batel & Castro, 2018). Furthermore, the debate has contributed to the development of both DRP and SRT by pushing their respective scholars to elaborate arguments in response to criticism. Equally important, the debate has highlighted the unnegotiable premises of each tradition. Because one of my goals in this thesis is to propose an integration between DRP and SRT, I consider it relevant to explore the relationship between them, noticing the main points of tension and the assumptions that must be maintained in the pursuit of an integrative proposal.

The relationship between SRT and DRP has not been reciprocal. On the one hand, most of dialogical-critical SRTs have argued that integrating SRT and DRP is not only possible but also welcomed (Castro, 2003; Flick, 1998; Vala & Castro, 2013; Wagner, 1996; see Marková in communication with Studer, 2013 for an exception). Similarly, Moscovici (1998, p. 246) argues that DRP and SRT are "very closely related", complementing rather than contradicting each other. On the other hand, most DRPs hold a different view.

[3] Although authors from other discursive approaches have also engaged in an academic debate with SRT (Ibáñez, 1992, 1994; see Jahoda, 1988; Parker, 1987, 1989, 1994), my focus remains on the relationship between DRP and SRT.

DRPs acknowledge that SRT covers, in certain respects, “the same kind of ground as discourse analysis” (Potter & Wetherell, 1987, p. 138) and value the potential of SRT to explain psychological phenomena by emphasising the influence of widely shared cultural and linguistic resources on psychological reasoning and the active and constructive features of reality (Billig, 1976; Litton & Potter, 1985; McKinlay et al., 1993; McKinlay & Potter, 1987; Potter & Billig, 1992; Potter & Wetherell, 1998). However, rather than seeing this overlap of interests as an integrative opportunity, some DRPs depict SRT as a competitive approach.

Over the years, DRPs have raised various points of criticism in SRT (Litton & Potter, 1985; McKinlay & Potter, 1987; Potter, 1996, 2019; Potter & Billig, 1992; Potter & Edwards, 1999; Potter & Litton, 1985b; Potter & Wetherell, 1987, 1998). Some of these critiques have encouraged a reinterpretation and further elaboration of some SRT notions, pushing SRT beyond its original boundaries and providing it with a rigorous discursive methodological foundation (Rodríguez Salazar, 2003). Nevertheless, some SRTs claim that most of the DRPs’ critiques are based on misunderstandings of SRT (de Rosa, 2006; Howarth, 2006a; Jovchelovitch, 1994; Marková, 2000; Rose et al., 1995; Voelklein & Howarth, 2005; Wagner, 1996).

Despite SRTs replies to DRP’s criticism, these have remain unacknowledged by some DRPs, which has led SRTs to claim that, rather than exploring a potential integration, DRPs’ critiques are done with the intention of promoting their own research agenda (Doise, 1993; Räty & Snellman, 1992a), especially when DRPs suggest that issues in SRT could be solved if all concepts and methodological principles of DRP are adopted; if SRT becomes DRP (McKinlay et al., 1993; McKinlay & Potter, 1987; Potter, 2019; Potter & Edwards, 1999; Potter & Litton, 1985a, 1985b; Potter & Wetherell, 1987, 1998). Because of this, some claim that how DRPs have engaged with SRT assumes the form of a unilateral conflict, “in which the views of other paradigms are rhetorically used solely to reaffirm the right to speak by difference and legitimize oneself by a position that marks territory by opposition” (de Rosa, 2006, p. 168).

Most of the DRPs’ critiques have been made by conversation analysis-oriented discursive psychologists (see Potter, 1996; Potter & Edwards, 1999; Potter & Wetherell, 1987; Semin, 1985). Despite discourse analysis being developed “to fulfil the need for more integrative perspectives” (Potter & Wetherell, 1987, p. 138), based on the assumption that theoretical tensions are “an essential and creative part of

scientific development" (Potter & Wetherell, 1987, p. 185), conversation-analysis-oriented discursive psychologists have moved to claim that precision and refinement, rather than integrative perspectives, are more theoretically valuable (Potter, 2019; Potter & Edwards, 1999). In consequence, the communicative style of some advocates of the discursive psychology strand of DRP is described as having "a strong stamp of paradigmatic (orthodox) coherence and by group coherence, with a contractual margin of flexibility and internal differentiation" (de Rosa, 2006, p. 162). In contrast, rhetorical psychologists emphasise the advantages of practices that move beyond traditional academic disciplinary boundaries, arguing that focusing solely on one approach might bring success but at the expense of intellectual costs (Billig, 2012, 2018). Furthermore, rhetorical psychologists argue that the goal of SRTs to position the genesis and function of ideology and communication at the core of social psychology stimulated them to look beyond immediate interactions in order to understand the societal significance of these interactions (Billig, 1976). Similarly, some SRTs have argued that every explanatory model in social psychology "is always insufficient on its own and needs the intervention of other explanations to account more fully for the conditions that are necessary for the dynamics described by a model to function" (Doise, 2004, p. 176).

In the following sections, I focus on the main points of tension between DRP and SRT, which I grouped in four categories: the distinction between reified and consensual universes of knowledge, the conflict between traces of cognitivism and a dialogical conception of minds, groups and levels of consensus, and the action orientation and rhetorical features involved in the act of representing. By the end of each section, I summarise what appears to be the relevant premises to consider for integrating DRP and SRT.

4.1. Reified and Consensual Universes

In the early stages of SRT, a distinction was conceptualised between a reified universe (the world of science) and consensual universes (the world of social representations) (Bangerter, 1995; Moscovici, 1984). Social representations were conceived as the result of public efforts to understand and translate scientific knowledge, which was assumed to be univocal and free from contradiction, into commonsensical knowledge, which was assumed to be multivocal and open to

contradiction. This process was characterised by the discussion, selection, transformation, distortion, and even degradation of scientific knowledge (Bangerter, 1995; Moscovici, 1985, 1988; Moscovici & Marková, 1998; see Herzlich & Pierret, 1989).

DRPs have considered it controversial to differentiate between reified-scientific and consensual-everyday universes. Post-structuralists and sociologists of scientific knowledge have challenged the authority and legitimacy of scientific truths, showing how they are not independent of common sense (Gilbert & Mulkay, 1984; Potter & Edwards, 1999). Instead, reified-scientific knowledge and consensual knowledge are assumed to be "affected by similar linguistic and social processes" (Billig, 2008, p. 360).

Despite some studies on social representations continuing to examine the relationship between reified and consensual universes in a unidirectional manner, from scientific to commonsensical knowledge (see Diamanti et al., 2022; Walker-Jones et al., 2023), DRP's critiques emphasising that no knowledge is objectively superior to others influenced a change of perspective about reified and consensual universes in SRT, with some SRTs agreeing that opposing both universes is problematic (Jovchelovitch, 1994). This led some SRTs to claim that scientists do not have a monopoly over truth; they are not exempt from social representations, and they do not have access to objective knowledge independent of the meanings we reproduce in our cultures (Augoustinos et al., 2014; Banchs, 1994; Bangerter, 1995; Flick, 1998; Howarth, 2002a, p. 1992; Moscovici, 1998; Räty & Snellman, 1992b; Voelklein & Howarth, 2005).

More recently, the distinction between reified and consensual knowledge has been reconceptualised as a distinction based on the conditions in which knowledge is produced. Not only scientific, but knowledge produced by (members of) social institutions is assumed to be produced according to established structures of power, authority, legitimacy, and received publicity in the production of knowledge (Moscovici, 2001; Negura & Plante, 2021; Räty & Snellman, 1992a; Voelklein & Howarth, 2005; Wagner, 1998). In contrast, in the consensual universe, members of society are assumed to participate equally in the construction of realities (Moscovici, 1988). Rather than a unidirectional process, the interest has shifted to observing how the two universes of knowledge interact with each other in a bidirectional relationship (Bangerter, 1995; Howarth, 2006a; Morant, 1998; Pérez et al., 2015). For critical SRTs,

the main concern has been to explore which commonsensical knowledge is legitimised as expert knowledge and which is marginalised (Augoustinos et al., 2014; Howarth, 2006a). Similarly, to see how they are used to promote or resist social change, Batel and Castro (2009, 2018) propose to consider both universes as formats of communication, where reification refers to a monologic use of language when one representation of reality is imposed as the only valid (e.g., either DRP or SRT), and consensualisation refers to dialogical understandings in which the heterogeneity of knowledge and actions is acknowledged (e.g., both DRP and SRT).

In summary, with the intention of proposing an integrative approach to social psychological phenomena that incorporates both DRP and SRT perspectives, I draw on two main notions from the debates surrounding different forms of knowledge. First, as DRPs emphasise, no knowledge should be considered as more accurate than any other. However, this does not mean that all knowledge is produced under similar conditions. Secondly, as SRTs emphasise, the knowledge produced by social institutions has the power to legitimise certain understandings as 'expert' knowledge that might advocate or oppose possibilities for the construction of alternative social realities.

4.2. Traces of Cognitivism or Dialogical Minds

One of DRPs' major critiques of SRT is based on the claim that it is deeply associated with the theory of social cognition, an association that would make the integration between SRT and DRP impossible due to the anti-cognitivist stance of the latter. Although the theory of social cognition brought a positive shift in response to the then-dominant behaviourist approach (Potter & Wetherell, 1987), it also introduced cognitive reductionism by attempting "to explain social events and processes entirely by reference to events and structures in the mental processes of individuals" without considering the broader context and cultural setting (Potter & Wetherell, 1998, p. 139). Some DRPs argue that concepts such as 'representation', 'cognition', and defining the processes of anchoring and objectifying in similar ways to processes attributed to cognitive schemata exhibit traces of social cognition in SRT (Billig, 1988; McKinlay et al., 1993; McKinlay & Potter, 1987; Potter & Billig, 1992; Potter & Edwards, 1999).

Regarding the concept of 'representation', some SRTs have pointed out differences in the way it is understood in French and English, the languages in which DRP and SRT were originally proposed, respectively. According to Wagner (1998), part of the controversy about the concept of 'representation' stems from the different connotations it holds in these languages. While it conveys a dynamic and constructive meaning in French, in English, it tends to be understood as a static copy of something else, echoing the understanding of representations as inside-the-mind copies of the world held by social cognition scholars (see Markus & Zajonc, 1985). However, highlighting the dynamism of representations and their origins in our communicative practices emphasises their social features. Social representations are not considered to be the entities of reality nor copies reproduced in our minds, but the set of meanings that we socially configure to make it possible to notice, name, talk, and discuss the objects that constitute our symbolic universes (Jovchelovitch, 2001; Marková, 1996; Wagner, 1998). The social qualities of representation lie at the core of a dialogical-critical approach in SRT (de Rosa, 2006; Howarth, 2006a; Wagner et al., 1999).

Relatedly, some SRTs claim that the reductionist understanding of 'cognition' is based on a Cartesian conception of the mind, in which it is seen as information-processing processes happening within our heads rather than in the social realm (de Rosa, 2006; Jodelet, 1984; Marková, 2000). Contrary to the Cartesian conception, dialogical SRTs emphasise that the mind is rooted in social interactions, in the space between the interlocutors representing and the represented object (Farr, 1984; Jovchelovitch, 1994, 2019; Voelklein & Howarth, 2005). Furthermore, some dialogical and critical SRTs have adopted the rhetorical psychologists' conception of inner dialogue (Batel & Castro, 2015, 2018), thereby understanding that "our thought processes, far from being inherently mysterious events, are modelled upon public debate" (Billig, 1996, p. 35).

Concerning the processes of anchoring and objectifying, some DRPs contend they are grounded in "speculative cognitive psychology" (Potter & Wetherell, 1987, p. 145), highlighting how certain SRTs describe the process of anchoring similarly to categorisation processes in social cognition, and objectifying as a cognitive-perceptual process where mental images, prototypes, and pictorial forms of a represented object are generated (McKinlay et al., 1993; McKinlay & Potter, 1987; Potter & Wetherell, 1987; see Moscovici, 1984, 1988). However, SRTs working from dialogical-critical

approaches have offered different interpretations of the processes of anchoring and objectifying that move them away from the framework of social cognition. Since unfamiliar phenomena are anchored and objectified through communicative practices (Moscovici, 1981, 1984), both processes are accomplished in dialogue and discourse rather than within individual minds (Zulato et al., 2023). We use linguistic categories available in our cultures to anchor, and we objectify through the way we describe objects (Billig, 1993). Moreover, Voelklein and Howarth (2005) emphasise that these processes have social, cultural, and ideological features.

DRP's critique regarding cognitive traces in SRT seems to be partially based on a misunderstanding. Although retracting to cognitivism is attributed to SRT in general, it is possible to observe that most critiques refer to the way structural SRTs approach social representations. Additionally, rather than relying on cognitive speculation, the anchoring and objectification of dialogical-critical SRTs can be examined in the context where these processes occur: our communicative practices. In summary, for both approaches, psychological phenomena and processes are assumed to emerge and exist within the context of interactional encounters, suggesting a compatibility between DRP and dialogical-critical SRT.

4.3. Groups and Levels of Consensus

SRTs argue that the groups to which we belong influence the way we construct and understand our worlds, providing us with a shared set of meanings from which we represent (Moscovici, 1984), which might suggest that social representations serve as criteria for distinguishing between social groups: groups differ because they share distinct social representations. However, DRPs tend to consider this problematic, highlighting circularity issues in the relationship between social representations and groups, as well as conceptual vagueness regarding the notion of consensus, which can obscure disagreements in the act of representing.

According to some DRPs, a circularity problem emerges when SRTs claim that different social groups exist because they share distinct social representations, while simultaneously arguing that these representations vary because they were elaborated by different groups (Litton & Potter, 1985; McKinlay et al., 1993; Potter & Litton, 1985b; Potter & Wetherell, 1987). Some SRTs do not reject the possibility that different representations can be found in different groups, but they have agreed with

the DRPs' critique that a circularity problem arises if such differences are assumed *a priori* (see Howarth et al., 2015; Rodriguez Salazar, 2003). Consequently, some dialogical-critical SRTs propose that the focus should be on how a group is defined or contested as such, and in what contexts specific groups are made meaningful (Howarth et al., 2015). Additionally, they have pointed out how failing to address the circularity issue leads researchers to remain primarily concerned with what distinguishes groups at the expense of what unites them (Rodríguez Salazar, 2003), which is related to the level of consensus of representations.

4.3.1. Levels of Consensus

The lack of explanation in the early stages of SRT for what needs to be understood by "consensus" and the methodological equation of consensus with "agreement" have constituted another point of critique from some DRPs, arguing that such an equation suggests that members of the same group share the same exact symbolic universe, contradicting the inherent contradictory features of discourse (McKinlay et al., 1993; Potter & Litton, 1985b).

Addressing the critique of the different levels of consensus, Moscovici (1988) highlights that a homogeneous symbolic universe would neglect the social features that distinguish social representations from collective representations. To illustrate such features, Moscovici proposes three different kinds of representations: hegemonic, emancipated, and polemical representations.

Hegemonic representations are those widely shared among members of a social group and are implicitly present in their everyday practices, even when they are not explicitly produced (Moscovici, 1988). Examples of hegemonic representations include the individualistic conception of the person, the representation of society as comprising different races, and the representation of the world as constituted by nations (see Billig, 1995; Howarth, 2002; Lukes, 1973). These hegemonic systems of meaning tend to remain stable and become materialised in institutional practices, making them "very powerfully capable of defining 'how the world is' and what is 'natural' or considered common sense" (Batel et al., 2016, p. 733). Moreover, hegemonic representations have the coercive power to establish limits on what is and is not possible to say and do, defining what is considered natural (Batel et al., 2016; Räty & Snellman, 1992a). In short, hegemonic representations are those that have

been naturalised, taken for granted, and remain unchallenged in society (Batel & Castro, 2015; Moscovici, 1988; see Chapter 3).

Emancipated representations are the different but coexistent meanings about the same social object that are elaborated by different subgroups within the same society (Moscovici, 1988). This means that when we use a set of meanings to understand our realities, we are still aware of other available sets of meanings (Batel & Castro, 2018; L. Liu, 2004; Moscovici, 1988); however, all of them remain compatible with hegemonic representations (Batel et al., 2016; J. H. Liu & Hilton, 2005).

Polemic representations are those elaborated in a context of controversy and social conflict (Moscovici, 1988). They are not shared by society as a whole, and in contrast to emancipated representations, they challenge hegemonic representations, advocating for profound societal change (Batel et al., 2016; Moscovici, 1988).

Although the levels of consensus are useful for understanding (dis)agreement between different groups in society, this might still suggest that full agreement exists within members of the same group, thereby compromising the dynamic features of social representations (Jovchelovitch & Priego-Hernández, 2015). However, because contrary themes circulate in society, DRPs argue that contradiction can also exist within members of the same group, as well as within the same individual (Billig, 1991; Potter & Wetherell, 1987). In the next subsection, I introduce how SRTs have replied to this critique.

4.3.2. Consensus as Representational Repertoires

DRPs claim that treating disagreement as something that only happens between members of different groups understates the potential of SRT to account for conflict within members of the same groups (McKinlay et al., 1993; Potter & Billig, 1992), overlooking how people sometimes use representations to make sense of an event, but at other times mention different representations to refer to alternative yet rejected explanations (Potter & Litton, 1985b).

Some SRTs agree with DRPs' critique regarding the lack of focus on argumentation, dispute, and ideological conflict in most SRT studies (Voelklein & Howarth, 2005). However, they do not consider consensus a static and general agreement among members of a social group (Moloney & Walker, 2002; Moscovici, 1985; Rodríguez Salazar, 2003; Rose et al., 1995), which would neglect the possibilities

for negotiation, resistance, and innovation that dialogical and critical SRTs have raised (Howarth, 2006a; Jovchelovitch, 2001; Marková, 2000; Moscovici, 1985, 1988; Rose et al., 1995). Instead, consensus is understood as the common ground, or representational field, where contrasting understandings of the same object, with which we have been familiarised at some point during our processes of socialisation with our culture, coexist (Billig, 1996; Psaltis, 2015; Rose et al., 1995). SRTs have referred to this diversity of contrasting representations as *cognitive* or *discursive polyphasia* (Batel & Adams, 2016; Batel & Castro, 2018; Jovchelovitch, 2002, 2008; Jovchelovitch & Priego-Hernández, 2015; Moscovici, 1984; Wagner, 1998, 2007).

The coexistence of diverse meanings that enables us to respond flexibly to the demands of everyday interactions is possible due to the various ways in which objects have been historically represented and (re)produced in different relationships and at different institutional levels (Batel & Castro, 2018; Howarth et al., 2004; Moloney & Walker, 2002). Furthermore, this coexistence of different meanings makes it possible for us to understand what others talk about even when disagreeing, to be familiar with alternative interpretations, and to elaborate discourses using a particular version of reality, while mentioning the alternative ones we attempt to resist (Gillespie, 2008; Howarth, 2006a; Moloney & Walker, 2002; Rose et al., 1995). Consequently, it is expected that members of the same community will draw on different and sometimes contradictory meanings of the same social object in their talk and text, which emphasises the dilemmatic features of representations (Billig et al., 1988).

Accounting for variability is a fundamental premise of DRPs (see Chapter 2). However, alongside fragmented and contradictory representations, a certain level of consensus is still necessary for any communication and interaction to occur (Moscovici, 1985; Rose et al., 1995; Voelklein & Howarth, 2005). Although interdependent, SRTs argue that it is necessary to distinguish between the underlying level of social representations, located in institutional historical settings that make communication possible, and the level of immediate interaction, disagreement, and argumentation present in our everyday interactions (Jodelet, 1991; Rose et al., 1995). The consensual underlying level "forms the common ground of historically shared meanings within which people discuss and negotiate" (Rose et al., 1995, p. 4). This more pervasive level of implicit consensus relates to naturalised, hegemonic representations that uphold the social order (see Chapter 3).

In summary, the criticism made by DRPs regarding the conception of a universal, homogeneous consensus prompted SRTs to elaborate further on the notion of consensus in SRT, with dialogical-critical SRT abandoning the idea of a universal consensus and conceptualising how diversity and contradiction can be acknowledged between members of different social groups, as well as within members of the same social group. From this discussion, I consider two key issues essential for integrating DRP and SRT. For DRP, social representations should be explored in discursive productions, acknowledging variation and avoiding *a priori* assumptions. For SRT, it appears essential to consider that, along with the argumentative level of everyday interactions in which we negotiate ways of representing social realities, it is also important to infer the consensual, ideological features that remain stable in our discourses and that make communication possible. To ignore that hegemonic representations underly interactions would leave us only with the actions and reactions that characterise the exchange of utterances, with no possibilities for revealing and challenging hegemonic, unequal relationships in society (Batel & Castro, 2019).

4.4. Action Orientation and Rhetorical Features of Representing

In this section, I introduce how criticism from discursive and critical discursive psychologists has moved some SRTs to focus on the performative functions of representations and how rhetorical psychologists offer possibilities for integrating DRP and SRT.

Language and discourse play a crucial role in SRT, enabling us to understand how the meanings that constitute our knowledge are configured (Moscovici, 1972, 1981) and how we reproduce, shape, and transform everyday commonsense (Batel & Castro, 2018; Sammut et al., 2015b; Marková in dialogue with Studer, 2013). Despite this, language and communication tend to remain peripheral in SRT (Moscovici & Marková, 1998). Unsurprisingly, studies in SRT that focus on language and communication tend to remain unnoticed by those assessing the theory from the outside.

Overall, DRPs have contributed to SRT by providing a helpful methodology for SRTs to analyse the conflict inherent in the act of representing and to analyse the functions social representations perform (Canter & Breakwell, 1993; Howarth, 2006a;

Moloney & Walker, 2002; see Chapter 3). However, SRTs disagree with prioritising discourse and discursive practices above anything else (Moscovici, 1985; Moscovici & Marková, 1998).

Language and representations are considered two sides of the same coin. When we talk, we do not talk about nothing; we talk about the meanings associated with the objects of our conversations (Moscovici, 1984). Representations are involved in any communication because the words we use "are not the same as the things to which they refer and are nonetheless understood by a community of speakers" (Moscovici, 1988, p. 240). Therefore, studying language without representations or representations without language would not "lead to any reasonable argument" (Moscovici & Marková, 1998, p. 407).

Despite this consideration of the role of language in the act of representing, some DRPs, especially from the discursive psychology strand (see Chapter 2), reject any potential contribution from SRT, arguing that their discursive analytical approach alone is "more qualified in its theoretical objectives, captures many of the best features of [SRT] while avoiding its central problems" (McKinlay et al., 1993, p. 134). Specifically, they argue that SRTs do not adequately attend to the demands of local interaction and the action-oriented nature of discourse (Litton & Potter, 1985; Potter & Edwards, 1999; Potter & Wetherell, 1998). In contrast, rhetorical psychologists have maintained open possibilities for integrating DRP and SRT. Thus, while discursive and critical discursive psychologists criticise SRTs for overlooking the performative functions of social representations, rhetorical psychologists highlight the rhetorical features of representations.

4.4.1. The Performative Function of Social Representations

Some DRPs have criticised SRTs' lack of attention to function and variability in the act of representing (McKinlay et al., 1993; Potter, 2019; Potter & Edwards, 1999; Potter & Wetherell, 1998), arguing that the study of representations will be flawed as long as situated discursive practices are ignored (Potter & Edwards, 1999; Potter & Wetherell, 1998). However, there is a different understanding of action between DRP and SRT.

Potter (1996, p. 211, emphasis in original) argues that SRTs deal "neither with how representations are *built* and made factual nor with what is being *done* with

representations" because the focus has been put on the role of representations in meaning-making and facilitating communication. Nevertheless, making it possible to make sense of our realities and providing the means to communicate and construct shared social realities are functions that are *done* with representations. As Duveen (2000, p. 17) states, "Whenever knowledge is expressed it is for some purpose; it is never disinterested". Moreover, by exploring how ways of representing that become common-sense knowledge guide our daily lives, SRTs have also emphasised the role of social representations in the constitution of shared social realities (Moloney & Walker, 2002; Moscovici, 1988; Moscovici & Marková, 1998; Negura & Plante, 2021). For instance, SRTs have noted how representations of gendered identities (Duveen, 2000), madness (Jodelet, 1991), disability (Farr & Marková, 1995), or neighbourhoods (Howarth, 2002a) have been used to legitimate exclusion and social inequalities. Therefore, while DRPs tend to approach action by focusing on the interactional effects achieved through discourse, SRTs tend to approach it by focusing on the role of discourse in the (re)production, preservation, and transformation of meanings (Marková in dialogue with Studer, 2013).

Along with function, some DRPs claim that SRTs overlook how representations vary depending on the management of accountabilities at stake and the context in which they are produced (McKinlay et al., 1993; Potter & Edwards, 1999; Potter & Litton, 1985b; Potter & Wetherell, 1987, 1998). Furthermore, some DRPs argue that adopting the alternative concept of interpretative repertoires (see Chapter 2) would emphasise the discursive nature of representing and how what we represent is flexibly designed *in situ* to achieve particular argumentative effects (McKinlay et al., 1993; Potter & Wetherell, 1987). This change would imply the end of SRT because "There could be no 'social representation community' without the concept of 'social representation'" (Billig, 2013, p. 35). Later, DRPs decided to maintain the concept of "representation" but reconceptualised it as descriptions we produce about social objects (Potter & Edwards, 1999; Potter & Wetherell, 1998), becoming an important concept in understanding the construction of versions of reality (see Potter, 1996). Still, the critique appears to have overlooked dialogical-critical approaches to SRT, in which variation in representations has been accounted for in relation to their social, historical, and cultural features (Banchs, 1994; Moscovici, 1973; Voelklein & Howarth, 2005). Additionally, SRTs immediately rejected the proposal to substitute social

representations with interpretative repertoires, arguing that representations and their effects extend beyond what appears in the interactional context (Moscovici, 1985), which resonates with the conception of underlying, hegemonic representations. Due to this rejection of the repertoire's proposal, DRPs resorted to positioning SRT and their discursive approach as competing research programmes (Potter & Litton, 1985a).

Some conversation-analysis-oriented discursive psychologists have argued that, without limiting themselves to stimulus-response effects, “Like the behaviourist, our analysis remains at all times close to the observable, recorded conversational record” (D. Middleton & Edwards, 1990, p. 43; see also Potter, 2019). Because of their exclusive focus on the details and sequences of conversations, at the expense of meaning and the social processes underlying discursive constructions, some SRTs argue that conversation-analysis-oriented discursive psychologists have positioned themselves closer to a behaviourism-based, reductionist social psychology (de Rosa, 2006; Jovchelovitch, 2001, 2019). Unsurprisingly, some scholars have recently proposed an integration between the discursive psychology strand of DRP and the Skinner-informed behavioural approach (see Goddard, 2024).

4.4.2. Rhetorical Features of Social Representations

Instead of positioning DRP and SRT as competitive programmes, rhetorical psychologists, by emphasising the rhetorical features inherent in the act of representing, have on occasions presented their approach as an extension of SRT (Billig, 1988, 1991; Billig et al., 1988) and argued that DRP and SRT complement each other and can be integrated as long as SRTs adopt a rhetorical perspective (Billig, 1991, 1993). Due to the mutual interest in the influence of culture on the contents of thinking (Billig, 1993), authors from both SRT and rhetorical psychology have seen each other as important allies (see Batel & Castro, 2018; Billig, 1993, 1995; de Rosa, 2006; Gibson, 2015; Howarth, 2006a; Jovchelovitch, 2019; Kilby, 2016; Moloney & Walker, 2002; Rodríguez Salazar, 2003; Santos et al., 2023; Voelklein & Howarth, 2005; Zulato et al., 2023).

Initially, rhetorical psychologists considered social representations a particular modern phenomenon, rooted in modern scientific productions and common sense as a universal phenomenon rooted in any culture (Billig, 1988). However, SRTs have emphasised that social representations are assumed to have always existed in all

cultures. What is different in recent times is "the structure of society and thus the lifespan, diversity and fragmentation of social representations, not their existence, creation or influence on social interactions" (Voelklein & Howarth, 2005, p. 437). Additionally, rather than disparate things, social representations constitute our common sense (Wagner, 1998). Despite this misunderstanding, rhetorical psychologists have offered a reading of SRT that emphasises its social character.

Both Moscovici (1988) and Billig (1996) claim that thinking and arguing constitute the same action, whether it is done with others or in solitude. However, referring to the 'thinking society' might overlook that a representation is something we accomplish through dialogue. We elaborate our discourse by drawing upon socially shared notions, or 'commonplaces', which suggests that examining discourse enables us to see how we use socially available meanings (i.e., representations) to elaborate our arguments (Billig, 1993; see also Shotter, 1989). Additionally, all thinking, including social thinking, is possible due to argumentative processes mobilising contrary themes available in our cultures (Billig, 1988). Because of this, rhetorical psychologists suggest shifting the notion of *a thinking society* to an *arguing society*, drawing attention to the rhetorical and argumentative features of representation (Billig, 1988, 1996; Gillespie, 2020; Kilby, 2016).

One of the foundational premises of rhetorical psychology is to assume that every argument has its own counterargument, and thus, everything that has been conceptualised in a unidirectional way can be reconceptualised in the opposite way (Billig, 1993, 1996). Social representations can be mobilised to maintain or resist particular constructions of the world, making the act of representing inherently argumentative (Howarth, 2004), which suggests that, for every representation, there is a potential counter-representation that has been marginalised (Billig, 1991; Canter & Breakwell, 1993; Hall, 1997; Howarth, 2006a). Accordingly, "the first thing a rhetorician would ask about any representation is this: what alternative representation is it designed to undermine?" (Potter & Wetherell, 1987, p. 142). Similarly, if psychological processes seem reasonable, it is equally important to assess the reasonability of their contrary (Billig, 1996), which means that, along with the processes of anchoring and objectifying, it is equally important to understand their respective counter-processes.

Rhetorical Processes and Counter-Processes of Social Representations.

Considering anchoring and objectifying as unidirectional processes implies that human beings are unthinking repeaters and passive victims of their cultures (Billig, 1988), which would neglect the dilemmatic nature of thinking and the possibility of conceptualising social change (Batel & Castro, 2018; Billig, 1993; Kilby, 2016; Zulato et al., 2023). To highlight the argumentative features of thinking and the agentic role of human beings, oppositional processes to anchoring and objectifying need to be considered.

Regarding the process of anchoring, Billig (1993) argues that if it is possible to make the strange familiar, then it is also possible to make something familiar strange. He also argues that, if we are able to categorise, then we are equally able to particularise, to make something different and unique. This is because when we categorise, we particularise the selected category out of other categories, and when we categorise an object, we simultaneously make the object different from others that have been categorised in different ways (Billig, 1996). Therefore, it is expected that when we try to make the unfamiliar familiar, we will argue about the best category in which a social object should be anchored. If anchoring refers to the process in which a social object is categorised, then *particularising* or *de-anchoring* consists of detaching the object from a relevant category, opening up possibilities for anchoring and representing it in different ways (Billig, 1988; Zulato et al., 2023). Furthermore, we can also argue about preserving a social object as a unique entity in its own category, redefining the boundaries of familiar categories or altering their meaning (Billig, 1996).

Regarding the process of objectifying, if it is possible to make the abstract concrete, then the opposite is also possible. Focusing solely on how the abstract is transformed into a shared, stable code or iconic element that captures the essence of a social object risks portraying a homogeneous society in which there are no disagreements (Billig, 1993). To avoid this, Billig (1988) proposes the term *transcendentalising* to refer to the process by which we transform a material object into an abstract concept, a symbol that stands for something else (see also Kilby, 2016; Verkuyten, 1995). If we translate a new entity into a fixed common code when we objectify, we overcome that fixity by including transcendentalising as the process through which people engage in abstract meaning-making (Kilby, 2016).

In summary, the criticism from DRPs regarding the lack of attention to the way representations are oriented towards action highlights contrasting yet complementary approaches to action. While most DRPs treat action as discursive practices performed within the immediate interactional function, SRTs see action in terms of the ideological effects of representation in meaning-making. Because conversation-analysis-oriented discursive psychologists do not link the details of interactions with historical or ideological movements, nor do they consider anything beyond participants' interactional (re)actions (Billig, 2006), an integration between the discursive psychology strand of DRP and SRT seems implausible. In contrast, considering rhetorical psychologists' proposals, we can avoid a unidirectional approach to representations, recognising that the way we represent always implies marginalising alternative ways, thereby providing opportunities to avoid cultural determinism and to conceptualise possibilities for social change (Billig, 1993). As a result, most previous integrative studies and proposals have considered the rhetorical features of social representations (see Batel & Castro, 2018; Billig, 1988, 1991, 1996; Billig et al., 1988; Gibson, 2015; Howarth, 2006a; Kilby, 2016; Zulato et al., 2023). Regarding critical discursive psychology, I argue that representations and interpretative repertoires, rather than opposing concepts, constitute the two faces of the same coin, an argument that I develop further in Chapter 5.

Before introducing the integrative proposal based on the arguments developed from both approaches during their longstanding relationship, I consider it relevant to indicate which term, between discursive construction and social representation, I adopt.

4.5. Discursive Constructions or Social Representations

Due to their origins in social constructionism, DRPs have taken "construction" as a foundational metaphor for their theoretical enterprise: we put together different resources to construct the discourses through which we construct our realities (McKinlay et al., 1993; Potter, 1996; Potter & Litton, 1985b; Potter & Wetherell, 1987).

Some DRPs have illustrated the construction metaphor by presenting words as the bricks of our discourse, patterns of talking as prefabricated materials, and micro-details of discourse as the cement holding all materials together (Potter, 1996). They claim that although attention should be paid to both prefabricated and in-situ

fabricated materials, SRTs have mainly focused on the former (Potter & Wetherell, 1998). However, due to the exclusive focus on the local interaction, it is also possible to say that some DRPs, especially discursive psychologists, have mainly focused on in-situ productions. In contrast, critical discursive and rhetorical psychologists are interested in exploring how patterns of discourse and commonplaces circulating in society are used in daily interactions (Billig et al., 1988; Wetherell, 1998). For instance, Billig (1997) claims that each new utterance carries an ideological history because when we speak or write, we use culturally and historically available terms. Therefore, "the analysis of discourse should not stop at the study of its use in immediate contexts" (Billig, 2001, p. 220).

Contrarily, SRTs argue that we do not solely use cultural resources to perform actions, nor do we construct objects anew (Moscovici, 1984). When we represent, we are deliberating, re-interpreting, re-constructing and, consequently, re-presenting the meanings that circulate in our cultures (Howarth, 2002a). Moreover, SRTs claim that the concept of construction suggests that what we do in discourse is a matter of creative liberty, which overlooks the extra-discursive conditions that constrain such liberties and that have been emphasised by critical realist discourse analysts (Jovchelovitch, 2019; Moscovici, 1988; see Chapter 2). In addition to extra-discursive conditions, Moscovici (1988, p. 231) argues that "regularities of thought, language and life in society all act together to delimit the possibilities" of world-making too. Omitting the role of meanings reproduced in interactions and focusing exclusively on action implies that "*nothing exists external to the action and the discursive practice*" (de Rosa, 2006, p. 177; italics in original). Consequently, SRTs prefer representation over construction to emphasise that our versions of reality and our discursive actions are produced by using meanings configured in the past and that continue to be reproduced in the present, emphasising the historical features of representations.

In summary, while 'construction' tends to be used to refer to what is being done here-and-now, 'representation' emphasises historical features of meaning-making and meaning-maintenance happening in our discursive practices. For this reason, I adopt the term 'representation' in this thesis, considering it a more clarifying concept for the integrative proposal between DRP and SRT that I present in the following chapter.

It is worth noting that most of the DRPs' criticisms of SRT have been grounded in a relativist rather than a critical realist standpoint. For SRTs adopting strong versions of social representations, the notion of "representation" suggests an out-there material world to which we do not relate directly, but through the way we represent it (Wagner, 1996; see Chapter 3). Ignoring the mediation role of social representations would lead us to fall into naïve realist or strict relativist ontologies. On the one hand, without representations, there would be a perfect coincidence between what everyone says and the world we talk about (Jovchelovitch, 1994). On the other hand, ignoring the prescriptive and restrictive role of meanings available in our culture implies that everything could blend into everything else, where power dynamics are not acknowledged, and therefore, any argument would go (Jovchelovitch, 1994; Psaltis, 2015; Wagner, 1998). By adopting a critical realist stance, we are in a better position to acknowledge that some groups possess more symbolic power in society than others, thereby having greater authority to exert their influence through their social representations (Rose et al., 1995).

Chapter 5. Argumentative and Repetitive Features of Communication: Integrating DRP and SRT

In this chapter, I begin by introducing the integrative proposal between DRP and SRT, conceptualising it through the notions of argumentative and repetitive features of communication. Next, I present a theoretical literature review of previous proposals for integrating DRP and SRT, emphasising how they relate to the argumentative and repetitive features of communication and noticing how some of them approach the relationship between social representations and interpretative repertoires. Afterwards, I propose that interpretative repertoires and social representations are mutually dependent, in which neither is positioned as more adequate than the other. Instead, I argue that considering both offers us opportunities to explore underlying hegemonic representations. Subsequently, I develop in more detail the constraining effects of social representations in the production of discourse, highlighting their extra-discursive features. Finally, I conclude the chapter by consolidating the integrative proposal that I have developed throughout the previous chapters in the last section.

Social representations (i.e., the set of shared meanings circulating in our cultures) and discourse and communication (i.e., negotiating and reproducing meanings through our talk and text) are engaged in a circular, dialogical relationship in which both are mutually implicated (de Rosa, 2006). Based on this assumption and considering the arguments developed regarding the relationship between the two approaches (see Chapter 4), I introduce an integrative proposal for DRP and SRT in this chapter.

Some authors argue that there are two distinct forms of communication (Billig, 1993), which can be labelled argumentative and repetitive. On the one hand, argumentative communication is based on disagreement and contestation, in which we take a stand on a controversial issue and are compelled to produce arguments to manage our stake, discuss the appropriate meaning of a social object and struggle to position such representation above others, and strengthen our cases in response to the unpredictable dynamics of negation, justification and criticism (Billig, 1993, 1997). It is the form in which we attempt to establish a certain way of making sense, employing discursive and rhetorical devices to position a particular version of reality as

more legitimate, managing our stakes in such versions, and building them in a way that justifies a particular stand in response to (potential) criticism (Billig, 1996; Duveen, 2000; Edwards & Potter, 1992; Potter, 1996; Potter & Wetherell, 1987).

Similarly, we can observe in argumentative communication how the processes involved in the act of socially representing (i.e., anchoring, de-anchoring, objectifying, transcendentalising) are achieved in discourse (Billig, 1988; Kilby, 2016; Zulato et al., 2023). By exploring argumentative communication, we can study the battle of ideas characterising the thinking-arguing society (Billig, 1988; Moscovici, 1988, 1998). However, focusing exclusively on what is overtly challenged and discussed can lead us to adopt a one-sided conception of social phenomena (Gibson, 2019a). When we argue, we draw upon socially shared representations; otherwise, our arguments will not make sense and will fail to achieve rhetorical goals (Billig, 1993; Duveen & Lloyd, 1990; Voelklein & Howarth, 2005). Therefore, if it is possible to talk about argumentative communications, then there is at least one form of communication that is not argumentative.

The other form is repetitive communication, characterised by polite discourse, agreement, the repetition of stock phrases, and a lack of discussion. In such communication, there is no need to elaborate new arguments, because what is already known is merely rehearsed (Billig, 1996), thereby routinely and banally reproducing sedimented, naturalised representations that tend to remain uncontroversial over time (Billig, 1995). As I described in Chapter 3, far from being irrelevant, what appears to be widely consensual (i.e., hegemonic representations) contains clues about the common-sense ideologies that rule our everyday lives (Billig, 1995, 1997, 1999a, 2001; Billig et al., 1988; Marková, 2000; Moloney & Walker, 2002). We can also point to what is repeatedly and significantly left out of discourse as offering clues to what is considered (ab)normal or (in)appropriate to say in particular social arrangements and moral orders (Billig, 1999a, 2006). In sum, repetitive communications constitute the discursive context in which meaning maintenance (and meaning repression) happens.

Wrapping up both forms of communication, the argumentative is related to the arguing society in which we negotiate how to represent unfamiliar or controversial phenomena. The repetitive form is related to everyday ideology, the taken-for-granted knowledge that gives sense to our arguments, and the available and uncontested meanings we draw on for our discourses when we attempt to make sense of a

controversial social object. However, just as there would be no need to communicate if there were nothing to argue about (Billig, 1996), no communication would be possible if there were no shared, taken-for-granted meanings (Elcheroth et al., 2011; Gillespie, 2008; Jovchelovitch, 2007; Moscovici, 1994, 2000; Psaltis, 2015; Räty & Snellman, 1992a; Voelklein & Howarth, 2005). Therefore, rather than two different forms of communication, which would suggest that they occur in different communicational encounters, it seems more appropriate to refer to argumentative and repetitive features of communication.

Instead of claiming primacy of one feature or the other, both are equally important to understanding how we shape our social realities. Considering argumentative features as the ones worth consideration would neglect that no discourse analysis would be possible without reference to consensually shared meanings that make discourses intelligible and provide them with legitimacy (Billig, 1995; de Rosa, 2006; Shotter, 1989; Wagner, 1996, 1998). Similarly, considering repetitive features as the only ones worth attention would neglect the dynamic and discursive nature of social representations (Billig, 1991; Gibson, 2015). Even when there is no apparent argument, the rhetorical perspective reminds us that every discourse or representation is always produced at the expense of other potential ones (Billig, 1996, 1999a). That is, even polite communications based on mere repetitions without argumentation unavoidably constitute an argument for maintaining certain meanings stable and free from controversy, at least temporarily. Any consensual meaning can become a controversial matter, moving to the forefront, and previously discussed controversial matters can eventually be treated as widely accepted, lingering in the background of further debates (Billig, 2006).

The argumentative and repetitive features could be considered the focus and background of communication, respectively: what is controversial constitutes the focus or matter under discussion in our conversations, while familiar meanings are reproduced in the background, sometimes unnoticeably, when we use and treat them as consensual. Assessing what meanings are controversial and which appear natural should be based on the analysis of current talk and text. By integrating DRP and SRT, we gain theoretical and analytical tools to explore both how representations are constructed in talk and text to achieve a rhetorical end and the reproduction and effects of the network of taken-for-granted meanings underlying our discourse.

Furthermore, considering both argumentative and repetitive features makes it possible to maintain the model of human beings as producers and products of language (Billig, 1991). On one hand, focusing on argumentative features suggests that we are masters of language, creators of arguments and patterns of discourse, and challengers of taken-for-granted knowledge. On the other hand, focusing on repetitive features suggests that we are slaves of language, condemned to recycle what has already been created. By focusing on both features, we can conceive how, despite the restrictions of linguistic resources available in our contexts, we maintain an active role in producing discourse through which we reproduce versions of reality. Similarly, considering both argumentative and repetitive features makes it possible to conceive two different levels of actions performed through our talk and text.

Action can be conceptualised differently depending on the feature of communication we are focusing on. For those emphasising argumentative features, action is related to our interactional goals, as emphasised by DRPs. We criticise, justify, categorise, blame, and so on when arguing for one way of re-presenting instead of alternative ones. As Gibson (2015) asserts, we re-present to perform particular actions. For those emphasising repetitive features, action is related to the reproduction of previously configured meanings throughout patterns of talk and text. If argumentative features turn unfamiliar entities into familiar objects, repetitive features preserve the familiarity of familiar objects. Meanings that are frequently uttered and widely shared in society tend to become sedimented in culture, fulfilling an ideological function by consolidating a specific common sense that guides our everyday lives (Billig et al., 1988).

Finally, the conception of argumentative and repetitive features can offer clarity regarding whether 'social representations' should be considered a noun or a verb (see Billig, 2008; Gibson, 2015; Howarth, 2006a; Jovchelovitch, 2019). Billig (2008) argues that the frequent use of the noun "social representations" instead of "social representing" has led to treating them as entities rather than something people do. Because of this, some SRTs have adopted the term "social re-presenting" to refer to the practice of representing, highlighting that we re-present when we deliberate (see Batel et al., 2016; Howarth, 2006; Voelklein & Howarth, 2005). However, social representation (as a noun) is equally important as social re-presenting (as a verb). Chryssides et al. (2009) suggest that SRTs use "re-presenting" to refer to the processes

in which familiar meanings are questioned and new meanings are negotiated, whilst "representation" is used to refer to the contents of our domesticated universes, the taken-for-granted background of meanings available in culture and treated as consensual. In order to approach both local and ideological levels of analysis and following Chryssides et al.'s (2009) suggestion, I use 're-presenting' (verb) to refer to the processes in which familiar meanings are questioned and new ones are negotiated (i.e., argumentative features), and 'representation' (noun) to refer to the taken-for-granted background of meanings available in culture and treated as consensual (i.e., repetitive features).

In the next section, I introduce previous proposals for integrating DRP and SRT, highlighting their respective contributions and how they relate to the argumentative and repetitive features of communication.

5.1. Theoretical Literature Review: Previous Proposals for Integrating DRP and SRT

In this section, I present a theoretical literature review of previous proposals for integrating DRP and SRT. Different authors have argued that integrating DRP and SRT is possible only with some strands of each approach (Batel & Castro, 2018; de Rosa, 2006; Gibson, 2015; Rodríguez Salazar, 2003). The conversation-analysis-oriented discursive psychology strand of DRP does not allow possibilities for considering social and ideological issues that influence our discourse, making integration with SRT impossible. Likewise, the reliance on cognitivist structures by those adopting the structural approach to social representations offers an individualistic conception that pays little attention to the role of communication in configuring and reproducing meaning, making integration with DRP impossible. In contrast, critical discursive psychology and rhetorical psychology, on the side of DRP, and dialogical-critical approaches to social representations, on the side of SRT, are deemed compatible (Batel & Castro, 2018; Gibson, 2015; Howarth, 2006a; Jovchelovitch, 2007; Moloney & Walker, 2002).

Various authors have integrated DRP and SRT into empirical studies of social psychological phenomena. Having the intention to demonstrate how discursive categories derive their meanings from widely shared social representations, Augoustinos (2001) examined how elite Australian politicians use social categories when discussing the relationship between Aboriginal-Australians and the non-

Indigenous population in 1997. In particular, the author analysed a nationally broadcast speech by the then Prime Minister regarding the limits that his Government introduced on Aboriginal-Australian claims for land, which would affect pastoralist and mining practices. Augoustinos demonstrates how the Prime Minister drew on the 'farmer' category to invoke salient meanings historically associated with Australian farmers as quintessential icons of the nation, rather than the 'pastoralist' category, which would evoke meanings of wealthy landowners who had become rich at the expense of small farmers. Similarly, the author showed how pervasive representations of Aboriginal people as passive and unproductive provide the foundations for the Prime Minister to describe them as in need of the generous actions of nonindigenous people. In sum, Augoustinos (2001) empirically combines SRT and DRP to illustrate how active construction of discourse rests on social representations available in the speakers' culture. In other words, how argumentative features rest on repetitive features.

Another empirical integration is done by Kilby (2017), who analyses representations of peace in terrorism talk and examines how British Muslims challenge dominant discourses that associate terrorism with Muslim communities in the UK. The author reveals how Muslim speakers represent peace both as a core element of Muslim identity and as a common value shared with non-Muslims, challenging dominant UK discourses that reproduce an understanding of Muslims as dangerous and Western societies as peaceful. Kilby (2017) concludes by emphasising how the DRP methodological approach enables us to examine features of social representations in the context in which they are configured.

As presented in Chapter 3, based on the rhetorical features of representations, other authors have explored how the (counter)processes of de-anchoring (Zulato et al., 2023) and transcendentalising (Kilby, 2016) are discursively achieved in discourse. With interest in exploring how elite Italian politicians make sense of the vegetative state in parliamentary debates, Zulato et al. (2023) illustrate the tensions that exist between anchoring and de-anchoring. That is, while some familiar categories were deemed relevant to define a vegetative state, others were drawn upon to challenge such relevance. Similarly, examining 9/11 as a contemporary symbolic resource for communicating about terrorism, Kilby (2016) shows how the symbol functions to

objectify the abstract notion of terrorism and to transcendentalise the concrete 9/11 events as mundane knowledge that influences how we make sense of terrorism.

Others have empirically employed the analytical devices proposed by some critical discursive psychologists (see Chapter 1) along with the dialogical perspective of SRT. For instance, Sakki and Hakoköngäs (2022) integrate both approaches to explore dialogical constructions of hate speech in a national TV talk show and in discussions on the talk show's social media. In their analyses, the authors illustrate how the analytical devices of interpretative repertoires, ideological dilemmas, and subject positions enable us to examine the interactional function of arguments, while the dialogical approach of SRT enables us to examine the negotiation of shared understandings. The authors refer to these two aspects as the micro and macro processes of knowledge construction, respectively. Regarding the relationship between interpretative repertoires and social representations, Sakki and Hakoköngäs treat repertoires as the diverse discursive productions that can emerge from representations, distinguishing between repertoires based on lexical variation, rather than meaning variation (Wetherell & Potter, 1992).

Another empirical integration between critical discursive psychology and the dialogical approach to SRT is done by Rovamo and Sakki (2024) in their analysis of naturalised representations of populism in relation to a political party in Finland. Having asked participants "whether there are populist parties in Finland" (Rovamo & Sakki, 2024, p. 5), the authors show how those who do not support the party in question associate it with populism, while describing populism as something negative. In contrast, those who support the party employ different discursive strategies to avoid being labelled as populist. This leads the authors to infer that a naturalised negative representation of populism underlies participants' accounts. Through their study, Rovamo and Sakki illustrate how a general, naturalised knowledge can still be resisted.

Along with empirical integrations, two specific theoretical conceptualisations have been proposed to integrate DRP and SRT[4]. One of them is proposed by Gibson (2015), who states that both approaches are mutually dependent, arguing that DRP

[4] I consider here proposals that adopt the anti-cognitivist stance campaigned by DRPs. Therefore, integrative proposals that consider social representations as cognitive structures (see Van Dijk, 1990) or as reflecting motivated reasoning (see Buhagiar & Sammut, 2020) are deliberately excluded.

needs SRT to account for discourse's origins and cultural sedimentation, and SRT needs DRP to avoid falling into cognitivist reductionism and provide the tools to empirically explore social re-presenting. The author emphasises the relevance of exploring what is accomplished in local interaction alongside what interlocutors treat as consensual, culturally sedimented knowledge. Gibson (2015) illustrates his proposal by examining how a British politician and a British citizen discuss the understanding of the 2003 Iraq War that should prevail when arguing whether the UK should participate in it. On the one hand, the citizen argues that the situation is similar to World War II, recalling a national triumph and, therefore, building the case for military action. On the other hand, the politician argues that the situation echoes the military humiliation experienced during the Suez Crisis, thus resisting arguments advocating for military participation. Despite disagreeing with how the Iraq War should be understood, both analogies remained unchallenged, indicating how narratives surrounding World War II and the Suez Crisis have become culturally consensual tropes available for drawing on in discourse. In contrast to the initial proposal by DRPs to substitute social representations with interpretative repertoires, Gibson (2015) argues that the concept of interpretative repertoires should be abandoned because, unlike social representations, it fails to account for the cultural origins and sedimentation of discourse.

The other theoretical proposal is presented by Batel and Castro (2018), who argue that integrating DRP and SRT would provide us with a better understanding of how meanings are constructed, reinforced, and transformed through communication. The proposed analytical framework integrates DRP (which they refer to as ‘pragmatic discourse analysis’) and thematic analysis (see Braun & Clarke, 2006). A pragmatic discourse analysis is proposed to analyse how we present and re-present in interaction, for what purposes certain contents are drawn upon in specific contexts, and what the effects of discourses are regarding the promotion or resistance of change and power relationships. In contrast to interpretative repertoires, thematic analysis is proposed to explore the patterns of meaning (themes) that are privileged when making sense of controversial objects, considering them as social and cultural constraints on discourse. Batel and Castro (2015) claim that consensual meanings do not always appear explicitly, but analysing the commonalities between arguments can provide clues regarding the hegemonic representations that appear to uphold

discursive productions. While Batel and Castro (2018) discuss patterns of meaning, they do not employ the term 'interpretive repertoires' but rather 'themes', adopting the terminology of thematic analysis.

Based on previous empirical and theoretical integrative proposals, patterns of meaning (social representations) and patterns of talking (interpretative repertoires) have been treated differently, as if the latter ones emerge from the former (see Sakki & Hakokõngäs, 2022), and sometimes as opposing concepts (Gibson, 2015). Instead, I propose that both maintain a complementary relationship in which the understanding of one concept is enhanced by the other.

5.2. Interpretative Repertoires and Social Representations: An Interdependent Relationship

Despite the concept of interpretative repertoires having fallen into disuse compared to previous years (Burr, 2015), it remains important for those working from a critical discursive psychological stand (see Abuarrah, 2024; Edley, 2001; Lönnroth-Olin et al., 2024; Rousaki, 2025; Rovamo & Sakki, 2024; Sakki & Hakokõngäs, 2022; Wetherell & Edley, 2014). Instead of an oppositional relationship in which one is prioritised over the other, I argue in this section that social representations and interpretative repertoires are embedded in an interdependent relationship, and that understanding how they interact with each other provides us with better tools for analysing discursive practices and meaning-making.

Everyday discourse and social representations are mutually constructed, and neither can exist without the other (de Rosa, 2006; Jovchelovitch, 1994). Social representations guide our communicative practices and, in turn, are generated and transformed within these practices (de Rosa, 2006; Marková, 2000), which means that patterns of talk and communication shape and are shaped by social representations. Interpretative repertoires are supported by the various meanings available in society; otherwise, they would not make sense or achieve interactional ends. Similarly, representations are constituted and reproduced through the frequent patterns of talking we employ in our discourse when discussing social objects. Moreover, different representations of the same object are produced through the various ways of talking about it that have developed in our cultures. As a result, we can discuss an object in various, yet still limited, ways because different representations of such objects are

available in our cultures. In short, we socially represent objects in the way we talk/write about them, and we talk/write about objects related to how we have socially represented them.

Assuming that an interpretative repertoire is indicative of a social representation, when two or more interpretative repertoires are proposed to exist when talking about a particular social object, then it is possible to say that there are two or more ways of socially representing the object. Also, if ideological dilemmas emerge when two interpretative repertoires are in conflict, it is possible to say that dilemmas occur when two different representations are in conflict. Arguing is possible because there are at least two positions involved, and thus, two representations competing for the legitimate spot. For instance, if it is possible to say that scientists employ an empirical repertoire and a contingent repertoire when talking about their own and others' works, respectively (see Gilbert & Mulkay, 1984), then it is also possible to say that scientists have been socially represented as exceptionally neutral beings dealing with objective facts on some occasions, but also as any ordinary humans affected by personal and social circumstances on others. It is in the difference between the empirical description of their works and the contingent description of others' works that we can analyse for what purpose such representations are (re)produced.

This proposed co-dependent relationship between social representations and interpretative repertoires might suggest a static conception of reality with no possibilities of change: we can talk about objects only in terms of their representation and represent them only in terms of how we talk about them. However, argumentative dynamics between negation, justification, and criticism compel us to adapt our discourses in response to interactional and contextual demands. According to Billig (1991), because no two contexts are exactly identical, each repetition requires a change; otherwise, we will be unnaturally producing the same utterances over and over again. Similarly, when we engage in dialogue with conflicting social representations, we are forced to revisit, reflect and adjust the meanings we have maintained to make sense of our realities (Voelklein & Howarth, 2005). Consequently, in the proposed relationship between interpretative repertoires and social representations, social change is always a possibility, although not always easy.

Taking into account critical realist premises, there are extra-discursive forces constraining what we can or cannot say or write (see Chapter 1). Although critical realists primarily focus on material conditions, sedimented representations that are merely repeated and widely accepted as legitimate knowledge also constrain our discursive productions and interpretative repertoires (Moscovici, 1985). In the next section, I revisit the restrictive role of social representations that I introduced in Chapter 2 and explore in detail two ways in which they constrain what we can or cannot say/write.

5.3. The Restrictive Role of Social Representations in Discursive Productions

Although interdependent, it is necessary to distinguish between the level of immediate interaction, disagreement, and argumentation present in our everyday interactions, and the underlying level of social representations, located in institutional historical settings that make communication possible (Rose et al., 1995). This underlying level constraining our discursive productions can be better understood in consideration of the temporal dimension SRT provides for analysing patterns of discourse and the restrictive effects of hegemonic representations on our discursive productions.

5.3.1. Temporal Dimension: The Restrictive Role of Past Discourses

Some DRPs link the individual to the social through interpretative repertoires, arguing that patterns of talk and text reproduce coherent and rhetorically proven discourses circulating in our cultures (Wetherell, 1998). However, due to the interest in what is done in interactions, some DRPs treat linguistic resources as merely present, pre-given, and pre-elaborated, waiting to be utilised for various purposes. Although considering the local context is important for understanding how and for what purpose we (re)produce representations in our communicational encounters (Gibson, 2015), our everyday interactions do not begin from a blank background.

Every communication is rooted in past communications and is oriented to the future (Marková, 2007). Every argument we produce in our daily interactions rests on commonly shared meanings (representations) that have been configured in past communications and that are embedded in our current social, cultural, institutional, and historical context (Billig, 1991; J. H. Liu & Hilton, 2005; Rose et al., 1995; Wagner,

1996). Thus, what we construct in current discourses does not have an ephemeral existence but can transcend the local interactional context in terms of audience, space, and time and even become materialised in institutional settings (Billig, 1991; de Rosa, 2006; Shotter, 1989). Therefore, instead of a strict presentist perspective, in which we are moved solely by immediate goals (de Rosa, 2006), SRTs emphasise that what we draw into our arguments reproduces representations configured in previous communications, and what is being re-presented in the present is susceptible to becoming a shared representation in the future.

Because what we re-present and treat as consensual may set the conditions for further argumentation (Billig, 1991), I consider it essential to examine the social and material implications of arguments produced beyond the interactional encounter, especially when actors with institutional power reproduce and materialise certain versions of reality above others.

Along with the temporal dimension, both argumentative and repetitive features of communication are supported by more widely shared representations that, although they tend to remain unmentioned in everyday conversations, make our arguments make sense. Those widely shared representations are hegemonic ones.

5.3.2. The Restrictive Effects of Hegemonic Representations

When we produce arguments to advocate for or resist particular understandings of social phenomena or versions of reality, we utilise familiar tropes, categories, and rhetorical proof maxims, among other culturally available resources (Billig, 1996; Moscovici, 1988; Vala & Castro, 2013). We utilise them so that our arguments can make sense and be consequential in our communications. Otherwise, we would fail to achieve a particular discursive practice or even to communicate. Despite the availability of different representations, some of them gain prevalence and greater stability at a particular moment (Moscovici, 1984), guiding our understanding of what qualifies as an (in)adequate account. These more stable representations would constitute what has been referred to as hegemonic representations (Augoustinos, 1998; Batel & Castro, 2018; Moscovici, 1988).

As I described in Chapter 4, hegemonic representations are naturalised meanings that support social arrangements, shape our societies, and remain unnoticed due to their implicit reproduction in communication. When they become the focus of

conversation, it is usually because they have been challenged and have lost their naturalised status (Billig, 2006). Individualism, patriarchy, gender, race and nationalism are examples of hegemonic representations that tend to underlie our discourse and that are embedded in systems of power (Augoustinos et al., 1999; Howarth, 2006a; Lloyd & Duveen, 1992). Despite not always being explicitly mentioned, "contingent discourses always offer a trace of a discourse previously spoken and performed within a social context" (de Rosa, 2006, p. 183). We can identify them by noticing dominant repertoires or patterns of discourse (Augoustinos et al., 2014; Moloney & Walker, 2002), as well as what tends to remain unquestioned. That is, by questioning what appears to be the taken-for-granted knowledge that allows utterances to make sense without providing further explanations.

We can find traces of previously established and naturalised social representations in current discourses. Exploring what appears explicitly in discourse allows us to analyse what is being re-presented, as well as what representations are treated as consensual. As mentioned above, Gibson (2015) illustrates this by showing how the Iraq War, as the focus of conversation, is re-presented, and how previously configured social representations of World War II and the Suez Crisis were (re)produced as familiar tropes to argue for and against the potential military intervention of the UK. Additionally, going beyond what appears explicitly and inferring the naturalised understandings that appear to underlie both arguments in favour of or against the UK's participation, we can conceive how hegemonic representations upholding the status quo are equally reproduced. In this case, something unmentioned yet taken for granted in the discussion gave the arguments sense: the assumption that the UK has the right to intervene militarily in other territories.

The Iraq War discussion centred on whether the UK should intervene, but the justification for its power to do so was unquestioned. This naturalised representation implies that the UK has the power to mobilise resources (e.g., troops and weapons) abroad and, more generally, act as a global police officer in other countries (see J. H. Liu & Hilton, 2005). We can also note that this argument is possible because it rests on the hegemonic representation of the world as being constituted by different nation-states (see Billig, 1995). The naturalness of this hegemonic representation can be appreciated by considering how, when other countries act in a similar manner, explanations are required. For instance, when the Ethiopian government sent

resources to support Mexico in overcoming the damage caused by an earthquake, international commentators began questioning this action (see Cialdini, 2021). In the Ethiopian-Mexican case, the naturalised social representation indicating which countries are considered legitimate supporters and receivers was transgressed, and explanations had to be provided.

In sum, naturalised social representations restrict what is possible to say when re-presenting social objects. At the same time, due to this dependence on what is taken for granted, we unavoidably reproduce in our discourse (to some extent at least) representations upholding the dominant social order (Shotter, 1989). Despite their naturalised restrictive power, the current diversity of meanings circulating in and beyond our cultural contexts makes it possible to engage with resources that enable us to question and resist hegemonic representations (Jovchelovitch, 2001). If our commitment is to promote social change in the pursuit of equitable societies, our task involves problematising the taken-for-granted knowledge that supports and reproduces unequal systems of power and oppression, exposing how naturalised meanings and absences are not so natural (Billig, 2006). Power works in the ground of conversations, and thus our critical analyses should aim to reveal how specific patterns of talking and silences prevent other versions of reality from being (re)produced (Billig, 2006).

5.4. Integrative Proposal Between DRP and SRT in a Nutshell

In this final section of the chapter, I consolidate the elements of the methodological proposal I have presented throughout the previous chapters and sections of the thesis.

By integrating DRP and SRT, we gain a comprehensive understanding of how we shape our social realities and the social and ideological implications of these configurations. On the one hand, DRP offers us analytical tools that make it possible to study how we re-present and what representations are mobilised in our daily interactions at the expense of alternative possibilities (Gibson, 2015). Discursive devices proposed by discursive psychologists are helpful to analyse how we manage to position particular understandings or versions of reality as more legitimate and factual than others. Analytical tools employed by critical discursive psychologists are useful for analysing which representations are used and how they are managed in discourse. The

rhetorical perspective reminds us that each discourse constitutes an argument elaborated in response to a potential counterargument, which implies that all representations undermine other possible ways of representing our domestic worlds. Furthermore, the rhetorical approach of DRP and the dialogical-critical approach to SRT remind us that what is absent in discourse, or more precisely, what does not need to be said (Gibson, 2019a), is as important as what is explicitly mentioned. The social order rests on the maintenance of certain meanings and the forgetting of alternative ones (Shapiro, 1989). Also, what is absent can inform us about routinised patterns of discourse reflecting the moral order that dictates what is expected or considered sensitive in particular contexts (Billig, 2006). On the other hand, SRT provides us with theoretical notions and an analytical perspective to explore the construction, reproduction, and transformation of socially, culturally, and historically shared meanings constituting our common sense (Marková, 2000; Moscovici, 2001; Rodríguez Salazar, 2003). In short, the integration I propose between DRP and SRT is based on the assumption that language creates meaning, and meaning guides language.

Although the study of social representations can be conducted at various levels, ranging from the societal to the interpersonal or even intraindividual level of analysis (Duveen & Lloyd, 1990), DRPs have sharpened SRTs' awareness of the relevance of seriously considering our daily talk and texts, the micro-context in which we create, transform, and challenge the contents of common-sense (Duveen & Lloyd, 1990; Moscovici & Marková, 1998; Psaltis, 2015; Wagner, 1996, 1998, 2015; Wallace & Batel, 2024).

By paying attention to patterns of meaning in our arguments that are treated as consensual and remain unchallenged, along with what is routinely left unsaid, we can explore the daily reproduction of the taken-for-granted, which offers clues to the common-sense ideology of a community (Billig, 1997). DRPs have emphasised that we produce accounts in our everyday communications when there is a need to justify or excuse our actions, when a conventional practice or social norm has been violated and become the sensitive or controversial issue at stake (Billig, 1996; Edwards & Potter, 1992; Gibson, 2019a; Potter, 1996; Potter & Wetherell, 1987). In other words, we produce arguments when taken-for-granted meanings (i.e., naturalised representations) have been problematised, and new meanings need to be configured. Additionally, if there is an argument, it is possible to say that there are at least two

ways of re-presenting an object in conflict. Representations competing for the legitimate spot constitute polemical representations, whereas those drawn in elaborating our arguments constitute emancipated representations, which are treated as familiar by interlocutors and remain unchallenged. Other social representations are hegemonic representations. Although hegemonic representations remain unmentioned, they constitute the widely shared cultural background from which discourses are elaborated, having the power to restrict, shape, and influence what is (not) normal or legitimate to elaborate in discourse (Howarth, 2011; Rose et al., 1995). Because our discourse is made compatible with familiar understandings available in our contexts (Moscovici, 1988), it is possible to say that, alongside the extra-discursive features proposed by critical realist analysts, naturalised social representations exert constraining effects on our discursive productions.

Hegemonic representations play an ideological role in making and maintaining the structures that uphold the social order seem natural and beyond question (Billig, 1997). For as long as we remain unaware of such naturalised social representations, our ideological heritage will "quietly pass through our own thinking" (Billig et al., 1988, p. 42). However, no meaning or representation can be permanently fixed (Hall, 1997). According to Butt (1999, p. 130), "As times and perspectives change, so too does what is obvious and what constitutes a fact". Therefore, what is taken for granted and common-sensical is always susceptible to becoming a controversial issue (Billig, 1996).

Considering that we produce arguments in a way that makes them seem reasonable (Mehan, 1996; Sacks et al., 1974), questioning why specific arguments make sense, regardless of whether we agree with them or not, offers us the opportunity to explore and problematise hegemonic representations that uphold the social order and constrain possibilities for alternative futures. However, because representations are configured within the context of power dynamics, struggles, conflicts, and resistances are expected when familiar meanings are problematised, and new ones are configured (de Rosa, 2006; Howarth, 2006a). In sum, questioning the taken-for-granted hegemonic representations that reproduce inequalities in society makes it possible to spark the engine of social change.

Similar to Riley's (2002) proposal of a multi-level analysis of discourse, if we want to consider argumentative and repetitive features of communication, we need to pay equal attention to the kind of interactional business being performed, the patterns

of sense-making and of absences, and how social representations upholding the social order are unconsciously reproduced in our everyday discourse. Consequently, it is possible to say that different research questions are needed to consider the argumentative and repetitive features of communication. When focusing on the argumentative features of our communications, the research questions are oriented to what, how, and to what end something is being re-presented. When focusing on repetitive features, research questions are oriented toward what is taken for granted, why a certain way of representing makes sense, why the resources we draw on to elaborate our arguments are supposed to work, and how these resources reproduce social arrangements, especially if such social arrangements uphold unequal social structures.

Finally, it is worth mentioning that, as analysts, we are not exempt from producing discourses dependent on the linguistic and cultural resources we have engaged with and that are culturally available to us, whether from our social experiences or academic grounds. However, engaging with discursive and academic productions developed by authors from diverse cultures and traditions makes it possible to explore ways of understanding reality that may not be common in our local contexts. Nevertheless, it would be naïve to assume that a value-free analysis is possible (Gergen, 1973). We cannot avoid taking a stance, regardless of whether we are conscious of it or not, because our analyses of others' arguments are themselves arguments (Billig, 1991). Thus, as members of powerful social institutions, we must question whether the aim of our works is to support and consolidate, or criticise and transform the social order (Moscovici, 1972).

Without dismissing the relevance of other discourses, I maintain a particular interest in the discourse of members of social institutions due to their power to configure certain representations as factual at the expense of others. Most of our knowledge and understanding of reality derives, directly or indirectly, from social institutions, such as schools, academia, social media, and politicians (Wagner, 1996). However, because more than theoretical proposals, "it is important for critics to get down to the business of actually exploring slices of contemporary life" (Billig, 1991, p. 6), in Section II of the thesis, I attempt to empirically illustrate the integrative proposal by focusing on a specific social and political phenomenon: the right to protest in the United Kingdom.

SECTION II

Context of Study and Analysis

Chapter 6. Object of Study, Empirical Literature Review, and Context of Study

Social protests and public demonstrations are social phenomena that occur frequently worldwide. These kinds of collective actions are considered extraordinary events that provoke interest on a national and sometimes international scale (Batel & Castro, 2015), where local people and members of social institutions, such as parliamentarians, attempt to "describe the phenomenon, to establish the 'facts of the matter' and to explain what caused it" (Litton & Potter, 1985, p. 371). In short, social protests disrupt the routines of everyday life, inviting us to mobilise arguments about them.

Periods of crisis and upheaval, such as when we protest or debate the meaning of policies, are particularly revealing when studying social representations because we are more willing to discuss and mobilise cultural resources in more spontaneous ways (Moscovici, 1984). For instance, the foundational study of SRT (i.e., how French society made sense of Psychoanalysis during the 1950s) was considered relevant at the time because the phenomenon under analysis was foregrounded in language and communication (Moscovici & Marková, 1998). Similarly, in the current study, I undertake an empirical examination of contemporary social protest in the contemporary UK context, in which a new legislation defining what constitutes (de)legitimate forms of protest has been enacted. In doing this, I explore the argumentative and repetitive features of communication that build on the integrative proposal between DRP and SRT.

In this chapter, I begin by describing how social protests are understood in social psychology and their inherent connection to the development of socially shared identities. Subsequently, I present how the concept of identity has been approached in DRP and SRT traditions. Then, I proceed to introduce the empirical literature review on how identity has been conceptualised in DRP and SRT traditions, before outlining how social protests have been previously researched from both approaches. Next, I emphasise the particular features and significance of studying parliamentary debates. Finally, I proceed to situate the present study in its specific sociohistorical context and conclude by stating the research questions.

6.1. Social Protests: The Active Doing of Collective Political Identities

Social protests are a fundamental aspect of the political culture in democratic nations, recognised for having helped to "draw up the agenda for social and political human rights" through the years (Gailus, 2015, p. 365). They serve as the mechanisms through which those who share a common purpose and lack a voice in political decision-making spaces can challenge and influence the political elite and cultural norms (Klandermans, 2015). When a compromising majority leans towards perpetuating the status quo (Marková, 2000), minoritised groups can create tension and promote change through collective actions (Moscovici, 1976), usually through disruptive activities that encourage others to pay attention to their claims (Klandermans, 2015). Therefore, protests function as a force of change, raising widespread public awareness of social inequalities and demanding political action during times of social upheaval (Carey Jr et al., 2014; Gailus, 2015; Giugni, 2004).

Traditionally, there has been a widely shared idea that we behave irrationally and become a danger to others when we are part of a crowd, whether because we are de-individualised and lose our consciousness in order to develop a collective consciousness or group mind (see Allport, 1954; Festinger et al., 1952; Zimbardo, 1969), or because we are liberating repressed desires (see Freud, 1922). These understandings were developed based on Le Bon's work on the mind of the crowd at the end of the 19th century. Le Bon (1897), who belonged to the upper class of the French society benefiting from the status quo, provided an elite academic view of protests in which the demands of large groups of people who were protesting against the establishment were dismissed by considering them brute, unconscious, and dangerous, thereby in need of being controlled and dissolved. Conceiving people in crowds as irrational serves motives and political agendas, delegitimising social protests and demonstrations, and justifying oppressive police interventions (Drury, 2002; Miller & Laurin, 2025). During the last decades of the 20th century, some social psychologists have argued that works based on Le Bon's ideas reproduce the conception that people protesting need to be repressed and discredited with no consideration of the social context leading them to take action, a conception that has been adopted by politicians and police officers (Drury, 2025; Reicher, 1984; Reicher & Potter, 1985).

Despite its dominance, some authors have found this traditional conception inconsistent, criticising its elite origins and how it is used to maintain the status quo at

the expense of any consideration of people's demands or the social context in which their demands are rooted (Drury et al., 2019; Drury & Reicher, 2000; Gillespie, 2020; Reicher, 1984). Two traditions emerged in the last decades of the 20th century, offering a different perspective: the Psychology of Collective Action and Crowd Psychology.

In the Psychology of Collective Action, researchers have primarily focused on the factors that influence or impede participation in collective events and their effects on producing social and political change (see Stekelenburg & Klandermans, 2013). Different studies have concluded that those who take part in protests not only share a common concern but also develop a collective identity, which is considered one of the main drivers for participation in collective and political actions (Ayanian et al., 2021; Castro-Abril et al., 2021; Diani, 1992, 2015; L. E. Duncan, 2018; Fernandes-Jesus et al., 2018; Jiménez-Rodas et al., 2016; Klandermans, 2015; Klandermans & Stekelenburg, 2019, 2020; Reicher, 2004; Sabucedo et al., 2010; Stekelenburg & Klandermans, 2013). In the Crowd Psychology tradition, researchers adopt Social Identity Theory and Self-Categorisation Theory (see Tajfel, 1974; Tajfel & Turner, 1986; Turner, 1988) to explore how, spontaneously or not, members of social groups come to identify with or distinguish themselves from members of other groups, and how such identifications guide and restrict behaviours (Drury et al., 2020; Drury & Reicher, 2005; Reicher, 1984, 1996, 2004). Based on this conception, Reicher (1996) proposed the Elaborated Social Identity Model (ESIM) of crowd behaviour, arguing that participation in collective actions is driven by shifts from individual to contextually salient social identities and by behavioural norms believed to be shared by those sharing the same social identity.

In summary, authors from both Collective Action and Crowd Psychology emphasise that social protests and identities are inherently intertwined, and it is not possible to understand one without the other. However, from these approaches, identities tend to be understood as entities residing within individuals that are 'switched on' due to cognitive processes or as already-defined categories we can adopt in specific contexts (Benwell & Stokoe, 2006; Jørgensen & Phillips, 2002; H. M. Lewis & Vignoles, 2024; Wetherell, 1996). That is, identities are treated as entities rather than as linguistic categories that are under constant construction and negotiation (Batel & Castro, 2015; Billig, 2002). Such conceptions of identities contradict DRP's anti-

cognitivist stance and dialogical-critical SRTs' anti-individualistic conception of mind processes (see Chapters 2 and 3).

In the following section, I present how identity has been conceptualised in the DRP and SRT traditions.

6.2. Identity: DRP and SRT Perspectives

In this section, I describe how DRPs and SRTs have approached the study of identities.

6.2.1. DRP Approaches to Identity

DRPs challenge the essentialist view of identities as unified, fixed entities residing somewhere inside our bodies or brains, or emerging from psychological processes (Goodman, 2017; Wetherell, 1996). Who we are to each other is explored by examining how identity categories or labels, associated with specific meanings, are invoked in particular interactional or argumentative contexts to achieve specific rhetorical goals (Antaki & Widdicombe, 1998; Benwell & Stokoe, 2006; Potter & Wetherell, 1987). Still, there are some differences between the three main strands of DRP.

From the discursive psychological strand of DRP, identity is analysed as any discursive construction produced in talk and text for interactional goals (Edwards, 1998). Edwards and Potter (1992) argue that much of our discourse consists of widely shared views and commonplaces of reasoning whose effects in conversation usually stem from the inferences made available by the categories we use. For instance, categories such as "terrorists" and "freedom fighters", or "migrants" and "refugees" carry with them specific evaluations (Potter & Wetherell, 1987; Wiggins, 2017). What is of interest for discursive psychologists is to analyse how invoking identity categories (or categories in general) makes certain inferences possible that allow us to fulfil particular discursive practices (Benwell & Stokoe, 2006; Edwards, 1991, 1998; McKinlay & Dunnett, 1998; Widdicombe, 1998). Others adopting ethnomethodology-rooted membership categorisation analysis (Sacks, 1995) argue that identity categories, due to the moral qualities they convey, also entail certain rights and obligations for interlocutors (Jayyusi, 1984; Kilby, 2017; Kilby & Horowitz, 2013; Stokoe, 2012).

Critical discursive psychologists are particularly interested in exploring how available patterns of communication (i.e., interpretative repertoires) make it possible for us to configure and position ourselves and others within society (i.e., subject positions). For instance, in exploring the identity resources embedded in institutional settings available to a group of white young middle-class English men, Wetherell and Edley (2014) noticed not only how the 'macho' hegemonic understandings of masculinity constrained the participants' construction of identities, but also how they attempted to resist it. Drawing on their longstanding project on masculinity identities (Edley, 2001; Edley & Wetherell, 1997, 1999; Wetherell, 1996, 1998, 2007; Wetherell & Edley, 1999, 2014), the authors argue that configured patterns of discourse are accomplished, used, resisted, and transformed in everyday discursive practices. Therefore, identities should not be understood as given, but as complex, multiple, and sometimes contradictory constructions produced and negotiated in specific contexts for particular rhetorical purposes (Wetherell & Edley, 2009).

Moreover, patterns of talking that are considered legitimate when performing identity work reproduce certain dominant social orderings (Shotter, 1989). For instance, Potter and Wetherell (1998) studied how Pākehā (white European New Zealanders) defined Māori people by drawing on two interpretative repertoires: culture-as-heritage and culture-as-therapy. In the culture-as-heritage repertoire, Māori people were understood as belonging to an archaic set of traditions and rituals that must be preserved. In culture-as-therapy, Māori people were understood as confused and in need of reconnecting with their roots. According to the authors, these ways of positioning the Māori have ideological implications: the culture-as-heritage repertoire is used to treat the Māori as not belonging to the modern world of politics, while the culture-as-therapy repertoire is used to dismiss urban Māori's claims for political recognition by arguing that their concerns are not representative of *legitimate* Māori concerns. This way, the ways Pākehā talked about Māori contributed to maintaining unequal social relationships within an oppressive social order.

Some scholars have also explored the rhetorical features of identities and their use in the pursuit of sociopolitical goals, with national identities being of particular interest (see Billig, 1995). For instance, although mainly guided by a social identity theory perspective, Reicher et al. (2006) examined public documents to explore how Bulgarians promoted a general mobilisation against antisemitism and the deportation

of Bulgarian Jews during the Second World War. The authors observed that prioritising an inclusive national identity at the expense of other categories, which would appeal only to specific segments of society, was important for re-presenting Jews as part of Bulgarian society and their defence a Bulgarian duty. Similarly, Kadianaki et al. (2022) explored how the intersection of national and sexual identities is rhetorically negotiated in the comment sections of an online social network in Cyprus. In a context characterised by ongoing ethnic divisions and a rhetorical struggle regarding competing ideas of nationalism, the authors identified how LGBT+ identity categories are routinely marginalised from public discourse by considering that these categories would undermine the argumentative case for the hegemonic ethnic-nationalist Cypriot identity being advocated for.

In sum, DRPs have conceptualised identity as forms of talking about ourselves and others (Billig, 1995) that are consequential at the interactional and societal contexts. Similarly, SRTs argue that identity work always involves ideological implications.

6.2.2. SRT Approaches to Identity

From an SRT perspective, identities are considered crucial for understanding the processes through which we re-present our realities (Elcheroth et al., 2011; Howarth, 2002a, 2002b, 2007, 2011, 2014; Howarth et al., 2014; Kilby, 2016, 2017; Moloney & Walker, 2002; Vala & Castro, 2013). Identity and social representations co-exist in a dialectical relationship (Marková, 2007), in which the categories of identity we use when re-presenting ourselves and others communicate something of the taken-for-granted meanings we have of the world, and simultaneously, the way we re-present reality communicates something about taken-for-granted meanings of our identities (Augoustinos, 1998; Howarth, 2006b, 2007; Jovchelovitch, 1996). That is, to re-present is to position ourselves within the network of meanings available in our cultures. Additionally, although we forge flexible contents of identities in the course of communications (Duveen & Lloyd, 1990), SRTs argue that we cannot experience ourselves or reality beyond the patterns of discourse and identity possibilities configured in the past and circulating in the societies we inhabit (de Rosa, 2006; Deaux & Wiley, 2007; Howarth, 2006b; Moloney & Walker, 2002, 2007; Psaltis, 2015).

Although the process of re-presenting identities can be smooth when there is a mutual understanding between interlocutors, it can lead to argumentation when such understanding is not consensual, making the negotiation of social identities an explicit process (Duveen & Lloyd, 1990). How we negotiate and adopt our identities and those attributed to others (i.e., the politics of identity) has ideological implications in naturalising or challenging unequal social divisions between 'us' and 'Other' (Augoustinos & Riggs, 2007). The way we are re-presented in others' discourse has potential social effects, such as constituting the basis for social exclusion, marginalisation, and social inequalities (Howarth, 2004), which influences the maintenance of certain patterns of social relations that reproduce the social order (Shotter, 1989).

It is of particular interest for those working within an SRT framework to examine how identity representations are resisted, transformed, or substituted by counter-representations (Howarth, 2006b, 2007; Kilby, 2016). This has been explored in contexts of racism (Augoustinos & Riggs, 2007; Howarth, 2007), immigration (Deaux & Wiley, 2007), gender (Lloyd & Duveen, 1992), and stigmatised communities (Howarth, 2002a, 2006a), among others. These studies emphasise that dehumanising, stigmatising, and oppressive representations threatening our identities and potential futures can always be resisted. Ignoring the possibilities for resisting and negotiating identities would leave us with a static conception of reality that suppresses the potential for social change.

Overall, DRPs and SRTs agree in considering that identities are flexible, fragmented, and open to resistance and negotiation. Additionally, identities do not depend solely on how we define ourselves or what we have in common, but also on how others define us in relation to what is at stake (Ben-Asher, 2003; Duveen, 2001; Marková, 2007; Moloney & Walker, 2007; Wetherell & Potter, 1992). Because describing society as composed of different groups is not a neutral act (Potter & Wetherell, 1998), differing social groups can construct and uphold particular versions and ways of understanding the group itself, its counterparts, and wider society according to their rhetorical goals and desired political realities (Kilby, 2016; Kitzinger, 1989). Hence, identities are forged in power relations and have the power to restrict

potential versions of ourselves and our realities (Duveen, 1998; Howarth, 2007; Moloney & Walker, 2007; Shotter, 1989).

By integrating both DRP and SRT approaches, we can explore how and to what rhetorical ends we re-present ourselves and others by invoking certain category identities, how meanings come to be attached to certain identities and become naturalised through their everyday reproduction, and how identities are resisted or transformed based on their potential social and political implications. In sum, identities are seen as constructed, negotiated, and resisted in daily communications through and against the networks of meanings available in culture (Duveen & Lloyd, 1990; Hokkanen, 2021; Howarth, 2002b).

6.3. Empirical Literature Review: DRP and SRT Approach to Social Protests

I began the empirical literature review by introducing how social protests and protesters' identities have been studied by DRPs, followed by the way SRTs have explored them. By the end of this section, I emphasise how the current study seeks to address some gaps in the empirical literature.

6.3.1. DRP Studies on Social Protests and Protesters' Identities

Despite being highly contested events in which different explanations struggle to become the legitimate one, few studies have been developed from a DRP perspective on social protests. From a discursive psychological approach, Potter and Wetherell (1987) explored how onlookers draw on different identities when describing violent confrontations between police officers and New Zealanders protesting the South African Springbok rugby tour in 1981 (times of South African Apartheid). While police officers' behaviour was justified by describing them as mere humans reacting to protesters' provocations, as anyone else would do, protesters' behaviour was condemned by describing them as people who protest because they enjoy violence, which positions them as not genuine protesters. Potter and Wetherell (1998) argue that these invoked identities fulfil an ideological function because, by dismissing protesters' political goals, the status quo remains unchallenged in the face of protesters' demands. Similarly, Potter and Reicher (1987) identified how different meanings of the category "community" were used in accounts provided in radio and TV programs about the 1980 so-called St Paul's Riot in Bristol. The authors pointed out

how positioning police officers as outsiders or members of the community was used to justify or criticise protesters' actions, respectively.

Although working mainly from the ESIM model proposed by Reicher (1996), when analysing the discourse of people who participated in the British 'poll tax' protests, Stott and Drury (2000) noticed how differences in accounting for disruption were crucial to (de)legitimate violence. While those participating in the protest described disruptive behaviours as the actions of a minority, police officers defined such behaviours as a common feature attributed to all protesters. Consequently, police officers proceeded to repress violently all participants, who, in turn, fought back by describing police attacks as assaults on the entire group rather than focusing on the violent minority.

Using the same ESIM model, Goodman et al. (2014) examined, through a focus group, how non-participants accounted for the series of protests happening across England after a police officer killed Mark Duggan in London in 2011, which were labelled as the 'England riots'. The authors noted that traditional and 'outdated' conceptions of crowd behaviour, such as deindividuation, contagion, or irrationality, continue to be widely reproduced in public accounts of protests, highlighting a significant gap between academic and public understanding of crowd events. Still, the authors emphasise that participants also referred to the underlying social issues driving protesters' actions.

More recently, H. M. Lewis and Vignoles (2024) conducted a discursive thematic analysis informed by SRT, as proposed by Batel and Castro (2018; see Chapter 5), and also by Social Identity Theory, to explore how climate activists were re-presented in the comments section of a UK-based online newspaper. The authors identified four patterns in which activists' identities were discursively represented: as incompetent; as hypocrites, unauthentic and antisocial individuals acting in detriment to the environment and failing to live up to the moral standards of law-abiding citizens; as individuals living at the expense of hard-working people; and as people belonging to a privileged social class and left-wing political ideology. The authors concluded that these representations served to position climate activists as a homogeneous out-group whose members share an identity that is incompatible with the identity of the commentators, who represent themselves as hardworking, moral, and competent. Furthermore, the authors analyse how the re-presented identities were designed to

delegitimise climate activists' actions without denying concerns about the environment.

A similar conclusion was reached by Tormis et al. (2024) in their study on how laypeople in Finland discuss diverse environmental issues, including climate activists' protests aimed at preserving natural resources. The authors identified that members of environmental groups, such as Extinction Rebellion, are often portrayed as irrational, hypocritical, and contradictory activists who prioritise causing disruption over engaging in constructive activism. According to the authors, constructing climate activists in this way enables the speakers to position themselves as supporting the protection of the environment, yet in resistance to practical solutions and climate-oriented policies offered.

From a critical discursive psychological approach, when studying the language of racism, Wetherell and Potter (1992) explored how Pākehā account for Māori's protests demanding land ownership. The authors identified that Māori protesters were described using three repertoires: as a group of people threatening the peaceful lives of the majority of New Zealanders, as radical activists who do not represent the reasonable, conformist majority of the Māori, and as 'hysterical' leaders who influence susceptible Māori followers. The authors argue that referring to Māori activists as 'immoderate', 'not genuine', or 'manipulators' discredits their demands while maintaining an oppressive status quo.

A rhetorical approach to social protests can be found in Bliuc et al.'s (2012) study of a series of demonstrations organised by non-Muslim Australians against Muslim-Australians in Sydney in 2005. Although primarily based on a social identity theoretical perspective, the authors examined how the meaning of the Australian national identity became a contentious topic between supporters and opponents of such demonstrations, with each side mobilising opposing interpretations of what should stand as a legitimate Australian identity. The authors identified how claiming the national identity to be white Christian European was used to build a case in support of the demonstrations, while a national identity based on multiculturalism, tolerance, and freedom was used to build the case against the anti-Muslim-Australian demonstrations.

Recently, Pradillo-Caimari (2025) interviewed lay participants in Catalan pro-independence protests to examine how they negotiate their involvement when

multiple causes are being campaigned for. The author found that participants navigated identity dilemmas related to accepting or rejecting the collective identity shared by the group of protesters when they agreed with some protesters' demands but disagreed with others. The author emphasises that identification processes in collective actions are not linear and that, rather than a clear consensual collective identity, participants face tensions regarding the degree to which they align themselves with the dominant messages of a group. From this research, it is important to highlight that, rather than an established collective identity, what is relevant from a discursive and rhetorical approach is to examine how protesters' identities, whether individual or collective, are negotiated and to what end.

In summary, previous studies on social protests and protesters' identities from a DRP approach have been conducted in different contexts. Regarding the studies focusing on the UK, Stott and Drury (2000) remained focused on how 'poll tax' protesters and police officers accounted for the violent events rather than on protesters' claims. Similarly, in Goodman et al.'s (2014) study on public accounts of the so-called 'England riots', the focus was on observing how participants' accounts related to traditional conceptions of protests, which the authors consider 'outdated', or to contemporary, 'more sophisticated' understandings of crowd events, rather than on protesters' demands or the implications of how they were identified. Finally, H. M. Lewis and Vignoles (2024) did take into account how climate activists' identities were re-presented and their respective implications, but, as was common in most of the studies on social protest and protesters' identities presented above, they remained focused on how non-participant lay people accounted for protesters' actions. This is in agreement with Batel and Castro (2015), who, considering that the success of protests highly depends on public support, emphasise the importance of exploring how those who are not directly involved make sense of protests. However, studies focusing on how those who have the social power to materialise in legislation their understandings of protests and protesters' identities have remained absent. Before elaborating on the relevance of analysing the discourse of elite politicians, I introduce how SRTs have approached protests and protesters' identities.

6.3.2. SRT Studies on Social Protests and Protesters' Identities

SRTs claim that arguments and representations (re)produced in the configuration of protesters' identities play a key role in the development of collective actions (Elcheroth et al., 2011). Patterns in crowd behaviour have social meanings and are thus explained by shared identifications and understandings of what constitutes (in)appropriate protest behaviour (Howarth, 2014). However, similarly to DRP's previous research, some scholars have noted that relatively few in SRT have examined social protests (Batel & Castro, 2015; Vlazakis et al., 2022). I present the previous studies below.

Through the use of opinion surveys and free-association tasks, following the dominant individualistic approach of the time, di Giacomo (1980) explored how (in)coherence between how the leaders of a student protest re-presented the protest and the way participant students re-presented themselves was crucial for their participation in the movement. In another study exploring how people accounted for the 1980 'St Paul's Riot', Litton and Potter (1985, p. 383) noted how people were able to draw diverse ways of re-presenting the event for different purposes, which led the authors to emphasise that the study of social representations should be "sensitive to the flexible and contextually dependent use of terms". That is, the authors called for a more detailed analysis of language use when approaching social representations.

More recently, Zamperini et al. (2012) explored how activists re-presented themselves and the police after violent encounters during the Genoa G8 Summit in 2001. The authors identified that protesters managed to sustain their identity as peaceful by re-presenting those exhibiting violent behaviour as outsiders and police officers as irrational and incompetent. This helped protesters to preserve the legitimacy of their claims while challenging the way the media re-presented them as a threat to the moral order.

Similar to the events at the 1980 'St Paul's Riot' and the G8 Summit, Howarth (2014) explored the ideological features of identity representations in participants' and observers' accounts of the 1995 so-called 'Brixton riot'. The author argued that those who participated in/witnessed the event re-presented it in two ways. On one hand, there was a representation of the crowd as a collection of individuals, in which the fact that people gathered together was enough to consider it an unpredictable and threatening situation. On the other hand, there was a representation of the crowd as a

cohesive body, in which people acted rationally by deliberately coming together due to a shared history and cumulative social tensions. Howarth emphasised how the two mobilised representations had ideological effects, either maintaining or challenging the status quo.

Other SRTs have approached protesters' claims through the lens of emancipated representations. Batel and Castro (2015) analysed how people in Lisbon sought support from uninvolved citizens regarding their protests against the transformation of a 17th-century convent. The authors observed that protesters managed to attract more support by shifting from arguments based on local needs to arguments related to global human historical heritage, which resonated more with shared, emancipated representations. Likewise, Castro et al. (2018) noted that establishing a common ground with the audiences of regional and national Portuguese newspapers was crucial for fisherpeople and local authorities in the Vicentine Coast to present their claims as legitimate concerns, resist charges of selfishness, and finally succeed in contesting an environmental public policy restricting recreational fishing and their access to the sea. Both studies illustrate the relevance of considering emancipatory representations in communicative practices of collective action to understand their effectiveness in achieving societal change.

Although social deprivation and inequalities may have been present in a society for a long time, Awad and Wagoner (2020) argue that protests only occur when a specific event is objectified into a symbolic form. After examining the self-immolation by Mohamed Bouazizi and the Arab Uprisings, the taxes that began the Gilets Jaunes (yellow vests) protests in France, and the #MeToo and #BlackLivesMatter movements, among others, the authors emphasised how objectifying these events in a way that they encompass both the purpose of the collective action and the identity of those participating in it was crucial for protests to happen.

Finally, Vlasakis et al. (2024) organised focus groups to explore how young Greeks re-present the social object of protest and the identities of those protesting. The authors observed how social protests were re-presented in an idealistic and violent dichotomy. In an idealistic conception, protests were seen as a democratic and civil right used to promote sociopolitical demands, while in a violent conception, protests were re-presented as an opportunity to cause emotion-fuelled chaos or to organise conflict between political factions. Regarding identities, the authors argued

that, while in the idealistic conception, protesters' identities were based on active citizenship, in the violent one, identities were based on violent riots.

In non-European contexts, how protests and protesters are re-presented have been used to legitimise their repression. For instance, Hurtado-Ramírez et al. (2018) identified how negative representations of social protests in Mexico, emphasising violent behaviour and undermining the efficacy of protests, have led people to avoid participating in collective actions. Similarly, Artese (2006) identified how re-presenting protesters as subversive criminals and *internal* enemies served to legitimise the State's repression of social protests through the use of force in Argentina.

In sum, previous SRT studies on social protests illustrate how protesters' identities tend to be used and negotiated to justify or criticise protesters' actions and to promote or dismiss social change. However, when protesters' "actions are described as futile, the disruptive potential of their idea is being limited", thereby their claims for social change and justice are delegitimised and disregarded (Gillespie, 2020, p. 24). This limitation on social change can be even more pronounced when such representations are (re)produced by those who hold greater social power and have access to diverse means of representation.

Similar to previous DRP studies, SRTs have remained focused on participants' and witnesses' accounts, but not on how elite politicians discuss protests and protesters' identities. Furthermore, none of the previous studies on social protests from a DRP or SRT perspective has explored discourses and representations reproduced in the contemporary UK context surrounding the PCSC Bill 2021/Act 2022. In the following two sections, I present the distinguishable features that emphasise the relevance of studying elite political discourse and provide an in-depth description of the study's context.

6.4. Distinguishing Features of Elite Political Discourse

Elite politicians have greater access to public resources and are more likely to present their discursive productions in the public sphere, thereby reaching a broader audience (Van Dijk, 2004; see Chapter 3). They have the power and means to routinely mobilise particular claims as factual among wide and diverse audiences (Howarth, 2006a; Kilby, 2016; Wodak, 2012), and their discursive constructions or representations are more likely to be taken as reasonable, unproblematic truths, while

competing views tend to be marginalised (Howarth, 2004; Kilby, 2016). This means that elite politicians have the power to mobilise representations that maintain social inequalities if they are represented as legitimate (Potter & Wetherell, 1998). For instance, some researchers have examined how far-right politicians act as 'entrepreneurs of identity' (Reicher et al., 2005), re-presenting societies as constituted by a group of good patriotic citizens who are under the permanent threat of 'dangerous foreigners', promoting the marginalisation and oppression of minoritised groups (Barreto et al., 2009; Garcia-Jaramillo et al., 2023; Martín-Baró, 1983; O'Doherty & Augoustinos, 2008; Staerklé & Green, 2018; Triandafyllidou, 2000).

Billig (1996) highlights several key features that distinguish political discourse from other forms of discourse. First, politicians tend to refer vaguely to general terms, such as the right of freedom of expression or the right to protest, so they can be defined in various ways to fit different rhetorical purposes. Secondly, in legislative assemblies, speakers address their opponents directly, engaging in a constant exchange of critiques and justifications. Thirdly, the audience of politicians' discourses tends to be ambiguous due to deictic utterances whose referent changes according to the context of use (Kilby, 2017), exemplified in the flexible ways in which the pronoun 'we' is used to refer to 'the people' in general, their supporters, their fellow politicians, or all together (Billig, 1995). Additionally, the frequent use of the pronoun "we" also suggests that the argumentative context of political discourse tends to be characterised by a contrast between 'us' and 'them' (Reicher & Hopkins, 2001). Although who is included in each category remains ambiguous and always changing, a polarised argumentative setting tends to remain a constant in political discourse.

In legislative assemblies, where confrontation is anticipated, it is expected that opposing parties will argue in opposing directions, and the stances taken in the matter of controversy will become hardened, with those involved investing themselves uncompromisingly (Billig, 1991, 1996; Billig & Marinho, 2019). Moreover, parliamentary debates enable us to observe the processes of meaning-making and legitimation in a context where a decision must be made by approving or rejecting a bill (Batel & Castro, 2009; Castro & Batel, 2008; Zulato et al., 2023). In this context, parliamentarians are expected to group around a single value, while those defending the counter-position are portrayed as the argumentative enemy that needs to be resisted (Billig, 1996). These situations of deep social contradiction demand greater

loyalty and identification with those sharing the same stance. Although the stance elite political actors take in contested matters is context-dependent, their identification with one side of the argument is primarily influenced by their affiliation with their political party (Billig, 1996). Therefore, the two sides of an argument appear materialised in the oppositional groups in parliamentary debates.

Finally, considering the social implications and features of elite political discourse, I consider it important to examine how representations are sedimented into institutional settings, as suggested by Elcheroth et al. (2011) and Gibson (2015). Elite politicians have the power to materialise in legislation (e.g., Acts of Parliament) what stands as (il)legitimate understandings or behaviours. They can express institutional support for specific representations by turning them into legislation, and once the legislation is enacted, it would suggest that those representations are widely shared and valued (Castro et al., 2018). However, because new legislation aims to impose new ways of thinking and acting, politicians need to construct the legitimacy of new laws by grounding them in what is considered to be taken-for-granted rights and values (Castro et al., 2018).

Despite its characteristic features, parliamentary debates happen between members of the same national culture, and arguments "arise within a particular common sense" (Billig et al., 1988, p. 17). Thus, even when the dynamics in which arguments are presented in parliaments differ from those in everyday conversations, their content cannot help but resonate with the sets of meanings circulating in the cultural background.

Because of the role social protests fulfil in society, it is particularly important to explore how social protests and protesters' identities are re-presented in political discourse, especially when what stands as (il)legitimate protest is at stake. As analysts committed to challenging unequal social structures, it is relevant to understand how politicians re-present social protest and protesters, acknowledging that the social implications of such representations may impact the mechanism of collective expression that we have to raise awareness about social issues and campaign for social justice. I consider it equally relevant to reveal and question the hegemonic representations that underlie elite politicians' discourse and appear to be related to the status quo. In the next section, I introduce the context in which the current research is situated.

6.5. Context of Study: Re-presenting Social Protest in UK Elite Political Discourse

In this section, I provide a historical and contemporary context for social protests in the United Kingdom, followed by a description of the legislation introduced by Members of the UK Parliament in 2021, which included measures aimed at restricting the conditions for protest.

6.5.1. Social Protests in the United Kingdom

Several protests are associated with watershed moments in the mainstream history of the United Kingdom. During the 20th century, the suffragette movement fought for women's right to vote in the UK (Holton, 1996), a movement that succeeded in getting the UK Parliament to give women equal voting rights to men in 1928 (UK Parliament, n.d.). In the 1970s, the national miners' collective movement resisted the UK government's intention to reduce and privatise national industries for over 10 years (Shaw, 2012). In the 1980s, dozens of manifestations occurred across UK towns and cities in response to 'racial' disadvantages and police brutality against Black people, calling for an urgent assessment of policing (Drury, 2025). In 1990, the UK Government introduced the Community Charge, popularly known as the 'poll tax', which required all individuals aged 18 years old and above to pay the same amount of tax, regardless of their income or wealth. In response, protests around the UK were organised, leading to the downfall of the then Conservative Prime Minister Margaret Thatcher and the subsequent abolition of the Poll Tax (BBC Home, 1991; Burns, 1992). These collective movements reflect the power we gain by coming together to achieve change through collective action (Gülsüm Acar et al., 2024) and the impact social protests have in the pursuit of social justice for groups and communities who are not part of the political elite.

In the first two decades of the new century, three demonstrations stood out in the UK. Firstly, in 2003, over 1 million people took to the streets of London to protest the government's decision to go to war against Iraq, making this the largest protest in the UK's history (BBC News, 2003; Laville & Dutter, 2003). Secondly, the so-called 'England riots' were a series of protests held in 2011 in different cities of the UK, demanding changes in discriminatory policing practices and socioeconomic injustices after a police officer shot and murdered black British man Mark Duggan in London

(Drury et al., 2020; P. Lewis et al., 2011; Newburn et al., 2018). Thirdly, the second- and third-largest protests in UK history occurred in 2019, when circa 1 million people marched on two occasions to express their dissatisfaction with the Brexit negotiations between the UK Government and the European Union, demanding a second referendum (Townsend, 2019). Strikingly, despite being three of the most widely supported events of collective action in the recent history of the UK, these protests did not alter the planned course of government action: The UK participated in the invasion of Iraq in 2003, no social-economic structural changes occurred after the 'English riots' in 2011 (Berman, 2014; Newburn et al., 2018), and on the 1st of January of 2021, the UK withdrew from the European Union (Dawson, 2020).

Recent years have witnessed several significant social demonstrations across the UK, related to environmental and social inequality issues. According to Batel et al. (2016, p. 739), we live in a capitalist and neoliberal socioeconomic and political system that "has devastating consequences for ecological systems, creates and perpetuates social inequalities and exclusion and has consistently driven us further away from forming participative democratic institutions". In this context, members of the transnational social movement Extinction Rebellion held large public protests in London and performed non-violent civil disobedience actions across the UK in 2019 with the intention of putting the climate crisis on the public agenda and demanding political action (Berglund & Schmidt, 2020; Demos, 2020; Extinction Rebellion, 2022). In a 2-week protest organised in October 2019, which received high levels of media attention and support (Slaven & Heydon, 2020), over one thousand people were arrested in the first 4 days, and the Metropolitan Police banned the protest after the first week (Gayle, 2019). Following the event, the police, with government support, included Extinction Rebellion on a list of organisations considered to hold extremist ideologies alongside known terrorist organisations (Dodd & Grierson, 2020; C. Duncan, 2020).

Similarly, in 2020, following the murder of Black American George Floyd by white police officer Derek Chauvin in the United States, anti-racist protests took place in 260 UK towns and cities, supporting the Black Lives Matter movement's international demands for action against structural racism (Mohdin et al., 2020). This UK-wide response emphasised that, while Floyd's murder occurred overseas, structural and interpersonal racism were also central to the lived reality of Black communities in

the UK. During the largely peaceful protests, statues commemorating people associated with the slave trade, colonialism, and racism were defaced and toppled over (Abraham, 2021; Downs et al., 2025; Heyden, 2015), including Winston Churchill's statue in London (Perring, 2020), Queen Victoria's statue in Leeds (BBC, 2020), and Edward Colston's statue in Bristol (Siddique & Skopeliti, 2020). Also, in one of the protests at central London, some anti-racist protestors climbed and caused damage to the Cenotaph war memorial (Downs et al., 2025). The police intervention was characterised by its excessive force in managing and suppressing Black Lives Matter protests when compared to the use of police force in other protests (Netpol, 2020). Still, MPs argued for the need to increase police powers and the severity of sentences for desecration of war memorials (Malnick, 2020; The Secret Barrister, 2020).

In response to the Black Lives Matter protests in 2020, the UK Government established the Commission on Race and Ethnic Disparities (CRED, 2020) with the task of reviewing inequalities in the UK. The Commission concluded that there is no structural racism and suggested that people should stop clinging to a fatalistic view of reality, ignoring the "progress" made in recent years (*CRED: The Report*, 2021). Contrarily, the UK race equality think-tank Runnymede described the report as a "whitewash" (John, 2021; Runnymede Trust, 2021). Additionally, in response to Extinction Rebellion and Black Lives Matter protests, among others, the then Home Secretary Priti Patel commissioned Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) to inspect how effectively the police manage protests in the UK. In response, the Inspectorate recommended further restrictions on the right to protest and increased the police powers to intervene (HMICFRS, 2021).

In this context, an Act of Parliament altering the understanding of social protests in the UK was recently enacted: the Police, Crime, Sentencing and Courts (PCSC) Act 2022.

6.5.2. Police, Crime, Sentencing and Courts Bill 2021/Act 2022

The right to protest peacefully is defined as a cornerstone of democracy in the UK (Joint Committee on Human Rights, 2009), making it hard to change or displace (J. Middleton, 2016). Subsequently, it is expected that social actors, such as MPs, re-present the meaning of social protests when attempting to change the material conditions around them. Furthermore, social representations are also expected to be

deployed and mobilised when arguing for or against particular ways of representing social protests. Identifying these representations can help us understand what commonsensical knowledge, which might uphold the status quo and constrain the elaboration of future realities, is being reproduced.

Largely in response to anti-racist and environmental protests held between 2019 and 2020, the UK Government introduced a Public Order chapter into the Police, Crime, Sentencing and Courts Bill to Parliament on 9 March 2021 (House of Commons, 2021). The chapter was dedicated to public assemblies and public processions. Rather than offering a response seeking to address the social roots of the issues being confronted in the protests, the purpose of the Public Order chapter in the Bill consisted of strengthening police powers to tackle non-violent protests. However, some saw this as an attempt to impose material restrictions and legal constraints on the previously taken-for-granted right to protest (Liberty and Big Brother Watch, 2021).

Some of those who considered the Bill a potential serious threat to the legitimate public right to protest participated in the 'Kill the Bill' protests, demanding that the Government withdraw the project (Good Law Project, 2021). Additionally, while no Conservative MPs voted against the Bill, MPs from parties opposed to the Conservative Government also attempted to resist the proposed measures. However, after more than twelve months of scrutiny, the PCSC Bill 2021 received royal assent and became the PCSC Act in 2022.

The PCSC Act 2022 gives the police legal powers to impose any condition on public processions and assemblies when they consider it necessary to prevent 'serious disruption' or noise that could affect persons or organisations in the vicinity. This measure erodes the previous distinction that existed between processions and assemblies by giving police officers the power to limit the time, place, or number of participants, or to ban processions and assemblies altogether in anticipation of potential disruption (Liberty, 2021). Moreover, under the PCSC Act 2022, single-person protests are now treated the same way as public processions and assemblies. Additionally, the PCSC Act 2022 includes, for the first time in a parliamentary Act, the damaging of memorials, which some conceived as a direct response to the Black Lives Matter protests in 2020 (Liberty, 2021). The penalties for all offences related to public demonstrations were increased significantly.

The shifting focus toward those impacted by protests, rather than toward the facilitation of lawful protest, may promote the risk that 'on the ground' police management will be detrimental to those who are exercising their legal right to protest (Bindmans, 2022). According to the joint written evidence submitted by End Violence Against Women and Girls, Latin American Women's Rights Service, Rights of Women, and Southall Black Sisters during the Committee Stage in the House of Commons (2021), the introduction of these new offences in the PCSC Bill 2021 demonstrated "a creeping and authoritarian control over our ability to assemble and express our collective discontent" (p. 4), putting at risk those "most likely to be impacted by human rights abuses and state violence" (p. 4).

In complex political contexts, such as this one, where representations of political realities and social identities shape, reproduce, and enhance political outcomes, the integration between critical approaches to discourse and social representations is considered pertinent (Rovamo & Sakki, 2024). Thus, in addition to promoting the integrative proposal between DRP and SRT, I am also particularly interested in exploring how, during times of social protest, specific configurations of identities and the reproduction of taken-for-granted knowledge may either uphold the status quo or transform society. The reproduction of social representations upholding the status quo can be illustrated by examining the way UK Members of Parliament (henceforth MPs) talked about people protesting when they scrutinised the PCSC Bill 2021, which ultimately led to the enactment of a restricted understanding of (de)legitimate protests in legislation.

6.6. Research Questions

Social protests and protesters' identities have become a contemporary contentious matter in the UK due to the introduction of the PCSC Bill 2021 in Parliament, sparking debates regarding what constitutes (de)legitimate protest. Although common sense is under permanent (re)construction, social phenomena, such as protests, are better understood through the analysis of discourse produced during the processes of transformation in which we attempt to make the events familiar (Moscovici, 1984); that is, by examining the thinking-argumentative society (Billig, 1988; Moscovici, 1988). Additionally, my concern in this research lies exclusively with the discourse of elite UK politicians due to their social power and the broader

implications of the representations they mobilise, which, as I presented in the empirical literature review, is something that has not been examined in previous studies on protests and protesters adopting a DRP or SRT approach.

The current study is the first to employ DRP and/or SRT to explore how the UK political elite re-present social protests and protesters' identities in the context of the PCSC Bill/Act 2022. In order to explore how elite political actors re-present protests and protesters in the pursuit of certain political outcomes and what naturalised social representations are reproduced and treated as consensual, I analyse Government policy papers, news stories, and parliamentary debates related to the PCSC Bill 2021 during the time it was scrutinised before becoming an Act of Parliament in 2022. To achieve this, I integrate DRP and SRT, taking into account the argumentative and repetitive features of communication. The following are the research questions:

How are social protest and protesters' identities re-presented and used as rhetorical political tools in the discourse of UK Members of Parliament?

What representations are treated as consensual in the discourse of UK Members of Parliament when re-presenting social protests and protesters' identities?

What hegemonic social representations upholding the status quo appear to be reproduced in the discourse of Members of Parliament?

Chapter 7. Method

Having outlined the methodological approach in the previous chapters of this thesis, in this chapter, I introduce the data and analytical procedures used in this study.

7.1. Data

Written and oral communications are considered the most effective approaches for exploring social representations (Farr, 1984). Because of their role in configuring our shared realities, samples of natural communications occurring in the course of everyday practices are good material to explore how we become more familiar with incongruous objects or ideas and how we generate and use representations in everyday life (Breakwell & Canter, 1993; Moscovici, 1984, 1988, 1998). One advantage of analysing naturalistic data lies in their non-reactive nature, that is, speakers or writers do not alter their behaviour due to the presence of a researcher (Farr, 1993). Instead, naturalistic data are understood as the activity and discursive productions that would exist independently of the presence of a researcher or the development of a study (Potter, 2019; Potter & Hepburn, 2005). This includes everyday conversations, as well as the discursive productions configured by social movements or social institutions (Rodríguez Salazar, 2003), such as politicians' speeches in parliamentary debates. Still, it is we, as researchers, who define what constitutes data and how we collect it according to our research interests and research agendas (Jovchelovitch, 2019).

Because discourses about social protest and protesters have become a 'hot topic' in the UK, and considering the powerful implications of political discourse, the data I collected for this thesis comprises the policy papers and news stories published by the UK Government during the scrutiny period of the Bill, as well as *Hansard* transcriptions of UK MPs' speeches uttered during all stages of the parliamentary scrutiny of the PCSC Bill 2021. Because *Hansard* transcripts constitute the official public records of UK parliamentary debates, I decided to collect and analyse them as they were made available to the public, rather than producing my own transcriptions.

Before explaining how I selected the data, I want to address two issues that some scholars have raised regarding naturalistic data and the study of elite political discourse. First, the argument I present in favour of naturalistic data does not imply an

argument against elicited data, such as those obtained through interviews or focus groups. No method is free of limitations, nor is it appropriate for all research situations (Jovchelovitch, 2019). Interviews and focus groups are helpful in revealing phenomena that are only accessible in complex ways (Breakwell & Canter, 1993). For instance, they are helpful in giving voice to and establishing relationships with people living in marginal or adverse contexts, and whose discourses tend to remain excluded from public realms (Howarth, 2014; Jovchelovitch, 2019). Additionally, the content that people bring into interviews and focus groups is nevertheless based on the repertoires and representations available in participants' cultures (Batel & Castro, 2019). Secondly, some authors from the discursive psychological strand of DRP argue that studying political speeches risks focusing on lengthy individual monologues that overshadow interactional dynamics (Potter, 2019). However, politicians' speeches being lengthy monologues does not mean that they are less powerful in making some realities more likely than others. A political speech is often the ultimate argument that can lead to social inertia or social change, and in extreme scenarios, to war or peace (Elcheroth et al., 2011). Moreover, rather than focusing on turn-taking dynamics, my interest in this research lies in the implications of the arguments that UK politicians (re)produce in their speeches uttered in Parliament.

7.1.1. Data Selection

Between the introduction of the PCSC Bill 2021 to the UK Parliament in March 2021 and its enactment as an Act of Parliament in May 2022, the UK Government and the Home Office published five policy papers and four news stories on their respective websites regarding the Bill. I retrieved all nine publications for analysis from the UK Government website (www.gov.uk).

Ordered by publication date, the five policy papers published during the PCSC Bill 2021 parliamentary scrutiny were the following:

- Police, Crime, Sentencing and Courts Bill 2021: Overarching factsheet. (Home Office, 2021c)
- Police, Crime, Sentencing and Courts Bill 2021: Protest powers factsheet. (Home Office, 2021d)

- Police, Crime, Sentencing and Courts Bill 2021: Criminal damage to memorials factsheet (Home Office, 2021b)
- Overarching equalities statement: criminal law (Home Office & Ministry of Justice, 2022)
- Police, Crime, Sentencing and Courts Bill 2021: Noise-related provisions factsheet (Home Office, 2022)

Also ordered by publication date, the four news stories released by the UK Government during the parliamentary scrutiny of the PCSC Bill 2021 were as follows:

- *Government takes legal action against M25 climate protesters* (Department of Transport, Home Office, Ministry of Justice, The Rt Hon Kit Malthouse MP, The Rt Hon Priti Patel MP, & The Rt Hon Grant Shapps MP, 2021)
- Government extends legal action against protesters obstructing the A20 and strategic routes to the Port of Dover (Department of Transport, Home Office, The Rt Hon Priti Patel MP & The Rt Hon Grant Shapps MP, 2021)
- Tougher penalties for protests causing disruption on motorways (Home Office, 2021e)
- Government cracking down on highly disruptive protest tactics (Home Office, 2021a)

Additionally, I collected the transcriptions of all speeches MPs produced throughout the parliamentary scrutiny of the PCSC Bill 2021 from *Hansard*, the official open-access online repository of all UK parliamentary communications. The transcriptions included the First, Second, and Third Readings, Committee Sittings, Report Sittings, and Considerations of Amendments in both the House of Commons and the House of Lords. Because I collected all data from online public domains, I adhere to the ethical guidelines for Internet-mediated research established by the British Psychological Society (2021).

Regarding the MPs' speeches, I read and scrutinised the transcriptions of all stages of the PCSC Bill 2021 in Parliament, highlighting the sections of the

transcriptions in which MPs referred to or discussed measures related to the right to protest. By doing this, I noticed that protests and the protest-related measures were discussed in 45 of the 65 sessions dedicated to the Bill.

To reduce the number of speeches to a manageable amount for the analysis, I performed a basic frequency analysis to refine the data. Considering the 45 sessions in which protests were discussed, I recorded the number of explicit mentions of specific protests or protesters in each stage of the parliamentary scrutiny while reading the *Hansard* transcriptions, such as 'Extinction Rebellion' protests, 'Black Lives Matter' protests, 'climate activists', 'the suffragettes', 'miners' strikes', and so on. In Table 1, I present the number of times protests were discussed at each parliamentary stage of the PCSC Bill 2021.

Table 1.
Frequency of mentions of protests in different stages of the PCSC Bill 2021 in Parliament

Stage	Total per stage	Percentage of total mentions
House of Commons	**552**	**57.5%**
First Reading	-	0
Second Reading	314	32.71%
Committee Stage	176	18.33%
Report Stage	56	5.83%
Third Reading	6	0.63%
House of Lords	**314**	**32.71%**
Second Reading	54	5.63%
Committee Stage	190	19.8%
Report Stage	70	7.3%
Third Reading	-	0
Considerations (5)*		
Both Houses	94	9.8%
Total	**960**	

* There were six considerations, but only five were registered in *Hansard* (two from the House of Commons and three from the House of Lords).

Having recorded the number of times MPs referred to these kinds of protests, I applied two filters to define the selected data for analysis. First, I decided to focus on the speeches delivered in the chamber where MPs mentioned protests most

frequently. This was the House of Commons (n = 552). Secondly, I selected the stage in the House of Commons where MPs mentioned protests most frequently. This was the Second Reading (n = 314). Thus, along with the policy papers and news stories, I selected the speeches that MPs uttered during the Second Reading at the House of Commons for analysis.

The Second Reading is the first stage in which MPs can debate the general principles of a bill. At this stage, the member of the Government who is responsible for a bill opens the Second Reading, followed by a spokesperson from the official Opposition presenting the opposition party's views. Lastly, other MPs from the ruling and opposition parties are invited to share their opinions. At the end of the session, the Commons vote to decide if the bill under scrutiny is rejected or proceeds to the next stage, in which each clause and amendment is debated in the Committee stage. At the time of the Second Reading of the PCSC Bill 2021 in the House of Commons, the ruling Conservative Party held a majority of seats, with 365 out of 650. The Second Reading spanned over two Parliamentary sessions on 15th and 16th March 2021. During these two sessions, 139 MPs expressed their opinions on the Bill, with 110 speaking specifically about social protest. Fifty-four members of the Conservative Party (including three cabinet members) talked about social protests, while 46 members of the Labour Party did so. The other 10 MPs were members of the Scottish National Party (3), the Liberal Democrats (2), the Democratic Unionist Party (2), Plaid Cymru (1), the Green Party (1), and the Alliance Party (1). At the end of the Second Reading, the PCSC Bill 2021 was approved with 359 votes in favour (House of Commons, 2021).

In summary, the complete data corpus for the detailed analysis of argumentative and repetitive features of communication comprised the five policy papers (Appendix A) and four news stories (Appendix B) published by the UK Government during the time the PCSC Bill 2021 was scrutinised in Parliament, as well as MPs' speeches uttered during the two days of the Second Reading of the Bill in the House of Commons (*Hansard*, 2021a, 2021b; Appendix C).

7.2. Analytical Procedure

I adopted an inductive approach to analyse the data, without imposing any a priori-defined categories, following six steps. In step one, I read and re-read the data several times until I became familiar with it, highlighting all the utterances in MPs'

speeches, policy papers, and news stories related to social protests. This aligns with what many analysts suggest is the first step in qualitative research (Billig, 1997; Braun & Clarke, 2006; Goodman, 2017; Locke & Budds, 2020; Potter & Wetherell, 1987). After the first reading of the data, I began taking notes on the types of protests MPs discussed, along with descriptions of protesters' identities. In the second step, I performed line-by-line coding based on the type of protest being mentioned in MPs' speeches.

In step three, based on the coding from the previous step, I grouped the protests or groups of protesters that MPs discussed in the Bill into analytical categories based on the causes they campaigned for. For instance, I grouped mentions of 'Extinction Rebellion', 'Insulate Britain', or 'climate activists' as 'Climate activists'. Similarly, considering the socio-political context in which the PCSC Bill 2021 was introduced in Parliament, I grouped references to statues or memorials, as well as mentions of Black Lives Matter, under the 'Anti-racist protests' label. When discussing 'protests' and 'protesters' in general, without specifying any distinguishing feature, I grouped them under the 'Protesters' label. Thus, I reorganised the entire dataset into three major analytical categories: protesters, climate activists, and anti-racist protesters.

The names we assign to categories, representations, or interpretative repertoires are not theoretically nor value-free; they reflect our position in the matter at stake. Because our practices always embody assumptions of our social worlds (Billig, 1999b), we cannot free ourselves from our theoretical and epistemological commitments, nor do we code data in an epistemological vacuum (Braun & Clarke, 2006). We build our discourse, including scientific or analytic discourse, on top of meanings configured in the past (which is one of the core arguments of this thesis). Despite my inductive approach to the data, my analysis was guided by my interest in exploring how the social object at stake (i.e., social protest and protesters' identities) is re-presented (argumentative features) and what taken-for-granted knowledge (repetitive features) is reproduced in the discourse of the UK political elite in Parliament. As a citizen, my concern was with the restrictions being imposed on our right to campaign for social justice in the public arena, the space where we can develop a shared identity and act collectively. Although I named the categories only

after identifying patterns of meaning in the data, the names I assigned inevitably reflect my stance on the matter.

In step four, I began analysing the data by taking into account discursive devices (Edwards & Potter, 1992; Potter, 1996), the rhetorical qualities of arguments (Billig, 1996; Howarth, 2004), interpretative repertoires (Edley, 2001; Wetherell, 1998), and the argumentative battle of representations (Castro et al., 2018; Moscovici & Marková, 1998). As is characteristic of parliamentary debates (Billig, 1996), the ultimate rhetorical goal of MPs regarding the PCSC Bill 2021 was defined from the outset, with some taking a stance in favour of the Bill and others against it. Thus, alongside immediate discursive practices and rhetorical manoeuvres (such as blaming or managing accountability for protest-related events), I followed Tormis et al.'s (2025) suggestion to attend to content, form, and function when conducting critical discursive psychological analyses. Based on this, I examined the meanings configured by MPs, the form in which they (re)produced them, and their interactional, social, and ideological implications.

I performed the analysis assuming that there is a mutual dependency between interpretative repertoires and social representations, in which socially shared meanings influence how we talk about social objects and how we talk about them (re)produce shared meanings (see Chapter 5). In this sense, I considered the different ways of re-presenting protests and protesters' identities as reflecting socially available repertoires. Alongside the ways of re-presenting used in arguments for and against the enactment of the PCSC Bill 2021, I also examined the broader ideological implications of the meanings treated as consensual knowledge and that I claim to be hegemonic representations.

While we can claim the presence of interpretative repertoires based on explicit patterns of meaning reproduced in discourse, hegemonic social representations, due to their taken-for-granted features, are reproduced implicitly. Considering that hegemonic social representations are the pervasive meanings that shape our societies and that underlie discursive productions (Batel et al., 2016; Räty & Snellman, 1992a), we analysts must engage in an interpretative enterprise in order to be able to read these implicit meanings in the data (Billig et al., 1988). During the analysis, I inferred implicit representations by attending to the meanings that remained unchallenged during the parliamentary debate, as well as those that were mobilised in talk and text

without providing further explanation. In other words, when exploring socially consensual meanings, I interrogated the data by asking: What is being taken for granted? Although it was possible to identify different meanings that appear to be consensually shared across the dataset, I focused specifically on those that fulfil a role in upholding an unequal social order. Finally, despite following an inductive process, I conflated what I argue are hegemonic social representations reproduced within each of the three major analytical categories by drawing on culturally available concepts that reflect the pervasive meanings underlying elite politicians' discourse. I did this for clarity purposes and to provide a more detailed analysis of how meanings that uphold unequal social structures remain current.

Although some authors propose starting with interpretative repertoires, then subject positions, and finally discursive accomplishments (see Locke & Budds, 2020), I followed a more iterative process during the analysis. Over three years of revising and reflecting on the data, I followed what Billig (1997) defines as the analytic 'hunches': the stories we develop from the data to answer the research questions. I constantly tested such stories by looking for potential counterarguments or exceptional cases that might refute my interpretations. Thus, I constantly assessed whether the particular patterns of discourse re-presenting the identities of protesters, climate activists, or anti-racist protesters constituted a coherent and cohesive body of discourse without leaving loose ends, considering this a test of validation, as suggested by Potter and Wetherell (1987).

In step five, I planned the structure of the analytical report, organising it into different sections based on the three major categories of protesters, climate activists, and anti-racist protesters, and the different patterns in which MPs re-presented their identities. Additionally, for each analytical section, I selected extracts to illustrate my analytical arguments.

In the final sixth step, I wrote the analysis using an iterative approach. Through ongoing, constructive dialogue and feedback from my supervisors, I continuously revised the coherence of the codes, categories, and planned structure. I made adjustments (such as merging sections that were initially separate or splitting those that were initially together) whenever I deemed it necessary to address the research questions best.

7.3. Structure of Analytical Chapters

I organise the analysis in three chapters based on the three analytical categories I created after coding the data. In Chapter 8, I focus on how MPs re-present the right to protest and protesters. In Chapter 9, I focus on how MPs re-present climate activists. In Chapter 10, I focus on how MPs re-present anti-racist protesters.

In each of the analytical chapters, I analyse how the UK political elite re-present protesters' identities in various and contrasting ways according to what is expected to be the MPs' ultimate rhetorical goal in the argumentative context: to advocate or oppose the approval of the PCSC Bill 2021 during the Second Reading. Parliamentary debates provide a rhetorical setting in which opposing political parties tend to adopt opposite argumentative positions, with one side advocating a particular piece of legislation and the other opposing it (Billig, 1996). In the context of the PCSC Bill 2021, members of the Conservative Party advocate for its approval, while members of the other political parties oppose it. Rather than being guided by the natural flow of daily conversation, speeches in Parliament are delivered according to the instructions of a moderator: the Speaker of the House of Commons. For this reason, it is common for each MP to produce a speech in their respective turn, which does not necessarily relate to what was said by the previous speaker.

Considering the argumentative features of the rhetorical setting and for illustrative purposes, I begin each analytical chapter by presenting how MPs advocating for the Bill re-present protesters, followed by how MPs opposing the Bill do so, paying attention to variations and contested issues. At the end of each analytical chapter, I point out what appear to be the hegemonic social representations (i.e., the repetitive features) that provide MPs' discourses with sense by shaping what is (un)reasonable to say. In the Conclusion (Chapter 11), I revisit these hegemonic representations and argue how they fulfil a role in upholding the status quo by reproducing meanings that legitimate unequal power relations in society.

Chapter 8. Re-Presenting the Right to Protest and Protesters' Identities: The Villains and Heroes of Democracy

The Second Reading of the PCSC Bill 2021 started on the 15th and concluded on the 16th of March 2021. At this stage of the Bill's parliamentary scrutiny, 139 MPs discussed the general principles of the Bill, with 110 referring to proposed measures that, if approved, would affect the right to protest in the UK.

Some rhetorical and critical psychologists argue that, although we can re-present reality in different ways, some versions are deemed preferable to others (Billig, 1996; Wetherell & Potter, 1992). The act of re-presenting is always permeated by power relations, with the reproduction and contestation of unequal power relations having ideological implications (Batel & Adams, 2016; Batel & Castro, 2018; Howarth, 2006a). Positioning myself as a critical researcher, my main concern in this research is how the way MPs re-present protests and protesters' identities can ultimately legitimise power structures and social inequalities. Because of this, in the analytical chapters I examine in detail how MPs advocating for the Bill construct their arguments, while considering in a more conceptual way the meanings that MPs opposing the Bill reproduce in their attempts to resist measures restricting the right to protest in the UK. Instead of assuming that specific ways of re-presenting protests and protesters are characteristic of members of particular political parties, what I analyse is how elite politicians, regardless of their partisan affiliation, produce and mobilise versions of reality that render the restriction of the democratic right to protest as reasonable and what culturally available meanings are drawn on when arguing against such restriction.

In this and the following two analytical chapters, I examine how MPs re-presented the right to protest and protesters' identities when advocating for or opposing the PCSC Bill 2021, which ways of re-presenting are treated as consensual, and how hegemonic representations upholding the status quo are reproduced in MPs' arguments. In this chapter, I examine these issues by focusing exclusively on instances in which MPs talked about the right to protest and protesters in general, without referring to specific protests.

The first speech at the Second Reading of the PCSC Bill 2021 in the House of Commons, which is usually delivered by a Government minister responsible for a bill (Cabinet Office, 2023), was given by the Home Secretary, Priti Patel, who outlined the

purpose of the Bill. The following extract constitutes the first reference to the right to protest in the Second Reading.

Extract 8.1. Home Secretary Priti Patel (Conservative Party)

The right to protest peacefully is a cornerstone of our democracy and one that this Government will always defend

When presenting the case for introducing new measures regarding social protests, the Home Secretary re-presents the right to protest peacefully as "a cornerstone of our democracy". The first-person pronoun constitutes a deictic utterance, in which, to understand the meaning of the possessive pronoun "our", it is important to interpret it from the position of the speaker (Billig, 1995). Therefore, considering that the speaker is the UK Home Secretary speaking in the UK Parliament about a local bill to be scrutinised, it is possible to assume that "our democracy" refers to our *British* democracy. Re-presenting the right to protest in this way suggests that its erosion could have a serious impact on the stability of democracy; therefore, any change to the right to protest needs to be made carefully. By claiming that the (Conservative) Government will always defend the right to protest, those advocating for the Bill are positioned as defenders of democracy.

However, the speaker is not referring to all protests, but rather to those that are peaceful. In order to re-present a protest as peaceful, it is necessary to have a notion of non-peaceful protests, and thus an implicit representation is simultaneously reproduced: protesting in non-peaceful ways does not constitute a democratic right, nor is it necessarily protected by members of the Government. Thus, at the beginning of the debate, a distinction has been implicitly made between protesters, with some acting peacefully and legitimately, while others do not. This rhetorical division fulfils an important function when MPs re-present people protesting, which I elaborate in more detail in the subsection 'Genuine and illegitimate protesters' (extract 8.17).

Similarly, in the discourse of MPs opposing the Bill, the right to protest is re-presented as an inherent element of British democracy.

Extract 8.2. James Murray (Lab/Co-op)

> Protest is the foundation of our democracy. Like many Members of Parliament, I have protested outside of this place for far longer than I have been within it. The right to protest must be protected for us all, and I will use my position in here to do all that I can to defend it. […][5] The right to protest is a long and deeply held part of British democracy.

In extract 8.2, we can see how the relevance of the right to protest is emphasised through the use of two different metaphors. One of them is a structural metaphor in which the right to protest is defined as "*the* foundation of *our* democracy". That is, the right constitutes the base on which British democracy rests. Although quite similar to the way those advocating for the Bill portrayed the right to protest, the definite article "the" suggests that there are no other foundations. Thus, while "a cornerstone" can be easier to change (with the article ' a ' indicating that there are other cornerstones that could support the structure), "the foundation" (with the article 'the' suggesting its uniqueness) has no alternatives; if it is altered, the entire structure, in this case, British democracy, would be compromised. In the second metaphor, the right to protest is re-presented as a constitutive part of British democracy, one that has become deeply ingrained. Consequently, it suggests that modifying or removing the right to protest would constitute a difficult process and would inevitably affect the essence of British democracy. Contrary to the Home Secretary's speech (extract 8.1), there are no adjectives suggesting a distinction between peaceful and non-peaceful protests. Instead, all protests are treated as constitutive parts and foundations of democracy. Nonetheless, the MP opposing the Bill agrees that the right to protest needs to be protected, not only by members of the Government, but by everyone.

As we can see in this brief introduction to the data, from both sides of the argument, MPs re-present the right to protest as an element that upholds and constitutes an ingrained part of a very specific institution: British democracy. Moreover, two meanings are reproduced and treated as consensual: that what is associated with the nation and what is associated with democracy need to be protected. Consequently, arguing against the right to protest carries the risk of being positioned against democracy and the British nation, which would compromise MPs'

[5] […] = Part deliberately omitted for reasons of brevity.

identities as politicians elected democratically to represent part of the British population in the UK Parliament.

Despite the agreement regarding the relevance of the right to protest, democracy, and Britain, what constitutes a legitimate protest remains a contentious matter. In the following sections, I proceed to examine how MPs re-present protests and protesters' identities according to their rhetorical projects.

8.1. Protesters' Identities in the Discourse of MPs Advocating for the Bill

In advocating for the Bill, MPs from the governing party reproduce different meanings about protesters and protests in general; that is, when the talk was not about any specific protest. They talk and make sense of protesters using four repertoires: disruptors of society, violators of others' democratic rights, deviant minorities, and genuine and illegitimate protesters. Each repertoire carries with it a specific way of re-presenting protesters, attributing them particular meanings.

8.1.1. Disruptors of Society

In the introduction to the Second Reading (see extract 8.1), the Home Secretary begins by positioning members of the Conservative Government as individuals who "will always defend" the right to protest. Nevertheless, by examining the following part of the speech, we can appreciate how such a defence becomes conditional.

Extract 8.3. Home Secretary Priti Patel (Conservative Party)

The right to protest peacefully is a cornerstone of our democracy and one that this Government will always defend, but there is, of course, a balance to be struck between the rights of the protester and the rights of individuals to go about their daily lives.

In extract 8.3, the "but" functions as a disclaimer, letting us know that, after the claim that the right to protest peacefully will always be defended, a counterargument is about to be introduced. A disclaimer is a verbal device that is deployed to mitigate or dismiss potential criticism due to a potential negative interpretation of the main argument being produced (Hewitt & Stokes, 1975; see also Billig, 1996). In this case, positioning members of the Government as defenders of British democracy as a disclaimer suggests that the need to restrict the right to protest

that comes after the “but” can be sanctioned as an anti-democratic or even anti-British argument. By arguing that a balance needs to be struck between the “rights of the protester” and “the rights of individuals to go about their daily lives”, occasions in which the right to protest will not be defended appear. Furthermore, mentioning “of course” suggests that this is the obvious course of action, thereby rendering other views as unreasonable.

The established contrast between “the rights of the protester” and “the rights of individuals to go about their daily lives” positions protesters as a group that differs from ordinary people engaged in their daily routines. Protesters are the ones who are not going about their daily business and instead are depicted as attempting to prevent others from engaging with their own daily routines. Treating protests as extraordinary events that are not part of society’s routines contradicts their understanding as a cornerstone of democracy, giving rise to an ideological dilemma (Billig et al., 1988). However, by re-presenting the right to protest as affecting the rights and lives of others, the case is built to make the restriction of the right to protest seem indispensable. The case is even strengthened when those who are responsible for imposing control on protesters are re-presented as experiencing limitations in their task, as we can see in the following extract.

Extract 8.4. Protest powers factsheet (policy paper)

The measures in the Bill will allow the police to take a more proactive approach in managing highly disruptive protests causing serious disruption to the public.

In extract 8.4, drawn from the Government policy paper, it is claimed that protesters cause serious disruption to the public through the highly disruptive protests they organise. This account is presented as fact rather than a matter of opinion. Additionally, it is argued that the Bill will enable police officers to manage “highly disruptive protests” more proactively, with the verb “managing” indicating that protests are events in which imposing control is necessary and implying that current limitations exist in police officers’ ability to do so. The new measures are presented as shifting restrictions from police officers to people protesting, who are re-presented as serious disrupters of “the public”. Although the identity of the disrupted public is unspecified, the jurisdiction of the Bill and the specificity offered by the definite article

"the" suggest that the public refers to non-disruptive British citizens. Therefore, by implication, protesters are positioned as an Other who is not part of the well-behaved public.

Another point I want to highlight regarding how protests and protesters are re-presented in extract 8.4 concerns the use of the nominal "protests". Protesting is an action people perform, and, therefore, those who participate in protests can be identified as *protesters*. However, when discussing the role of police officers, protesters are not explicitly mentioned. Instead, it is said that police officers act on "protests", nominalising the action of protesting. Nominalising consists of turning a verb into a noun, transforming people's actions into abstract entities that are consequently treated as the agents performing those actions (Fowler et al., 1979). Although nominalising can be useful for generalising actions or events, some authors argue that nominalising can have ideological effects by obscuring important features that make events unique (Fairclough, 2008). Consequently, when we talk about protests as if they were autonomous entities, we make certain information unnecessary to share. Stating that the police "manage protests" shifts the focus away from the people protesting, making it unnecessary to know who is protesting and the reasons behind their protest. In other words, protesters' actions become decontextualised. We can also observe how treating protests as objects serves to re-present police officers as exerting control and authority over an entity rather than people. This way of re-presenting can also fulfil a further ideological function by avoiding the depiction of police officers as suppressing individuals' right to dissent, which would make the speaker and the Conservative Government susceptible to charges of acting in authoritarian rather than democratic ways.

Having defined the right to protest as a cornerstone of British democracy, MPs advocating for the Bill justify the need to condition the right to protest in different ways.

Extract 8.5. Priti Patel (Conservative Party)

The current legislation the police use to manage protests, the Public Order Act 1986, was enacted over 30 years ago. In recent years, we have seen a significant change of protest tactics, with protesters exploiting gaps in the law which have led to disproportionate amounts of disruption.

In extract 8.5, the Home Secretary deploys three arguments to justify the need to introduce new measures regarding the right to protest. First, the speaker argues that the current legislation police officers use to manage protests "was enacted over 30 years ago", with the word "over" suggesting how this statement should be understood. It is not a matter of stating when the previous legislation was enacted, nor is it stated that it was enacted *only* 30 years ago. Instead, being "over" 30 years old indicates that the guidelines police officers follow may be outdated. Secondly, the speaker reinforces the need to update the legislation by contrasting how people used to protest when the previous legislation (the Public Order Act 1986) was enacted and how people protest "in recent years". It is argued that the *tactics* people take when protesting have changed *significantly* compared to previous times. Referring to "protest tactics" suggests that the effects of protesters' actions are not accidental but premeditated, while mentioning "significant change" emphasises the magnitude of the difference with *tactics* used in the past. Furthermore, the argument about "exploiting gaps" suggests that protesters exploit the vulnerabilities of social institutions for their own benefit, and that, consequently, new measures are necessary to address what was overlooked in previous legislation. Thirdly, those who have protested recently are re-presented as people creating "disproportionate amounts of disruption". Therefore, if the disruption is described as *disproportionate*, with the plural *amounts* indicating that this is not an isolated case, the need for the Government to intervene by restricting protesters' actions is presented as something expected. Also, to consider that something is disproportionate, it is necessary to compare it to what is regarded as proportionate. By not providing such contrast, there remains the risk of re-presenting any disruption as disproportionate.

Other reasons given by MPs advocating for the Bill include claims that they are following the law and existing institutional procedures.

Extract 8.6. Sir Robert Neill (Conservative Party)

We need a sense of proportion about these matters. For example, the reforms to public order legislation certainly need careful consideration, but changes to the law around public nuisance were recommended by the Law Commission as long ago as

2015. This measure puts that law on a statutory basis, as the Law Commission recommended […]

Extract 8.7. Jerome Mayhew (Conservative Party)

This Bill has ordinary people at its heart, sticking up for their priorities. It delivers on manifesto promises. As such, it is democracy in action, and I will be supporting it.

In these extracts, we can see how MPs advocating for the Bill claim that they are introducing new measures regarding the right to protest because they are following the recommendations made by the Law Commission since 2015 (extract 8.6) or fulfilling what they promised in the Conservative Party manifesto (extract 8.7). In extract 8.6, the speaker manages his and the Conservative Party's accountability by placing the responsibility for the changes on those who participated in the Law Commission. Moreover, by stating that the recommendations were made "as long ago as 2015", the speaker implies that introducing the measures was an overdue task. Thus, a rhetorical context is established in which a critique of the proposals in the Bill implies a critique of politicians who follow democratic institutional procedures. In extract 8.7, the MP argues that, through the measures in the Bill, members of the Government are delivering manifesto promises. Thus, rather than pursuing personal interests, they are fulfilling the duties that UK citizens elected them to perform, and therefore, MPs are behaving democratically. Depicted in this way, anyone who argues against what the Conservative MPs are proposing would carry the risk of being positioned as a critic of the British democratic system. Furthermore, the MP in extract 8.7 argues that members of the Government are acting on behalf of the priorities of ordinary people, an argument that implicitly positions protesters as an 'Other', a group of individuals whose mere goal consists of disrupting the lives of *typical* British people.

8.1.2. Violators of Others' Democratic Rights

Another way of talking about people protesting was reproduced in the discourse of members of the Government and MPs advocating for the Bill, in which protesters were re-presented as people who violate others' democratic rights.

Extract 8.8. Protest powers factsheet (policy paper)

In recent years we have seen some protesters use egregious noise not as a method of legitimately expressing themselves, but to antagonise and disrupt others from the enjoyment of their own liberties and rights.

Extract 8.9. Gareth Johnson (Conservative Party)

The proposed extra powers are not a ban on protests—far from it. There must always be a right to protest, but there must always be rights for those going about their business, too. The Bill seeks to balance those competing rights.

In extract 8.8, it is stated that, in recent years, protesters have produced "egregious noise" with the purpose of disrupting the liberties and rights of those who, by definition, are not participating in the protests. Referring to the noise protesters produce as "egregious" serves to describe it as shockingly loud, an extreme formulation that strengthens the speaker's case to re-present protesters as antagonists of others' "liberties and rights" in anticipation of potential counterarguments (Pomerantz, 1986; Potter, 1996). In extract 8.9, we see a similar disclaimer to that in extract 8.3, arguing that the measures do not constitute a ban on the right to protest, which should always prevail. However, what follows suggests that protesters have disrupted the routines of others' lives, creating an imbalance between the right to protest and the right of others to go "about their business". Therefore, what is implied in the discourse of the MPs in extracts 8.8 and 8.9 is that the measures in the Bill are needed not because members of the Government attempt to restrict the right to protest; rather, the measures are needed because protesters have violated the rights of non-protesters. Thus, accountability for the restriction on the right to protest is put on the protesters.

Another way in which protesters are re-presented as violating others' rights is achieved by positioning them as individuals attacking the right to freedom of expression and free press.

Extract 8.10. Brendan Clarke-Smith (Conservative Party)

People physically preventing a printing press from operating because they disagree with the editorial position of that publication is another example of serious disruption. These people talk of freedoms yet attack freedom of speech and the freedom of our

press, including titles such as The Sun, The Times, The Daily Telegraph, the Daily Mail and the London Standard. This is not just an attack on them, but on all our media.

Extract 8.11. Home Secretary Priti Patel (Conservative Party)

I would like to gently remind the House that on one day last year many people across the country were prevented from reading their morning newspapers due to the tactics of some groups—a clear attempt to limit a free and fair press, a cornerstone of our democracy and society.

In both extracts, MPs mention that the people protesting prevented a press used to print various national and regional newspapers from operating. In extract 8.10, the speaker argues that this was done because protesters disagree with the editorial position of such publications, describing such action as another example of serious disruption. This disruption is not treated as affecting the specific titles that were prevented from being printed, but as an attack on the freedom of *our* press and all *our* media. That is, the effects of protesters' actions are taken from the immediate context in which specific companies and their readers were affected to the national context, positioning protesters as attacking the rights of all UK citizens. Similarly, in extract 8.11, the speaker argues that "the tactics of some groups" that prevented morning newspapers from being printed caused an impact "across the country". The MP defines "a free and fair press" as a cornerstone of our *British* democracy and society, positioning protesters as those who seek to limit such freedom. Therefore, along with affecting the rights of UK citizens, protesters are re-presented as people threatening one of the pillars keeping British democracy stable.

The right to protest and the right to a free press are both described by MPs advocating for the Bill as cornerstones of democracy. The ideological dilemma (Billig et al., 1988) arising from the clash between two democratic rights is resolved by portraying the relationship in a unidirectional manner: MPs argue that those exercising their right to protest have engaged in actions that have put at risk the right to a free press. Metaphorically, the MPs imply that one cornerstone of democracy (the right to protest) is putting at risk another cornerstone (the right to a free press), thereby jeopardising the stability of British democracy and society. By establishing this unidirectional relationship between the two rights, the delegitimising effects of the systematic paradigmatic ways in which the press portrays protesters and protests (see

McLeod, 2007) remain absent. Consequently, MPs stress the need to limit the right to protest in order to safeguard the prioritised right to a free press.

Consequently, MPs advocating for the Bill argue that the right to protest needs to be constrained to ensure that non-protesters can exercise their other rights and to safeguard democracy. While members of the governing party position themselves as defenders of democracy, protesters are re-presented as behaving in anti-democratic ways. That is, rather than MPs violating the right to protest, it is protesters who are portrayed as violating others' democratic rights; for instance, their right to work.

Preventing Others From Working. When describing some disruptive actions, MPs advocating for the Bill also held protesters responsible for stopping others from going to work. In the following extract, members of the Government argue that the noise produced by protesters needs to be limited when it impacts non-protesters, particularly when it impedes people from carrying out activities in their respective organisations.

Extract 8.12. Noise-related provisions factsheet (policy paper)

> The Bill will allow police to place conditions on public processions, public assemblies and one-person protests where it is reasonably believed that the noise they generated may result it [sic] serious disruption to the activities of an organisation carried on in the vicinity or have a significant impact on people in the vicinity of the protest. Serious disruption to the activities of an organisation is defined as including where it may result in persons connected with the organisation not being reasonably able, for a prolonged period of time, to carry out their activities within the vicinity of a protest.

In extract 8.12, we are told that measures in the Bill will give police officers the power to impose conditions on any protest when they believe the noise will cause “serious disruption” to those in the vicinity. However, out of all potential effects that high levels of noise might have, members of the Government refer to one of them in detail: preventing people in an organisation from carrying out their respective functions for a long period of time. It is not hard for us to imagine other impacts of high noise, such as making conversations difficult to have or impeding others from getting proper rest. However, in the policy paper, serious noise-related disruption is

described as noise that interrupts an organisation's activities. We can observe a similar meaning being reproduced in the Protest Powers factsheet.

Extract 8.13. Protest powers factsheet (policy paper)

Over recent years, certain tactics used by some protesters have caused a disproportionate impact on the hardworking majority seeking to go about their everyday lives. This has included halting public transport networks, blocking the printing press, blocking ambulances from reaching hospitals and preventing hundreds of hard-working people from getting to their jobs.

In extract 8.13, a list of disruptive actions attributed to protesters is provided, namely halting public transport networks, blocking a printing press and ambulances, and preventing people from reaching their jobs. Since, on most other occasions in these data, such actions are attributed to a specific group of protesters (climate activists), I come back to them in more detail in the next chapter (see extract 9.1). However, with regard to extract 8.13, I want to highlight how these actions are introduced to objectify the disproportionate impact that "some protesters" have caused "over recent years". To say that such acts are the result of "certain tactics employed by *some* protesters" implies that not all protesters are equally disruptive. However, since there is no more detailed description of who the disruptive protesters are, the implication is that any protester could be disruptive. Consequently, although protesters' "tactics" are used to objectify the disruption, by not relating them to specific events or groups of protesters, the disruption ends up being transcendentalised (Billig, 1988) as something to be expected at a protest.

Regarding the disruption of organisations' activities, members of the Government argue that protesters have impacted hundreds of hardworking people who are prevented from getting to their jobs (extract 8.13). Furthermore, we are told that the protests are impacting *hundreds* of hard-workers, an unspecified quantity that serves to describe the hardworking people as constituting a large group without the need to provide further details (Billig, 2021). Defining those affected by protests in this way suggests that protesters are not only a minority but also distinct from the category of hardworking people.

Finally, arguing that the noise or actions of protesters need to be restricted because they affect organisations' activities provides us with information about the social and cultural context in which the discourse is produced. In the argumentative context, organisations' activities should remain uninterrupted, and production should never stop. Therefore, by arguing that protesters impede people from getting to their jobs, members of the Government re-present protesters as people who disturb society's rhythm of production. By implication, members of the Government position themselves as those with no other option but to restrict the right to protest in the best interests of the majority.

8.1.3. Deviant Minorities

Along with being disruptors of society's routines and democratic rights, protesters are also re-presented as a minority group of people who do not act on behalf of ordinary citizens.

> **Extract 8.14. Jack Brereton (Conservative Party)**
> Our freedom-loving democratic values enshrine rights to peaceful protest, and this Bill does not curtail that. Many constituents have contacted me over the last year after seeing the wanton vandalism and obstruction of ambulances. This totally reckless behaviour of a minority demonstrates the need to update measures, such as putting static protests on the same footing as moving demonstrations.

At the beginning of extract 8.14, the speaker mentions that the measures in the Bill do not restrict the right to "peaceful protest", arguing that it is a respected right because it is part of our *British* "freedom-loving democratic values". However, at the end of the extract, the speaker argues that measures regarding protests need to be updated. Having associated the right to protest with democratic values and argued that it should not be curtailed, the last argument appears to be a contradiction that might position the MP as arguing against democracy. In other words, the speaker faces an ideological dilemma (Billig et al., 1988) that might compromise his identity and accountability as a democratic politician. This dilemma appears to be overcome in two different ways.

On the one hand, the speaker argues that “many constituents” have contacted him regarding “wanton vandalism and obstruction of ambulances”. Referring to protesters’ actions as “wanton vandalism” implies that the disruption was not only intentional but was solely aimed at causing harm, re-presenting protesters as deviant individuals. Similarly, referring to the “obstruction of ambulances” positions protesters as people who pose a risk to those whose lives are in a vulnerable situation and in need of medical care, reinforcing their deviant understanding. However, the speaker employs some discursive devices to distance himself from this way of re-presenting protesters. One of them is the shift in footing, which occurs when speakers distance themselves from a particular account (Goffman, 1981). In extract 8.14, the speaker positions himself as a messenger, merely delivering a description produced by his constituents. We can also notice the deployment of consensus and corroboration devices (Potter, 1996). By arguing that “many constituents” contacted him, the speaker suggests a consensus, and by describing them as “constituents” rather than ‘supporters’, the concerns are presented as shared by a group of independent citizens, regardless of their political preferences. Through these devices, the MP distances himself from the way protesters are re-presented, avoiding the potential charge of being an anti-democratic politician.

On the other hand, while the claims of those complaining are taken to reflect a consensus, the claims of protesters are treated as those of a minority, reinforcing the way protesters are re-presented as people at odds with the majority of the public. Additionally, because they disrupt, their protests are not regarded as peaceful and therefore are not deserving of protection. Although it is possible the speaker referred to a minority within a larger group of protesters, arguing that new measures should be applied to all protests implies that careless behaviour is expected in any protest, thereby justifying the need for new measures.

Consequently, the MP positions himself as a politician fulfilling his duties by addressing the concerns of the citizens he represents in Parliament, rather than pursuing personal interests. Additionally, the implicit contrast established between democratic, peaceful protesters and anti-democratic, disruptive protesters allows the MP to argue for protecting the former and for constraining the latter without apparent contradiction.

Extract 8.15. James Sunderland (Conservative Party)

Those who claim that this Bill is anti-conservative, anti-libertarian, anti-democracy or even that it seeks to ban peaceful protest are wrong; it is actually about the silent majority, promises made in our manifesto, law and order, and the need to take this country to where it needs to be.

Extract 8.16. Antony Higginbotham (Conservative Party)

[…] Just as important as the right to protest is the right to a free press, the right to life, and the right to employment. The Bill just gives equal weight to all those competing rights. The Bill puts the right of the law-abiding majority first.

In extract 8.15, the speaker dismisses how different members of the opposition have re-presented the Bill in many of their respective speeches as an attempt to ban peaceful protests through the deployment of a three-part list: they work for the silent majority, are fulfilling promises made in their manifesto, and are taking "this country to where it needs to be". A three-part list is a discursive device that consists of providing at least three items or examples to illustrate that our case is not exceptional and to make our accounts appear factual descriptions (Jefferson, 1990). In this case, through the three-part list, the speaker emphasises and presents as factual that Conservative politicians are doing what they are expected to do by fulfilling the promises made in the political program democratically elected. However, no further information is provided about where the country needs to be, a strategic vagueness (Channell, 1994) that, due to the lack of specific details, serves as a rhetorical shield against a potential challenge. Moreover, the speaker claims that members of the Government work by taking into consideration "the silent majority". The term "silent majority" has been considered as an open-ended signifier, that is, a term whose meaning is vague enough to be adapted to different contexts (Laclau, 2005). In this case, describing the silent majority as the group that members of the Government claim to protect portrays them as an unspecified, homogeneous large group that, as we can infer, outweighs those negatively affected by the new measures (i.e., those who have protested in recent years). Additionally, referring to "the silent majority" has been used by politicians to position themselves as the voice of their constituents (Follert, 2021), which in turn suggests that whatever a politician says out loud should be understood as an expression of the majority of citizens' private interests (Reicher &

Hopkins, 2001). In contrast, those who have publicly and collectively voiced their demands are portrayed as a small minority whose interests are at odds with the country's.

Similarly, in extract 8.16, the speaker deploys a three-part list (Jefferson, 1990) to emphasise that other rights (a free press, life, and employment) are equally important to the right to protest. When arguing that a balance needs to be established between the right to protest and the other rights, the speaker establishes a contrast in which one right compromises the other three equally important rights, suggesting that the priorities of those opposing the Bill are disproportionate. Additionally, the speaker states that what members of the Government do through the Bill is prioritise the "right of the law-abiding majority", which, considering the discursive context, implicitly positions protesters as people who neither follow nor respect the law. In other words, society is divided into two groups: the majority of well-behaved citizens and protesters, who are implicitly positioned as an outlaw minority. This way of splitting society legitimises the measures in the Bill that members of the Government propose to deal with protesters. Furthermore, the use of "just" when referring to the purpose of the Bill serves to mitigate its impact on the right to protest, reducing the seriousness of the restrictive measures on the right to protest.

In sum, the people that MPs of the governing party claim to protect are re-presented as the ordinary, silent and law-abiding majority of citizens, which, by implication, re-presents people who protest as an odd, noisy, and deviant minority. However, in some discourses, not all protesters are re-presented in the same way, and a contrast between genuine and illegitimate people participating in protests was established.

8.1.4. Genuine and Illegitimate Protesters

When re-presenting people protesting as a disruptive, deviant minority who violate others' democratic rights, MPs advocating for the Bill tend to conceive protesters as a homogeneous group that behaves similarly when protesting. Conceiving protests and protesters as a singular, homogeneous and amorphous out-group has been a common practice when making sense of protests (Reicher & Potter, 1985). However, this is not always the case. In some speeches, MPs draw a distinction between peaceful protesters with genuine claims and those with illegitimate aims.

Extract 8.17. Nickie Aiken (Conservative Party)

Central London has seen changes in the way that protests are organised and in their longevity. They are not always organised by specific groups. They are movements, often with different aims and objectives. Some come to protest peacefully, but others may have the aim of causing disruption and even destruction.

Unlike the previous extracts, in extract 8.17 the speaker argues that the way people protest has changed, mainly because, instead of specific groups organising protests, there are movements whose members do not necessarily share the same aims. This way of talking about protests suggests that they are not planned by leaders of specific, structured groups in which all members are expected to act according to the leaders' instructions. Instead, by arguing that in movements people lack a common goal, the speaker is able to treat protesters differently and divide them into two groups: those who "come to protest peacefully" and those who aim to cause "disruption and even destruction". Within the wide category of 'protesters', a contrast is established between two kinds, in which only those who protest peacefully are treated as genuine protesters. This distinction enables the speaker to dismiss accusations of advocating for restrictions on the right to protest by arguing that the measures target the unauthentic protesters.

The way of dividing protesters between those with genuine social motives and those who are only interested in disrupting others (i.e., illegitimate protesters) resonates with the ways people accounted for protests against the Springbok South African rugby team tour in New Zealand in the early 1980s. Potter and Wetherell (1987) noted how people tended to split protesters between those who had legitimate concerns against the Apartheid and others who were there due to their enjoyment of violence. Similar to what the authors concluded in their research, by labelling some protesters as mainly disruptors and destructors, MPs shifted attention away from the protesters' social or political reasons. If they are disrupting, then their claims should not be taken seriously. Some scholars argue that re-presenting protesters as violent and their claims as illegitimate has become an available repertoire that politicians use to justify repressive measures (Zamperini et al., 2012). While disrupting and destroying are presented as the goals of illegitimate protesters, the social or political motives of

genuine protesters remain unmentioned, an absence that decontextualises protests from their social, historical, and political context.

Further distinctions between different 'types' of protesters also emerge when MPs contrast protesters with malicious people who exploit protests to convey disruptive and violent messages.

Extract 8.18. Sally-Ann Hart (Conservative Party)

There is no reason for peaceful demonstrations to turn disruptive or violent. Unfortunately, even good causes often attract a malign element hellbent on using such a cause as a platform to showcase their own agendas, undermining the aims and message of the protest or demonstration that they have attached themselves to on that particular day.

Extract 8.19. Lee Anderson (Conservative Party)

This Bill will protect peaceful protests from being hijacked by trouble-causing agitators.

In extract 8.18, the MP re-presents a version of reality in which two different kinds of people can be found in a protest. On one side, there are peaceful demonstrators protesting for good causes, and on the other, there are malign people who frequently attach themselves to protests to convey messages unrelated to protesters' genuine claims, turning them into disruptive, violent events. In other words, it is a reality in which a "malign element" in society lives off good people, much like parasitic behaviour. Likewise, in extract 8.19, the MP also re-presents a version of reality in which two distinct groups participate in protests. On one hand, there are peaceful protesters. On the other hand, there are troublemakers who infiltrate and take control of peaceful protests. The way the speakers establish these contrasts suggests that measures need to be taken to protect or de-parasitise peaceful demonstrations. By re-presenting reality in this way, the measures in the Bill are portrayed as legitimate means to prevent external individuals with malicious intent from exploiting protests to advance their own causes. That is, the case is built so that support for the Bill appears as the reasonable thing to do.

In both extracts, peaceful protesters are re-presented as victims of a non-specified group of people. It is implied that peaceful protesters require protection from the danger posed by "malign elements" or "trouble-causing agitators", actors

who are blamed for the proposed measures restricting the right to protest. However, no further details are provided about the identities of these so-called problematic people. This lack of information or strategic vagueness (Channell, 1994) keeps the speakers' claims abstract enough to avoid potential disagreement over who should be held responsible for jeopardising the right to protest, making it hard for their counterparts to dismiss their claims.

The division between peaceful protesters campaigning for a good cause and agitators exploiting peaceful protesters promotes a particular way of understanding protests. When people or their actions are described as disruptive or violent, the actors should be de-anchored from the category of 'protesters' and anchored instead as malign, violent, and trouble-causing agitators with no social or political motives. Consequently, the division serves to portray the proposed restrictions on the right to protest as measures designed to safeguard genuine protesters.

In sum, when advocating for the measures of the Bill, MPs from the governing party mainly re-present protests as events in which participants disrupt the daily routines and violate the democratic rights of those who are not part of the protests. Furthermore, a contrast is established between protesters and non-protesters, re-presenting the former ones as a noisy minority group while the latter ones constitute a silent majority. However, due to the widely shared representation of the right to protest as a democratic right, re-presenting protesters in these ways makes available the possibility of positioning MPs advocating for the Bill as anti-democratic politicians. Rhetorically subdividing the category of protesters into two groups, re-presenting some as genuine and others as illegitimate, works in resisting such anti-democratic positionality. Additionally, these ways of re-presenting protesters reproduce traditional understanding of collective actions, in which, at the expense of the social grievances that lead people to protest, participants are described as irrational and mere agitators who are not part of the community (Reicher & Stott, 2011).

Whether re-presented as disruptors, violators of others' rights, deviant minorities, or illegitimate protesters, in the discourse of MPs advocating for the Bill, people protesting are decontextualised from their social, cultural, and political environment; that is, there is no mention of their claims or demands. They are re-presented as individuals who enjoy disruption for its own sake, do not align with the

majority of ordinary and law-abiding UK citizens, nor do they respect societal routines. According to Potter and Wetherell (1998), this way of talking about protesters in the discourse of right-wing politicians has been common. The authors also argue that it has become common for those supporting protests to legitimise protesters' actions by considering them as acts of resistance against exploitation, which is a way of talking about protesters that, as we see in the following section, was reproduced by MPs opposing the Bill. Finally, by focusing their discourses on the impact of disruptive actions, a significant absence is created: the different issues that people in society experience and that constitute the reason for their protests. These issues, however, occupied a more prominent position in the discourse of MPs opposing the Bill.

8.2. Protesters' Identities in the Discourse of MPs Opposing the Bill

MPs opposing the Bill also reproduced different meanings about people who participate in protests. However, rather than a fixed, homogeneous body of Others, MPs opposing the new measures mobilised a more flexible conception of protesters' identities, positioning themselves as people who have protested in the past and emphasising that different social and political issues drive people to protest. I argue that MPs opposing the Bill used the following repertoires to re-present protesters: protesters need to be disruptive; social justice campaigners and protectors of others' rights; keepers of longstanding national traditions; and oppressed by an anti-democratic Government. I present each repertoire in the subsections that follow.

8.2.1. Protesters Need to be Disruptive

In what appears to be a response to MPs advocating for the Bill, MPs opposing it describe disruption as an essential part of any protest, without which no protest could exist.

> **Extract 8.20. Angela Eagle (Labour Party)**
>
> The Bill seeks to place draconian limits on the method, location and even the noise demonstrators will in future be allowed to make if they are to remain lawful. Apparently demonstrators are henceforth to be seen but not heard, like children in a particularly reactionary Victorian novel; yet the whole point of demonstrations is precisely to draw attention to injustice and give voice to issues that have been ignored.

Democracy can be loud and messy sometimes—that is the point of it—so the Bill must be amended to preserve the freedom of assembly and the right to protest.

In extract 8.20, the speaker argues that members of the Government re-present protesters as if they were "children in a particularly reactionary Victorian novel" because they are supposed to "be seen but not heard". The speaker claims that MPs advocating for the Bill re-present protesters as people who, despite being physically present, are powerless and are restricted to only having a passive role in the course of society; if they act to get the attention, this should be considered a disruption to those who are assumed to be the main characters in the scene. The MP attributes this conception of protesters to MPs advocating for the Bill, using it to point out how they disregard and exclude protesters' claims from public discourse.

Mentioning how members of the Government re-present protesters is also used by the speaker to argue that, if the Bill is approved, "draconian" limitations will be imposed on what should be understood as legitimate protest. The MP claims that restricting the noise and mess people create during protests is "the whole point of demonstrations", thereby positioning the noise and mess as inherent features of the democratic right to protest. Imposing conditions on the form, place, and noise would then compromise the collective means we have to draw the attention of those who can *see* and *hear*. Therefore, to argue that disruption and loud noise should be severely limited would not only remove the *raison d'être* of any protests but also constitute a move against democracy.

Extract 8.21. Stella Creasy (Lab/Co-op)

The public have to be able to tell us when we are getting something wrong. Sometimes that message is noisy and messy, but it is important that we do not seek to silence it no matter how uncomfortable it might make us feel. This legislation seeks to do that.

Extract 8.22. Kim Johnson (Labour Party)

By making it an offence to cause serious annoyance or inconvenience, the Bill restricts our fundamental rights to freedom of assembly and expression and effectively removes our collective ability to fight back against state abuses of power

In extracts 8.21 and 8.22, we can see the integration of two ways of talking about protesters: as creators of noise and mess, and as people exercising a democratic function in society. Drawing on different patterns of talking when attempting to make sense of social objects constitutes what some have termed *discursive polyphasia* (Wagner, 2007). In extract 8.21, the speaker argues that *sometimes* protesters can be noisy and messy and, on occasion, make others feel uncomfortable, suggesting this is ordinary behaviour. Further, the speaker claims that politicians should not remove the possibility that the public has a voice to tell them when they "are getting something wrong". Likewise, in extract 8.22, the speaker argues that, if causing serious annoyance and inconvenience becomes an offence, members of the Government would remove the collective power people have to "fight back against state abuses of power". If there were an ideological dilemma (Billig et al., 1988) between discussing protesters as disruptive and as people upholding a democratic function, the speakers resolved it by arguing that being loud and annoying are ways of holding those in power accountable. Instead of blaming protesters for disrupting society, MPs opposing the Bill blame politicians who abuse their powers for giving people the reason to protest.

Furthermore, some MPs regard the annoyance that protesters provoke as a material manifestation of the UK's democratic system.

Extract 8.23. Lloyd Russell-Moyle (Lab/Co-op)

During the Brexit debates, in the main, the protests outside this place by UKIP and Brexit party supporters and by the remainers were eccentric and annoying to many of us at the time, but to me, it summarised the beauty of British democracy when those peaceful protesters, sometimes of opposing forces, were ringing bells and shouting into horns.

The speaker of extract 8.23 objectifies democratic disruptive protests by drawing on the protests organised regarding Brexit. The speaker argues that these protests "were eccentric and annoying" to many MPs. Instead of treating excessive noise as a sign of serious disruption, the speaker treats "ringing bells and shouting into horns" as typical of people who protest peacefully. Moreover, the speaker describes such forms of protest as summarising "the beauty of British democracy". Not only are protesters embodying a positive democratic practice, but a practice claimed to be a

distinguished feature of the British nation. Thus, a rhetorical setting is created in which anyone trying to prevent similar situations risks being positioned not only as opposed to democracy but also as opposed to the nation.

8.2.2. Social Justice Campaigners and Protectors of Democratic Rights

When arguing in defence of disruptive actions during protests, some MPs note that holding politicians accountable is one of the reasons people protest. Some others point to more specific social causes, mobilising an understanding of protesters as social justice campaigners and drawing on familiar historical protests where protesters are seen as advancing democratic norms. This enables speakers to develop their rhetorical arguments when opposing the Bill.

Extract 8.24. David Lammy (Labour Party)

I am thankful that the draconian limits on the power to protest were not in place during the great protests of the 20th century that led to real change. […] When the suffragettes marched for the right to vote, some of them were prepared to break the law to make their point just outside the House of Commons. Does the Secretary of State believe that those women who shouted noisily should have been arrested, too? Protesters marched from Jarrow in Tyneside all the way to London to demand the right to work in 1936. Does the Secretary of State think that the police should have had the power to stop them before they had even passed York? The anti-apartheid movement, of which I was part, marched continuously on Trafalgar Square for black and white people to be treated as equal.

Rather than arguing about recent protests, the MP in extract 8.24 questions how members of the Government would react to "the great protests" from the last century, which "led to real change", if they were happening nowadays. According to Gibson (2015), when establishing historical parallels by drawing on historical events, it is essential to consider what those events are significant for in the context of the argument. In extract 8.24, we can see the deployment of a three-part list (Jefferson, 1990). In this case, the speaker draws on three historical protests to emphasise that they constitute mechanisms for fighting against institutional sexism, classism, and racism and, consequently, to campaign for an equalitarian society. First, the MP refers to how the suffragettes marched, "shouted noisily", and were ready to break the law.

Secondly, the MP refers to lengthy marches by working-class people demanding political action against high unemployment levels. Thirdly, the MP refers to the anti-apartheid movement demanding equal treatment for "black and white people". By claiming to have participated in the anti-Apartheid marches, the speaker positions himself as someone with legitimate knowledge about protesting for social and humanitarian reasons, and thus, as offering a factual description of the role of protests. This three-part list contributes to legitimising the understanding of protests as events that are commonly related to challenging social injustices and promoting social change.

In other extracts, the consequences of curtailing the right to protest are further described as an attack on the rights and lives of those who lack a voice in political centres of power.

Extract 8.25. Stephen Farry (Alliance Party)

Protests have become seminal moments in the UK's history, with the protests against the Iraq war and against Brexit standing out in recent memory. Protests have been a source of empowerment for the politically marginalised and a powerful tool for securing rights for minorities. Recently, protests have been central to challenging institutional racism and misogyny. It is why protests work, and the Government know that.

In extract 8.25, the speaker claims that protests are "seminal moments" in the history of the UK. Understanding some protests in this way, such as those against the Iraq War or Brexit, positions them as events that reflect an immutable essence of the nation (Reicher & Hopkins, 2001). That is, events in which people have come together to collectively express particular demands are considered as having a profound impact on the historical course of the nation (see section 8.2.3). By claiming that anti-war and anti-Brexit protests stand out "in recent memory", the speaker implicitly emphasises that such protests rest on the shared knowledge of a collective national past.

By arguing that protests are "powerful tools" that empower those who have been politically marginalised, protect the rights of minoritised groups, and challenge racist and misogynistic institutional practices, the MP mobilises an understanding of protests as a mechanism people have to shape society in favour of those who have been systematically oppressed. Because protesters are re-presented as people who

campaign against social injustices, restricting their right to protest is regarded as a restriction on the possibility of advocating for societal change against oppressive practices suffered by minoritised groups in society.

In sum, in contrast to the way MPs advocating for the Bill re-presented protesters as violators of others' rights, people protesting are described by MPs opposing the Bill as protectors of democratic rights. Consequently, members of the Government are implicitly positioned as the ones threatening the right to protest by giving police officers greater powers to obstruct the collective mechanism we have to defend our rights, including the right to work.

Workers' rights protectors. MPs advocating for the Bill re-presented protesters as people who, among other things, prevent people from going to work, positioning them as people who need to be stopped because they disrupt the productive rhythm of society. In contrast, MPs opposing the Bill re-present protesters as people committed to campaigning for workers' rights.

Extract 8.26. Rebecca Long Bailey (Labour Party)

Many of the rights we enjoy today were won not because of politicians with great ideas, but because people came together and demanded that their voices be heard. The Peterloo massacre caused politicians to pass the Great Reform Act 1832, the suffragist movement forced politicians to grant women the right to vote, and the striking Ford machinists and campaign for women's equal rights inspired the Equal Pay Act 1970. Our right to be heard is about to be eroded by one of the most pernicious pieces of legislation I have ever seen.

Similar to what was noted in previous extracts, in extract 8.26, the MP deploys a three-part list (Jefferson, 1990) by mentioning the Peterloo massacre, the suffragist movement, the striking Ford machinists and women's campaign for equal payment to emphasise that it has been thanks to people protesting that we enjoy political and working rights today, regardless of class or gender. From this extract, I want to highlight how protesters are re-presented as the social actors responsible for improving workers' rights and protecting them from exploitative conditions, challenging the way MPs advocating for the Bill re-present them as preventing others from working.

In other speeches, MPs opposing the Bill also challenge the way members of the Government re-present themselves as protectors of hard-working citizens by re-presenting them instead as their opponents.

Extract 8.27. Jon Trickett (Labour Party)

This Government claim to have their roots in libertarianism and, of course, they are champions of liberty, but it is liberty only for the powerful and the wealthy, the “get rich quick” merchants and the spivs, those whose freedoms allow them to cause all kinds of annoyance—firing decent, hard-working employees and then rehiring them on worse conditions and paying poverty wages.

In extract 8.27, the MP notes that members of the Government position themselves as libertarian politicians who restrict state intervention in the economy and in citizens' private lives. However, the speaker challenges this positionality by arguing that members of the Government do so only for the “powerful and the wealthy” and for the “merchants and the spivs” who seek to “get rich quick”. The get-rich-quick idiom is morally loaded, suggesting that the people the Government prioritises are those who seek economic success through effortless, and legally questionable, means. Those the speaker claims are taken into consideration by members of the Government are the “decent, hard-working employees” who are put into precarious working conditions. That is, the Government is acting against those who are disciplined and put effort into achieving success through legitimate means. This way, the MP re-presents members of the Government as political leaders governing only for people who benefit economically at the expense of the responsible, hardworking citizens. Despite challenging the way MPs advocating for the Bill re-present protesters as the actors harming hardworking citizens by claiming that it is members of the Government who are doing so, there remains a consensual agreement between the two sides of the argument regarding the need to protect hardworking people.

In sum, MPs opposing the Bill argue that protesters are the ones responsible for improving working conditions in the past and for holding politicians accountable when their proposals threaten workers' rights.

8.2.3. Keepers of Longstanding National Traditions

Contrary to the rhetorical division of protesters into two opposing groups established by MPs advocating for the Bill, those opposing it position all protesters as playing a vital role in upholding an essential, longstanding tradition of British democracy throughout time.

> **Extract 8.28. Shadow Home Secretary Nick Thomas-Symonds (Labour Party)**
> We on the Opposition Benches will oppose a Bill that puts at risk the whole right to protest, hard-won by previous generations, that is part of the fabric of British democracy. In seeking to preserve the right to protest, we on these Benches stand in a long tradition of British democracy. It is this Government who seek to undermine those traditions.

Similar to extract 8.2, the MP in extract 8.28 avoids splitting protests as either peaceful and legitimate or non-peaceful and illegitimate by arguing that the Bill puts at risk "the whole right to protest", which is described as a part of "the fabric of British democracy". In this case, I want to point out how, rather than outsiders, protesters are re-presented as an integral part of the nation. Additionally, claiming that it was "hard-won by previous generations" implies that the right to protest should not be treated as something that has always existed and was available to everyone. Instead, the right to protest is described as a right that has been "hard-won" over time, a description that serves to re-present the right to protest as a treasured national asset that needs to be protected. Furthermore, to claim that the right to protest constitutes a "long tradition of British democracy" positions protesters as upholding the democratic customs that have been a part of the nation's history, while members of the Government are positioned as its detractors.

Not all MPs opposing the Bill agree with re-presenting the right to protest as a British tradition. Some of them, as members of nationalist political parties that campaign for the independence of Wales and Scotland from the UK, claim the right to protest as part of their respective national traditions.

> **Extract 8.29. Liz Saville Robers (Plaid Cymru)**
> The Bill's erosion of the right to protest is antithetical to Wales's values. We have a proud history of protesting against injustice, from non-conformism to Chartism, the

miners' strike, Welsh language rights protests and the present-day independence movement marches. The right to make peaceful protest against iniquity is something that lies deep within our culture.

Extract 8.30. Joanna Cherry (Scottish National Party)

Although these legal changes will have force only in England and Wales, they will impact people living in Scotland. There is a long tradition of Scots travelling to London to protest. We saw that most recently with the huge demonstrations against Brexit, and past examples include the fight against section 28 and the fight of the anti-war movement.

In extract 8.29, the speaker, who is a member of the Welsh pro-independence party Plaid Cymru, positions the right to protest as a constitutive part of Welsh history. Along with some causes that were common across the four countries comprising the UK, such as the Chartist movement and miners' strikes, the speaker categorises some protests as milestone historical events related to Welsh nationalist issues both in the past (e.g., protests for language rights) and in the present (e.g., pro-independence marches). Similarly, the speaker in extract 8.30, a member of the pro-independence Scottish National Party, argues that travelling to London to protest constitutes a long-standing Scottish tradition. Despite the MPs anchoring the right to protest in the categories of Welsh and Scottish traditions, respectively, rather than a British tradition, what remains common between MPs opposing the Bill is re-presenting the right to protest as a core historical practice of democratic nations, whose continuity is threatened by members of the UK Government.

8.2.4. Members of Society Oppressed by an Anti-Democratic Government

In the discourse of MPs opposing the Bill, members of the Government are re-presented as politicians who, through the proposed measures, attack everyone's right to organise and collectively and democratically challenge politicians' decisions in the public space.

Extract 8.31. Geraint Davies (Lab/Co-op)

The Government should empower our citizens and communities, but instead they attack the rights of all of us to peaceful assembly and protest—trade unionists, EU

remainers, climate change activists, anti-war protesters, and vote-at-16 enthusiasts. They are curtailing the freedom of expression that feeds a healthy, responsive democracy.

Extract 8.32. Stephen Doughty (Lab/Co-op)

The provisions on protest are deeply concerning and disturbing—I would describe them as draconian. Having organised and taken part in many entirely peaceful protests, sometimes involving millions of people, I fear that this is yet another attempt by this Government to clamp down on legitimate dissent and democratic disagreement.

In extract 8.31, the speaker mentions five different kinds of protesters, providing a five-part list (Potter, 1996) that serves to re-present protesters as diverse groups of people who come together around different concerns, thereby challenging the alternative way of re-presenting protesters as a single, homogeneous group. Additionally, mentioning various protests suggests that they are frequent events in society and that, given the different causes people protest for, we are not seeing unusual events organised by an odd minority but rather a common practice carried out by different members of society. Similarly, in extract 8.32, the MP claims to have participated in protests "involving millions of people". By stating his own participation, the speaker positions himself as someone with firsthand knowledge of protests and thus as entitled to offer an accurate description of the events. Additionally, referring to the number of participants through the unspecified number-plural of "millions" (Billig, 2021) serves to convey the magnitude of protests, depicting them as mass events rather than something that concerns only a *deviant minority*. Moreover, pointing out that assembling to protest is a right that "all of us" (extract 8.31) have implies that everyone is a potential protester. Therefore, rather than people being at odds with the majority of the public, the way MPs opposing the Bill re-present protesters in extracts 8.31 and 8.32 serves to position them as inherent members of society.

By arguing that members of the Government "attack" and "curtail" (extract 8.31), and "clamp down" (extract 8.32) on everyone's rights and freedoms to peacefully organise and express disagreement, they are re-presented as politicians who criminalise and oppress diverse and large groups of British people who uphold democracy through their protests.

Along with oppressing diverse people campaigning for different causes, members of the Government are also re-presented as behaving in totalitarian and therefore anti-democratic ways due to the restrictions they attempt to introduce to the right to protest.

Extract 8.33. Apsana Begum (Labour Party)

The right to protest must be protected or else we find ourselves on an extremely worrying path, with a totalitarian Government able to silence whoever they choose.

Extract 8.34. Clive Efford (Labour Party)

This Bill is another example of the Tories' determination to avoid democratic scrutiny. Now, they want to close down public dissent. This hits at the heart of democracy in this country.

In extract 8.33, the speaker positions members of the Government as totalitarian politicians for aiming to impose conditions on the right to protest so they can decide who is allowed to express collectively and who must be silenced. In extract 8.34, the MP argues that obstructing public dissent and democratic scrutiny would constitute a hit "at the heart of [UK] democracy". The use of this biological metaphor not only positions protests as vital events that keep democracy working, but also emphasises the severity of the accusations against members of the Conservative Government for attempting to undermine democracy.

Some MPs opposing the Bill argue that members of the Government lack substantial reasons to justify the need for the new measures, as seen in the following interaction.

Extract 8.35. Interaction between Thomas-Symonds and Young

Nick Thomas-Symonds (Labour Party): Our existing laws on protest strike a careful balance between legitimate rights and the need to keep order. […]

Jacob Young (Conservative Party): Does the right hon. Gentleman not agree that no one should be able to block an ambulance from crossing a road or bridge, and that no one should be able to block a printing press from printing newspapers? If he does agree, why will he not vote for the Bill?

Nick Thomas-Symonds (Labour Party): Because the existing laws deal with those issues. The Conservative party is not making the case for the additional powers.

At the beginning of extract 8.35, the Labour MP argues that current legislation already imposes a "careful balance" between various legitimate rights and maintaining order in society, which constitutes a direct challenge to the argument mobilised by members of the Government regarding the need for new measures because protesters are allegedly violating this balance between rights. Additionally, describing the balance as one that is carefully struck implies that all necessary considerations are taken into account and no violation of other rights occurs when people protest. At this point, a Conservative MP intervenes to point to two specific actions some people performed as part of their protests, namely, blocking an ambulance and a printing press, implying that protesters have broken the balance between rights. Referring to specific cases, rather than general descriptions of the so-called balance, serves to undermine the factuality of the Labour MP's argument. However, in the Labour MP's reply in the last intervention of the extract, there is no discussion regarding whether such events constitute an example of a potential imbalance between rights, as a counterargument would be hard to sustain. Instead, the Labour MP argues that existing legislation already provides tools to strike a balance between rights, and therefore, there is no legal reason for members of the Government to advocate for additional powers. Consequently, members of the Government are once again re-presented as politicians behaving as authoritarians seeking greater, illegitimate control over protesters.

In sum, in the discourse produced by members of the Government and MPs advocating for the Bill, protesters are mainly re-presented as a disruptive minority that needs to be controlled in order to protect those not participating in the protests, defined as the law-abiding, hardworking majority of UK citizens. However, given that the right to protest is treated as a cornerstone of British democracy, re-presenting protesters in this way carries the risk of being portrayed as anti-nationalist for challenging a British tradition and as authoritarian for undermining what MPs define as one of the most essential democratic pillars of society. Consequently, on some occasions, it is possible to see how MPs advocating for the Bill split protesters between

genuine, peaceful protesters and illegitimate protesters who infiltrate events organised by genuine protesters to promote their private causes.

In contrast, MPs opposing the Bill re-present protesters as people who are concerned about various social injustices and inequalities who organise themselves to gain sufficient power to draw politicians' attention, express their collective discontent, and demand specific political actions. Drawing on historical cases, MPs opposing the Bill position the right to protest as a national tradition, thereby re-presenting protesters as people preserving an essential feature of their nation. However, while MPs advocating for the Bill re-present themselves as politicians acting democratically by protecting those who are not protesting, MPs opposing the Bill re-present their counterparts as authoritarian politicians who seek to gain the power to ban and silence protests they consider disruptive, which, in the discourse of MPs opposing the Bill, means all protests.

When discussing the right to protest and protesters' identities in general, MPs' arguments appear to rest on two hegemonic representations. One of these hegemonic representations is the positive value of democracy, which is taken for granted and used by both sides in the parliamentary debate as a powerful rhetorical resource to claim the rightness of their arguments and portray their opponents in a negative light. However, MPs do not only speak of democracy in a general sense but rather claim to be defending a specific democratic system: *our* British democracy. For MPs' claims to make sense, it appears essential that there exists a widely shared naturalised conception of the world as composed of nations, but, more specifically, of a community whose members share a (British) national identity. In other words, arguments about the right to protest and protesters' identities rest on hegemonic representations of nationalism.

In the following chapters, I examine how MPs re-present protesters whose actions are pointed out as the reasons driving members of the Government to introduce restrictions on the right to protest: climate activists and anti-racist protesters.

Chapter 9. Climate Activists: The Disruptive Defenders of Life

Since 2019, a large number of people across the world have mobilised to demonstrate against the climate crisis, organising themselves in specific groups, such as Extinction Rebellion, and performing numerous protests to draw the attention of and demand action from political leaders (De Moor et al., 2021; H. M. Lewis & Vignoles, 2024). During the Second Reading, MPs talked about, and thus re-presented, people who protest to put the climate emergency on the public agenda and demand political action on it. In this chapter, I examine how the identities of climate activists were socially re-presented, noting the different meanings that MPs advocating for and those opposing the Bill attributed to climate activists in relation to their respective rhetorical projects: advocating for or opposing the Bill.

9.1. Climate Activists in the Discourse of MPs Advocating for the Bill

Examining the discursive productions of MPs advocating for the Bill, I notice two distinct repertoires employed to discuss climate activists. In the sections below, I analyse first how climate activists are re-presented as social actors who disrupt the lives of others, and secondly, how they are configured as hypocritical and contradictory actors whose actions are self-defeating.

9.1.1. Selfish Disruptors of Others' Lives

One of the ways in which MPs advocating for the new measures in the Bill re-presented climate activists is as a group of people provoking a serious and disproportionate disruption to the lives of others.

Extract 9.1. Home Secretary Priti Patel (Conservative Party)

Last year, we saw XR blocking the passage of an ambulance and emergency calls, gluing themselves to a train during rush hour, blocking airport runways, preventing hundreds of hard-working people from going to work.

Extract 9.2. Brendan Clarke-Smith (Conservative Party)

Examples of things that could cause serious disruption might include blocking a bridge or a road to stop pedestrians or traffic getting through. We saw that happen when Extinction Rebellion decided to block Westminster Bridge. While these people were

dancing and having fun, ambulances needed to be diverted and cancer patients had to walk to hospital instead. Another example of serious disruption might also include preventing a train from leaving a station.

Extract 9.3. Simon Clarke (Conservative Party)

I well remember the tactics of Extinction Rebellion and the misery they brought to hundreds of thousands of people across the capital and elsewhere. Blocking roads so that ambulances cannot pass, because people are glued to the ground, is not a legitimate tactic for protest.

In these three extracts, we can see how MPs advocating for the Bill routinely referred to the group Extinction Rebellion (XR) as the actor carrying out the actions that the speakers associate with environmental protests: it blocks, glues, decides, and deploys various tactics. In other words, the group is 'agented'. The discursive strategy of 'agentising' consists of attributing agentic features to an entity rather than to specific persons (Ayala Diago, 2008). By referring to the Extinction Rebellion group as a whole, the specific people who perform the actions remain unmentioned, which, in this case, allows the MPs advocating for the Bill to generalise the actions of one or some to all climate activists, regardless of their identification with Extinction Rebellion. Moreover, having anchored the identity of climate activists to Extinction Rebellion, it is through Extinction Rebellion's protests that environmental protests are objectified in the discourse of the MPs advocating for the Bill.

In the last chapter, I noted that certain disruptive actions, which were transcendentalised and used to re-present all protesters as disruptors and violators of others' rights, are occasionally attributed to a specific group. In the extracts above, we can see how MPs re-present climate activists as actors causing disproportionate amounts of disruption, and how MPs attribute responsibility for the disruption to members of the group Extinction Rebellion. The description of climate activist protesters as disrupters is achieved in extract 9.1 through the use of a three-part list (Jefferson, 1990). The Home Secretary illustrates protesters' disruption by arguing that they blocked the passage of emergency services, glued themselves to trains, and blocked airport runways. Furthermore, re-presenting the disruption as disproportionate is achieved by describing those who were affected by the protesters' actions. For instance, out of all those whose passage could have been blocked by

protesters, it is mentioned that those affected were ambulances and emergency services, which tend to receive priority and are associated with providing help to those experiencing an emergency situation. Similarly, the speaker in extract 9.2 objectifies the disruption on bridges and roads by establishing a contrast between protesters and ambulance users, arguing that while protesters were dancing and having fun, cancer patients were forced to leave ambulances and walk to the hospital. In other words, it is suggested that protesters, who are enjoying life, are behaving selfishly by making the lives of those fighting to stay alive harder.

Regarding the impact of the disruption of public transportation, this is exacerbated by arguing that protesters disrupted trains and planes, which are mass means of transportation, and therefore affected a large number of people. Moreover, the disruption of train services is presented as happening during rush hours, which emphasises that the disruption occurred when mass means of transportation are expected to be at almost, if not full, capacity. In contrast to emergency services, where a few cases were necessary to argue that protesters' actions should be condemned, when talking about means of transportation, it appears important to mention the number of people affected. MPs highlight that by blocking roads, bridges, airport runways, and delaying trains, protesters disrupted "hundreds" (extract 9.1) and "hundreds of thousands" (extract 9.3) of people. People tend to use these kinds of unspecified number-plurals when attempting to exaggerate their claims (Billig, 2021), which, in this case, served to depict climate activists as affecting a vast group of people and reinforce their understanding as selfish activists. Additionally, when describing the location of the disruption, MPs state that the disruption brought misery "across the capital and elsewhere" (extract 9.3). While explicitly referring to "the capital" suggests a consensual understanding of the disruption described in London, the vagueness carried in "elsewhere" (extract 9.3) serves to present the disruption as affecting many people across the UK without providing enough information that could be refuted.

By stating that "we saw" (extract 9.2) the disruptive actions of (members of) Extinction Rebellion, MPs imply that the group's responsibility is not a matter of personal opinion. Instead, it is presented as something that was witnessed by both the speaker and the audience and, therefore, as a corroborated fact. Also, claiming to "well remember" (extract 9.3) the disruption caused by members of Extinction Rebellion suggests that it was extraordinary enough to make it memorable and that

any alternative account would constitute an inaccurate recall of the events. To argue that protesters make use of "protest tactics" portrays climate activists as members of organised groups who intentionally plan and provoke disruption to the lives of others.

In the last part of extract 9.1, we can see that the seriousness of disrupting means of transportation was not necessarily related to preventing people from commuting by train or plane. Along with hospital patients, the protesters' disruption is considered serious because it prevented people from going to work. Although similar arguments were analysed in the previous chapter, in this case, it is the specific group of Extinction Rebellion (or climate activists) that is held accountable for impeding people from reaching their workplaces, objectifying the disruption caused by environmental protests in one specific group. Furthermore, those affected by Extinction Rebellion protests are not re-presented simply as workers, but as hard-working people, which makes it possible to infer that people protesting for environmental reasons are not part of the highly work-dedicated group. Instead, members of Extinction Rebellion are positioned as their opponents because, through their protests, people are prevented from fulfilling the tasks that would allow them to be identified as hard workers.

9.1.2. Hypocritical and Incompetent Protesters

In the discourse of MPs advocating for the measures of the Bill, climate activists were also re-presented as actors who, through their protests, compel the Government to spend public funds. As we can see in the extracts below, the identity of those responsible for the expenditure of public money is also explicitly anchored within the Extinction Rebellion group category. Similar to the previous section, the group continues to be treated as having agentic qualities.

Extract 9.4. Jonathan Gullis (Conservative Party)

However, if someone wants to block roads and stop ambulances getting sick people into hospital, or glue themselves to a train so people miss a day's work, the police will now be able to take action, preventing eye-watering costs like the £37 million that Extinction Rebellion's 2019 protests cost the UK taxpayer.

Extract 9.5. Sally-Ann Hart (Conservative Party)

> Last year in London, for example, we saw extreme disruptive tactics in the Extinction Rebellion march that reportedly cost the Metropolitan police £16 million. That is not police money; it is taxpayers' money that would be better spent on, say, nature-based solutions to climate change.

While the number of people affected by protests remains vague through the use of unspecified number values, MPs provide a more specific value regarding the monetary cost of policing environmental protests. They claim that one of the marches organised to demand political action against the climate emergency cost the Metropolitan Police £16 million (extract 9.5), while all environmental protests organised in 2019 totalled £37 million (extract 9.4). Since providing specific details makes our arguments appear as factual descriptions of reality (Potter, 1996), these specific amounts provide the appearance of accuracy to the way MPs advocating for the Bill re-present climate activists. Additionally, by indicating that such values constitute "eye-watering costs" (extract 9.4), it is suggested that they should not be considered expected costs, implying that environmental protests are extremely expensive. Furthermore, we can see in both extracts how the costs of policing environmental protests are positioned not as police expenses, but as coming from the UK's taxpayers' money. This way, climate activists are not re-presented only as actors disrupting the lives of those who were specifically prevented from using public transportation, but as people who, by forcing authorities to spend extreme amounts of public resources on policing the protests, are affecting all UK citizens who pay their respective taxes.

Notably, not only are climate activists re-presented as draining public funds, but they are also re-presented as acting against what they claim to defend: the environment. In extract 9.5, the speaker argues that the money spent on policing protesters would have been better invested in "nature-based solutions to climate change". This argument is also present in a quote included in one of the news stories published by the Home Office.

> **Extract 9.6. Government takes legal action against M25 climate protesters (news story)**
>
> Transport Secretary Grant Shapps said: We will not let these demonstrators wreak havoc on our roads, disrupt thousands of people's journeys and put lives in danger.

> Not only are they creating more traffic and pollution, they are alienating the public from their own cause. Today, we're taking action, bringing in further measures to stop those taking part in these self-defeating protests, while we continue the work we're already carrying out to clean up our air and reach net zero.

In extract 9.6, the actions of those concerned with the environmental crisis are described as "self-defeating protests". This is achieved by arguing that protesters create more pollution through their traffic disruptions, positioning them as contributors to the climate emergency. Additionally, we can see how a division is established between "we", the ones taking action on disruption and working for the environment (which we can infer from the argumentative context refers to members of the Government), and "they", those who create disruption and pollution. By describing climate activists as responsible for pollution, they are further re-presented as hypocrites.

After accusing the protesters of causing "havoc" and putting "lives in danger", the speaker positions himself and other members of the Government as the ones who are actually attempting to "clean up our air and reach net zero". This resonates with what other authors have identified when researching how climate activists are re-presented in the comments section of UK-based online newspapers (H. M. Lewis & Vignoles, 2024) and how Finnish laypeople discuss environmental issues (Tormis et al., 2024). In both studies, the authors noted how accusing environmental protests of being counterproductive not only undermines protesters' actions but also shields the speaker from accusations of indifference to climate concerns. Similarly, in extract 9.6, the speaker is not arguing against concerns about the environment or the need to take action to counter global warming; both positions are treated as reflecting what is socially expected and, therefore, as being in agreement with a social consensus. The argument specifically targets climate activists by positioning them as hypocrites for causing with their actions what they claim to be fighting against, while positioning members of the Government as the legitimate defenders of the environment. Furthermore, stating "we continue the work we're already carrying out" suggests that the actions of members of the Government are not recent or happening in response to protesters' claims, but something that has been and will continue happening, thereby

implying that climate activists are misinformed and, consequently, that their protests are worthless.

In sum, MPs advocating for the Bill make sense of climate activists by positioning them as members of the Extinction Rebellion group. Thus, the meanings attributed to the group are taken as reflecting the way climate activists were re-presented. In the discourse of MPs advocating for the Bill, Extinction Rebellion is re-presented in two ways. First, as a group that deliberately causes significant societal disruption, affecting hard-working individuals and vulnerable members of society. Secondly, they are re-presented as hypocritical, incompetent activists. They are positioned as a group that forces the Government to spend huge amounts of money every time members of Extinction Rebellion organise a protest. Furthermore, this money is said to belong to all UK taxpayers, suggesting that the disruption caused by Extinction Rebellion is not limited to a specific location but affects UK citizens nationwide. Finally, MPs advocating for the Bill re-present members of Extinction Rebellion, and by extension, climate activists, as incompetent because their protests generate more pollution, and the money spent on policing their protests could be invested instead in the environmental causes that members of the Government argue they have been working on. Thus, climate activists are not only re-presented as disruptors of hard-working citizens' routines, and therefore, of routines upholding the social order, but also their actions are depicted as unnecessary. Consequently, MPs advocating for the Bill configure a version of reality in which it appears urgent to intervene and stop disruptive practices, especially when protesting for environmental reasons is described as detrimental to the environment.

9.2. Climate Activists in the Discourse of MPs Opposing the Bill

While members of the governing party anchored climate activists' identities under the Extinction Rebellion category, MPs opposing the measures in the Bill re-presented them in three different ways, reflected in two interpretative repertoires: as protectors of life, and as competent and emotional young activists.

9.2.1. Protectors of Life

On some occasions, people protesting due to environmental reasons are also re-presented as belonging to Extinction Rebellion in the discourse of some MPs opposing the Bill. Thus, I present below how these MPs re-present the identities of Extinction Rebellion members.

> **Extract 9.7. Joanna Cherry (Scottish National Party)**
> Yes, the Extinction Rebellion protests may have been very annoying to those of us going about our business on London's streets and public transport, but those protesters were protesting the biggest problem of our age—climate change—and I think that gives them the right to be a bit annoying.

In extract 9.7, the MP positions herself as one of the people who were impacted by "Extinction Rebellion protests", which entitles her to claim a firsthand knowledge of how people *actually* felt about the protests. Rather than reproducing the meanings of serious social disruption that MPs advocating for the Bill attributed to environmental protests, the speaker describes them as "very annoying", downgrading their impact from the social to the emotional realm. Regarding the intensity of the annoyance caused by protesters, there is a downgrade from "very annoying" at the beginning of the extract to "a bit annoying" at the end. This transition is better understood considering how the speaker draws on the reasons driving climate activists to protest. The speaker explicitly states that people participating in Extinction Rebellion's protests were protesting "climate change", which is defined as "the biggest problem of our age", appealing to an extreme case formulation. Extreme case formulations are expressions that present absolute cases through the use of terms such as 'all', 'always', 'every', or 'the biggest', among others, to legitimise particular claims of reality, especially when speakers anticipate a potential challenge (Pomerantz, 1986). In this case, the extreme case formulation is used to emphasise the seriousness of the issue that climate activists are protesting. Additionally, the use of the definite article "the" suggests that understanding climate change as more serious than any other issue is not a matter of personal opinion; instead, it is presented as a factual description of reality. It is only when the reason behind climate activists' protests is described in this way that their actions appear just "a bit annoying". In other words,

mentioning the reasons behind climate activists' protests makes them seem like people who are acting for the greater good, which makes the impact of their actions seem minimal.

9.2.2. Competent and Emotional Young Activists

In contrast to MPs advocating for the Bill, MPs opposing it do not always re-present people protesting for environmental reasons as members of Extinction Rebellion. They are also re-presented as ordinary members of the British society who happen to share a common concern for the climate emergency.

Extract 9.8. Wera Hobhouse (Liberal Democrats)

The Government say they want to clamp down on the most destructive protests, but let us be clear that they aim quite literally to silence protest. The measure is a thinly veiled reaction to the climate protests that have taken place over the past couple of years around Parliament and in cities and towns across the country. The climate emergency has evoked strong feelings, particularly among young people, and it would be quite wrong to curtail their voices.

Extract 9.9. Caroline Lucas (Green Party)

The Government are seeking to impose far-reaching conditions that would have the effect of shielding those in power from criticism. They would make Greta Thunberg sitting alone with a placard a potential criminal, and likewise all the brave and passionate young people who know that the future of humanity and our planet depend on peaceful protest exposing just how inadequate Government action is given the scale of the climate and nature emergencies, yet the Home Secretary wants the power to decide whether these protests are necessary, too noisy or causing too much disruption, so that she can silence any criticism that does not meet her approval.

In extracts 9.8 and 9.9, MPs opposing the Bill re-present people protesting the climate emergency by anchoring them in the category of “young people”. Considering that the effects of the climate emergency are expected to continue in the coming decades unless political and social changes are made, anchoring activists in the young category re-presents them as the people who will experience the effects of climate

change for longer. In this scenario, where they are protesting and demanding political action in defence of their futures, their protests seem like an understandable act.

There is a risk of re-presenting climate activists as young people, which lies in the potential implication of suggesting that their actions are typical of their age, thereby concealing their social, cultural, and political features. Nevertheless, by considering the rhetorical context of the Second Reading, we can see how re-presenting climate activists as young people undermines the way members of the Government re-present them as members of the organised group Extinction Rebellion, who deliberately plan to disrupt the lives of others. In the discourse of MPs opposing the Bill, people protest for environmental reasons, not because they are members of particular organisations, but due to a shared concern about the future.

In extract 9.8, it is mentioned that people protesting experience "strong feelings" in response to the climate emergency. Similarly, in extract 9.9, they are described as "brave and passionate" and as knowing that the "future of humanity and our planet" depends on their peaceful actions. This way, climate activists are re-presented as courageous people willing to stand for the protection of the planet regardless of the risk of being criminalised under "far-reaching conditions" that members of the Government attempt to impose. Furthermore, if climate activists are positioned as occupying a high moral position for risking being criminalised in defence of the environment, those who want to "curtail their voices" are positioned as being morally dubious politicians.

In their analysis of online comments about climate activists, H. M. Lewis and Vignoles (2024) noted that re-presenting Greta Thunberg's identity was treated as equivalent to re-presenting the identity of climate activists in general. Similarly, the speaker in extract 9.9 portrays Thunberg's methods of protest, such as sitting alone and holding placards, as typical ways climate activists protest. Therefore, while those advocating for the Bill objectify climate protesters in Extinction Rebellion, those opposing it objectify, or more specifically, personify climate protesters in Greta Thunberg.

The speakers also resist the way MPs advocating for the Bill re-present climate activists as selfish disruptors by re-presenting them as people acting in defence of the conditions necessary for life on the planet. Thus, rather than affecting UK taxpayers, climate activists' protests "around Parliament and in cities and towns across the

country" (extract 9.8) are regarded as nationwide demonstrations reflecting widespread concerns about the climate. Likewise, the speaker in extract 9.9 challenges the way MPs advocating for the Bill re-present climate activists as incompetent by re-presenting them as the ones who have been aware of the seriousness of "climate and nature emergencies" and who are brave enough to hold members of the Government accountable for their "inadequate" actions. In other words, members of the Government are positioned as incompetent for failing to address the climate emergency adequately and failing to understand its seriousness.

Summarising the way MPs opposing the measures of the Bill re-present climate activists, I argue that they do so by talking about them in two different ways. On some occasions, when discussing the impact that climate activists' protests have on others, they re-present them as members of Extinction Rebellion. However, when focusing on the environmental concerns driving climate activists to protest, they are re-presented as young people who are competent and courageous to hold members of the Government accountable for a lack of adequate pro-environmental action in response to the climate emergency.

Overall, MPs advocating for the Bill positioned all climate activists as members of Extinction Rebellion, a group that is re-presented as a homogeneous group responsible for creating huge disruption in society, affecting others' daily routines and who are incompetent in their campaigning to protect the environment. Contrarily, MPs opposing the Bill re-present climate activists as a heterogeneous group of people who, despite causing certain annoyance, are acting and attempting to save all human and non-human lives from the negative environmental effects of climate change. Furthermore, whilst those advocating for the Bill position climate activists as an 'Other', MPs opposing the Bill position themselves as among those who have protested in defence of the environment, offering their own persons as a material representation of climate activists.

Finally, there are some differences concerning the spatial aspect of the protests. In MPs' discourse advocating for the Bill, despite affecting UK taxpayers in general, members of Extinction Rebellion are portrayed as acting locally (in London), positioning their protests as a city-wide issue. Conversely, in the discourse of MPs

opposing the Bill, climate activists are depicted as acting nationwide, organising protests in various cities and towns, with the aim of achieving global impact, thus re-presenting them as a large group whose actions across the country reflect a collective concern.

MPs frequently mention that protestors create disruptions designed to sabotage people's work-related routines, whether by preventing them from going to work or carrying out their daily activities in their organisations. Referring to the disruption to working routines without further explanation of why that should be taken as an adequate reason for the state to intervene suggests a consensual understanding that people's work must not be interrupted. Therefore, if we take into account that our arguments make sense because they resonate with widely shared meanings, MPs' arguments appear to rest on a hegemonic representation that shapes the social structure of our contemporary societies: neoliberal capitalism.

Chapter 10. Anti-Racist Protesters: The Ones Who *Must Not* Be Named

During the Second Reading and in policy papers related to the PCSC Bill 2021, members of the Government and MPs discussed events associated with the anti-racist protests that took place across the UK following the murder of George Floyd by a police officer in the United States. These included the writing of messages on top of Churchill's statue and the National Cenotaph, as well as the toppling of the statue of the slave trader Edward Colston in Bristol (Heyden, 2015; Siddique & Skopeliti, 2020; Toye, 2010). In response, members of the Government proposed new measures in the Bill to protect memorials. However, I must note that, in contrast to other protest-related measures that were included in the Public Order chapter of the PCSC Bill 2021, measures related to memorials were included in a different section called "Prevention, investigation and prosecution of crime", in which other measures related to serious violence, homicides, use of offensive weapons, and sexual offences, among others, were also included. Still, because the actions against memorials were inherently associated with anti-racist protesters during the Second Reading and in policy papers, I include the arguments about memorials as relevant data regarding how UK elite politicians re-present protesters' identities.

10.1. Anti-Racist Protesters in the Discourse of MPs Advocating for the Bill

MPs advocating for the measures in the Bill re-present the people protesting systemic racism by making use of two repertoires: malicious people acting against national symbols, and heinous and violent criminals. In the following sections, I explore how these two ways of making sense of anti-racist protesters are done without naming the specific group of people demanding political action against racist practices in society.

10.1.1. Malicious People Acting Against National Symbols

MPs advocating for the Bill primarily focus on the purported impact that acting against monuments has on the British public. Rather than widespread upset about structural racism, they argue that what UK citizens are upset about is the *desecration* of war memorials. To understand how MPs re-present people protesting against structural racism, it is crucial to simultaneously consider how they re-present

monuments commemorating people and events from the past. As I illustrate below, MPs advocating for the Bill re-present monuments in two intertwined ways: as sacred symbols materialising a collective history of the British nation, and as memorials reminding us of the horrors of war and the lives of those who have died.

Sacred Symbols Materialising a Collective History of the British Nation. When discussing acts against monuments, MPs advocating for the Bill de-anchor memorials from their materiality as physical objects and, instead, anchor them as sacred objects whose value is incommensurable.

> **Extract 10.1. Richard Drax (Conservative Party)**
> I agree that monetary value should not be a factor in sentencing because these memorials are, quite literally, priceless.

> **Extract 10.2. Simon Clarke (Conservative Party)**
> [The hon. Member for Wallasey Dame Angela Eagle] spoke about statutes [sic] being attacked, as though they were some kind of worthless thing to defend. I would defend our heritage on its own terms […]

At the beginning of extract 10.1, the speaker positions himself in agreement with the argument that monetary value should not be considered when ruling on the damage to memorials. Although this is presented as a matter of opinion and therefore of debate (i.e., whether one agrees or disagrees), what is presented as an objective fact is the meaning of memorials as "quite literally, priceless", suggesting that their value lies beyond their physical properties and cannot be quantified in monetary terms. Similarly, in extract 10.2, the speaker resists re-presenting statues as "worthless things", which would imply that they are not worthy of being defended. Instead, statues are re-presented as part of "our heritage". As mentioned in Chapter 8, the possessive pronoun "our" constitutes a deictic utterance, whose variable meaning is better understood from the position of the speaker (Billig, 1995). Considering the Second Reading is happening in the House of Commons of the UK Parliament and the speaker is an elected British MP addressing fellow British MPs, and by extension the British public, it is possible to assume that the speakers re-present statues as part of

our *British* heritage. Similar forms of re-presenting appear in the way MPs talk about memorials.

Extract 10.3. Home Secretary Priti Patel (Conservative Party)

We must give the courts the tools to deal effectively with the desecration of war memorials and other statues. Through the Bill, we will toughen the law where there is criminal damage to a memorial by removing the consideration of monetary value of damage. Those changes will allow the court to consider the emotional and sentimental impact, not just financial, so that the sentence can reflect the severity of harm caused.

Extract 10.4. Criminal damage to memorials factsheet (policy paper)

There is widespread belief that the current law does not provide enough powers to allow the court to deal effectively with the desecration of war memorials and other statues. The issue remerged [sic] during summer 2020 when many statues and memorials were damaged causing great concern to the wider public.

Rather than damaging, in extract 10.3, the speaker describes the actions against "war memorials and other statues" as desecrations, positioning them as having not only a material but also a symbolic impact. Describing the actions in this way implies that war memorials, monuments created to pay tribute to the lives of soldiers who died in combat, are consensually conceived as sacred objects that are worthy of veneration. Re-presenting war memorials in this way implies that their value does not belong to the physical world and, consequently, cannot be materially quantified. Therefore, because judges were ruling based on the financial impact of the damages, the measure that prioritises the severity of emotional and sentimental harm as the primary consideration in courts appears commonsensical and its approval as the rational thing to do.

Similarly, in extract 10.4, it is argued that it is essential to grant UK courts greater powers to "deal effectively" with the damage to memorials. By claiming that the current legislation at the time did not provide "enough powers", the proposal to give more powers to courts is presented as if they were addressing a deficiency. Furthermore, it is argued that members of the Government are giving more powers to courts following a "widespread belief", suggesting that they are acting based on an established common sense and, therefore, acting democratically by being mere

representatives of public demands rather than of sectional interests. By presenting the additional power as necessary and widely desired, a rhetorical shield is raised against the potential charge of pursuing an authoritarian, anti-democratic path.

Another interesting point that can be drawn from extract 10.4 concerns the way the impact of anti-racist protests is described. In the policy paper, it is stated that "the wider public" is concerned about what happened during the summer of 2020. The concreteness and objectiveness that the definite article "the" carries with it (Billig, 1995) suggest that, in the argumentative context, the wider public can alternatively be understood as the majority of the British public. By implication, protesters and those who support their claims are portrayed as a minority group who cause emotional harm to others, which implies an accusation of having transgressed the moral order. In other words, rather than victims of the way British society is structured, they are re-presented as enemies of most British nationals. This reversal has been a rhetorical manoeuvre frequently experienced by victims of racism when demanding political action (Billig, 1996).

On some occasions, MPs advocating for the Bill refer to specific memorials to evidence the connection between war memorials and the emotional harm they claim others are responsible for.

Extract 10.5. Antony Higginbotham (Conservative Party)

The images that we saw last year of our national cenotaph being targeted caused hurt, upset and anger. That is why this matters. I am really pleased that the Government have recognised the strength of feeling on this and introduced tougher sentences as a result.

Extract 10.6. Sarah Dines (Conservative Party)

On war memorials, I felt sick to the pit of my stomach to see Churchill's statue jeered at and sprayed with cans of paint, and I take my hat off to my hon. Friends, some of whom are in the Chamber, who cleared it up.

In extract 10.5 and extract 10.6, MPs mentioned two specific memorials: the National Cenotaph and Churchill's statue. In extract 10.5, the MP argues that having seen people targeting the cenotaph caused "hurt, upset, and anger", a three-part list (Jefferson, 1990) that reinforces the understanding of these kinds of memorials as

having a sentimental value and presenting the emotional harm as a factual description of the events. Nevertheless, we can see that the emotions are not described as the outcome of actions against any cenotaph, but against "our national cenotaph". That is, the widespread emotional impact is not due to damage to monuments honouring past lives, but on the specific monument honouring the lives of those who died fighting for *our* nation. The first-person possessive "our" plays a crucial role in turning what could have been taken as an individual reaction into collective experiences. The cenotaph is not treated as belonging to others but to those positioned as members of a British national community. By not specifying who was suffering, the implication is that the described emotional impact was a collective experience for those who share a British national identity.

In contrast, in extract 10.6, the impact of acts against war memorials is described in personal terms. Having seen how Churchill's statue was disrespected and painted on, the speaker describes feeling "sick to the pit of my stomach", claiming to have personally experienced a physical response to the emotional distress caused by the actions. Positioning herself as one of those most affected by the desecration of war memorials gives the emotional reaction a material existence; that is, the reaction stops being just about emotions and becomes an embodied phenomenon. Therefore, those acting against UK war memorials are explicitly re-presented as individuals who not only harm others emotionally but also make them feel physically affected.

In these last two extracts, two ways of re-presenting war memorials are reproduced. In extract 10.5, war memorials are re-presented as integral to those who share a British identity, and in extract 10.6, it is implied that actions against a war memorial can provoke intense emotional reactions for some, sometimes experienced as physical pain. War memorials are thus re-presented as material symbols of the nation that are deeply ingrained in UK nationals' identity, causing them to feel that any act against memorials is akin to an act against them, as if memorials were an extension of their own bodies. Acting against a symbol of the British nation should be understood as an act against a sacred object for those who share a British national identity, thereby positioning those carrying out the act as their enemies. Finally, by emphasising the emotional (and physical) consequences of acting against memorials, which are treated as the only effects of such actions, the case for introducing the new measures to protect them is further strengthened.

War Memorials as Reminders of the Horrors of War. Although most of the MPs re-present statues and memorials as symbols of the British nation, some MPs anchor them as humanitarian symbols that remind all human beings about the horrors of war.

Extract 10.7. James Sunderland (Conservative Party)

> Every single war memorial, irrespective of nation, faith or location, serves as a visual reminder of the horrors of war and the appalling conditions that people face when fighting for their country. These names are not just an inscription on stone, but actual human beings who lived, loved and were loved. These heroes had friends and families, and were in the prime of their life when they were taken, so each memorial bears testimony to lives cut short, the anguish suffered by families, the potential that was never fulfilled, the children that were never born and the guilt suffered by those who did come home. That is why we must ensure that all war memorials are sufficiently protected in law, and that those who seek to damage them through wilful ignorance or stupidity are brought to justice. This Bill is excellent, and I will not hesitate to vote it through the House.

In extract 10.7, the MP argues that the names of those commemorated in "every single war memorial" are not just inscriptions on stone, dismissing this potential alternative way of re-presenting them (we see a similar manoeuvre in extract 10.2). Additionally, in contrast to what I presented above, the speaker does not re-present the attacks on war memorials as an attack on the British nation. Instead, war memorials are anchored in a humanitarian category unrelated to particular "nations, faiths or locations". They are re-presented as the material tribute to heroic people whose lives ended combating for their respective nations and as the daily reminders of "the horror of war and the appalling conditions" lived by those who fought for their respective countries and the pain suffered by their relatives. Anchoring war memorials into a humanitarian rather than nationalistic rhetoric promotes an understanding of them that goes beyond national borders, materialising an experience to which anyone can relate. This humanitarian understanding of war memorials is reproduced as something to which everyone would agree. Consequently, "those who seek to damage" war memorials are re-presented as insensitive, malicious people who do not

care about the humanitarian consequences of wars or the suffering of those remembering the deceased.

Although MPs advocating for the Bill recurrently re-presented memorials as having symbolic meaning that goes beyond their physical features, there was one occasion when this was not the case, as we can see in extract 10.8.

Extract 10.8. Alberto Costa (Conservative Party)

I support the proposal in clause 46 to create the offence of desecration of memorials, and I would like the Government to consider creating a new offence of attacking the parliamentary offices of Members of the House. An attack on an MP's office is an attack on the House and on the heart of our democracy. […] If we are to place value on memorials and statues, as we should, by creating this new offence, how much more important is the symbol of this sovereign body in each constituency—namely, the MP's office bearing the portcullis? These are not inanimate historical objects; they are the living, breathing and supposedly safe workplaces of Members of this House across our country. I ask the Government to confirm that they take seriously these attacks against MPs, their staff and their parliamentary offices—even more seriously than attacks against statues.

In extract 10.8, rather than something sacred and whose protection is unquestionable, the MP re-presents memorials and statues as "inanimate historical objects". The MP establishes a contrast between memorials and statues, which are defined as inanimate objects, and MPs' offices, which are defined as living and breathing workplaces. Moreover, MPs' offices are re-presented as the heart of British democracy; that is, as the beating organ keeping democracy alive. Therefore, the need to protect them from attacks appears more urgent.

At first glance, this might appear to be a counterargument to the case that members of the governing party were producing. However, the careful way in which the alternative argument was developed indicates a consensual understanding of the *priceless* value of memorials and statues. The MP makes it clear at the beginning of the extract that he supports the proposed measures to protect memorials and statues, and later emphasises that placing value on them is something he and others should do. Introducing these two statements that emphasise the speaker's agreement with the consensual value attributed to memorials and statues, and then arguing that

something else should be protected with greater urgency, allows us to see the delicacy with which alternative arguments need to be produced. The explicit double statement about the MP's position regarding memorials and statues reflects how arguing against what are regarded as material symbols of the nation entails anticipating potential critiques. Thus, rather than arguing against memorials, what the MP produces is a parallel version of reality. That a criminal act against what is defined as a living organ should be considered more urgent than acts against the "inanimate" reminders of the dead suggests that, in society, there are not only malicious people harming the British public emotionally. This version of reality implies that there are heinous criminals in society, which is another way in which MPs advocating for the Bill re-present people who acted against memorials.

10.1.2. Heinous and Violent Criminals

The measures that members of the Government proposed in response to what happened during anti-racist protests were introduced in a section different to Public Order. Instead, they were included in the same section as homicide, sexual violence, and serious violence. Examining MPs' discourses, we can see how people who acted against war memorials are also re-presented as criminals by repeatedly associating them with heinous crimes, as we see in the extracts below.

Extract 10.9. Suzanne Webb (Conservative Party)

This Bill […] delivers important manifesto commitments, including ensuring that serious violent and sexual offenders spend more of their sentence in prison, increasing to life the maximum sentence for causing death by dangerous driving, increasing sentences for desecrating a war memorial, doubling the sentence for assaulting an emergency worker, and enabling prisoners who become dangerous to spend all their sentence in prison.

Extract 10.10. Matt Vickers (Conservative Party)

I was elected to represent the people of Stockton South on a manifesto that pledged to get tough on crime, protect our emergency service workers and give real justice to the victims of some of the most heinous crimes. I am therefore delighted to support the Bill, which will do exactly that. It will ensure that we are on the side of the victims, not the criminals; it has tougher sentences for those who vandalise our memorials,

those who prey on children, sex offenders, killer drivers and child murderers. The victims of those awful crimes are often left scarred by them for the rest of their life, and I am glad that the Bill will go some way to delivering real justice for them.

To argue that MPs will be "on the side of the victims" by approving the Bill (extract 10.10) mobilises an understanding of the events as a matter in which only two positions are available: support the victims or the aggressors. Additionally, those "desecrating a war memorial" and those who "vandalise our memorials" are repeatedly positioned along with violent and sexual offenders, child abusers and child murderers, "killer drivers", emergency workers' aggressors, and dangerous prisoners (extract 10.9 and extract 10.10). Discursive psychologists who adopt a conversation analytic approach argue that when we consistently treat two categories as having a particular relationship, those two categories can be treated as belonging to a common major category (Stokoe, 2012). In this case, each type of action is categorised as "some of the most heinous crimes" (extract 10.10). Therefore, regardless of how serious some crimes are when compared to others, the consistency with which they were frequently associated makes each of them, in isolation, continue to be considered an example of heinous crimes, promoting an understanding of people who acted against memorials as heinous and violent criminals.

Re-presenting those who acted against monuments as criminals was also achieved by labelling their actions as criminal acts, without the need to associate them with other types of crimes.

Extract 10.11. Richard Drax (Conservative Party)

As a former soldier, I find the damage to and desecration of war memorials a particularly heinous and cowardly crime.

Extract 10.12. Tim Loughton (Conservative Party)

I am pleased we are toughening provisions on criminal damage to memorials, especially military memorials. […] assaulting police officers to get to, violate and vandalise war memorials does nothing to further free speech, free association or any democratic process.

In extract 10.11, the MP identifies himself as “a former soldier”, a category that entitles him to claim a deeper understanding of the value of war memorials and positions his argument as reflecting expert knowledge (Potter, 1996). In this case, if someone with his knowledge-based authority argues that damaging and desecrating war memorials constitutes a “heinous and cowardly crime”, what is implied is that those performing such actions are cowards and, above all, criminals. Similarly, in extract 10.12, damaging memorials, and especially *military* memorials, is elevated to the category of criminal damage, reinforcing the view that those committing such acts intentionally engaged in criminal destruction. Consequently, having re-presented anti-racist protesters as heinous and violent criminals, members of the Government suggest that their attempt to restrict the right to protest is legitimate.

10.1.3. Anonymous Desecrators of Memorials

A gap can be noticed in the way MPs advocating for the Bill re-present people who acted against statues or memorials as malicious people and heinous criminals. When making sense of climate activists, MPs advocating for the Bill explicitly pointed to a particular group (Extinction Rebellion) that was held accountable for disrupting others’ lives. Contrarily, no specific group or identity has been mentioned when talking about the damaging or desecrating of memorials. In most accounts, MPs have used passive voice, in which the attention is put on the thing being acted upon rather than on the actor performing the action (Billig, 2008). Some scholars in critical discourse analysis have noted that the use of passive voice makes certain information, such as the identity of the agent, unnecessary (Fairclough, 2008). Thus, the *damaging* or *desecration* of memorials is portrayed as something that just happens or as the work of unknown people.

According to Billig and Marinho (2019), what is missing can reveal more than what is explicitly stated, especially when the missing element constitutes a significant absence. The authors define ‘significant absence’ as the omission of information that, considering the argumentative context, would be expected to be addressed. In this case, silence regarding the identity of those accused of undermining the material symbols of the nation constitutes a significant absence. However, we can find clues to such identities by looking not at the subject or object of the actions but at the

surrounding words. One of these clues appears in extract 10.5 presented above, and also in the extract I present below.

Extract 10.13. Lee Anderson (Conservative Party)

Labour's idea of peaceful protests are the ones we saw in Whitehall last year, where police were attacked, our flag was burned and memorials were damaged, while its own MPs looked on and said nothing. That was disgraceful.

Rather than recurring and widespread events, the MP in extract 10.13 provides a specific location and time in which the assault on police officers, the damaging of memorials and burning the flag of the UK, one of the material symbols of the nation, occurred: "in Whitehall last year". Regarding the time, given that the Second Reading of the Bill took place in March 2021, we can situate 2020 as the year in which such targeting occurred. Regarding the location, Whitehall is a major street in London where, along with various government departments and ministries, the National Cenotaph is located. Despite this contextual information, there is still no mention of who was protesting or what they were protesting.

By examining the policy papers released during the parliamentary scrutiny of the Bill, we can find a more specific time provided when describing the *attack* on memorials. This contextual clue restricts the possibilities for who is held accountable, and, consequently, it becomes possible to infer with greater accuracy which specific protests, or people protesting, MPs hold responsible for desecrating national symbols.

Extract 10.14. Overarching equalities statement: criminal law (policy paper)

During the demonstrations which took place in summer 2020, protesters targeted statues, including war memorials and other commemorations of cultural significance.

In extract 10.14, events in which memorials and statues were desecrated are described as happening in "summer 2020". Similar to extract 10.13 above, the events are described as occurring during demonstrations taking place at the time. Additionally, protesters are explicitly positioned as the authors of actions against statues, war memorials, and culturally significant commemorations. Still, any reference to the authors of such actions, apart from being protesters, remains almost systematically absent.

However, the same specific time period is also drawn up when the focus of the speech was not on the damage to war memorials. In these cases, the significant absence becomes a significant presence. In other words, when the discourse is not about the desecration of national symbols, the identity of those protesting during the summer of 2020 becomes explicit.

Extract 10.15. Protest Powers factsheet (policy paper)

Over the summer of 2020, 172 Metropolitan Police Service officers were assaulted by a violent minority during the BLM protests.

In extract 10.15 (which is part of extract 8.1 presented in Chapter 8), the focus is not on damaging or desecrating war memorials, statues, or British heritage. The policy paper published is about assaults against Metropolitan Police Service officers. By mentioning a specific number of 172 officers assaulted, the speakers are positioned as people who possess accurate knowledge of the events, giving their account an appearance of factuality (Potter, 1996). Having an accurate knowledge of the events also implies that they offer a factual description regarding who is held accountable for such assaults: a violent minority during the protests that occurred during the summer of 2020. Most importantly, those protests are distinguished from any other by explicitly naming them as “the BLM protests”.

In the midst of what appears to be a systematic omission, it is essential to highlight the notable exception in the data. In only one of all the discourses from MPs advocating for the Bill was the Black Lives Matter (BLM) identity mentioned when protesters were held accountable for the desecration of British memorials.

Extract 10.16. Christian Wakeford (Conservative Party)

On the sentencing measures in the Bill, I am pleased to see greater sentencing for attacks on shop workers and emergency workers and for the kind of desecration of our memorials that we saw during the Black Lives Matter movement last year. The Bill provides greater sentencing powers for the most serious and violent of crimes. It also introduces Kay’s law, which will provide better protection for the victims and witnesses of violent and sexual offences.

In extract 10.16, the different proposed ways in which protesters are re-presented as malicious people who act against *our* memorials and as part of the most serious and violent criminals converge in the MP's speech. Furthermore, the speaker states that the desecration of memorials, which the speaker claims everyone present in the debate witnessed, occurred in 2020, specifically "during the Black Lives Matter movement". However, similar to extract 10.15, the Black Lives Matter protests or movement are provided as the most immediate context. Rather than blaming members of Black Lives Matter, what members of the Government and the MP express is that the desecration of memorials happened "during" the protests organised by the group, which does not necessarily mean that its members, or other participants sharing the anti-racist consigns of the protests, were responsible for the acts. Therefore, the so-called "violent minority" (extract 10.15) remains anonymous.

Despite their lack of direct identification, describing the circumstantial context as the Black Lives Matter protests allows us to infer anti-racist motives of those who participated in the event. If we consider that the measures introduced in the Bill aim to restrict the right to protest, the MPs' arguments suggest that the measures will limit opportunities to collectively denounce racist practices ingrained in society. Bearing this in mind allows us to understand the potential rhetorical function that mentioning the Stephen Lawrence memorial, the only memorial mentioned that is not related to war commemorations, fulfils in the discourse of the Home Secretary.

Extract 10.17. Home Secretary Priti Patel (Conservative Party)

> For what it is worth, [the criminal damage to a memorial] does not just mean statues. It will cover a range of memorials with low monetary but high sentimental value, for example gravestones, war memorials, roadside tributes to people killed in car crashes and the memorials to people who have been murdered, such as the Stephen Lawrence memorial.

In extract 10.17, the speaker positions members of the Government as protectors of a wider group of UK citizens because, even if some do not feel harmed by the attacks on statues, the proposed measures will protect the material reminders of everyone's loved ones who have passed away. However, the speaker refers to one particular example, the Stephen Lawrence memorial. Lawrence was an 18-year-old

black person who was stabbed to death by a group of white youths in London in 1993, a crime that was regarded as poorly handled by the London Metropolitan Police (Heal, 2018). The Macpherson Report (Macpherson, 1999), in which the police procedure was assessed, points out how police officers investigating the murder put less effort into solving the case compared to how they had proceeded when the victim was a white person. As a result, the Stephen Lawrence case is widely regarded as evidence of institutional racist practices in the UK (Booth, 2019). Institutional or systemic racism is understood as the existence of discriminatory practices that have been permitted, normalised, and considered natural behaviours (Bonilla-Silva, 2021).

Re-presenting people and members of Black Lives Matter demanding political action against systemic racism as malicious people and heinous criminals carries the risk for the speaker to be positioned against protesters' anti-racist claims and thus in favour of maintaining structural racist practices. In a potential anticipation of such critiques, the Home Secretary appears to use the Stephen Lawrence memorial as a disclaimer: protecting statues and memorials also involves protecting the memorial of a victim of a racial crime; therefore, members of the Government should not be considered racist.

Overall, in the discourse of MPs advocating for the Bill, the focus remains on protesters' acts against statues and memorials without identifying who is accountable for such actions. In the context of anti-racist protests, keeping the racialised identities of protesters absent constitutes a significant absence in MPs' speeches. This significant absence (Billig & Marinho, 2019) makes it possible to talk about protesters' actions without any reference to their claims. It also makes it possible to conceal the anti-racist motives when re-presenting them as malicious and heinous people. Put differently, having mentioned anti-racist claims and the colonial nation's past, the silence regarding protesters' identities would have become something hard to dismiss. Moreover, as Van Dijk (1992) argues, not mentioning protesters and their anti-racist claims and focusing instead on protesters' actions reduces the seriousness and credibility of their demands.

10.2. Anti-Racist Protesters in the Discourse of MPs Opposing the Bill

MPs opposing the Bill talk about anti-racist protesters in four ways: attackers of statues of slave traders (rather than war memorials), campaigners for social change

(rather than criminals), repressed social justice activists, and anti-colonial and anti-racist protesters. In the first two, the identities of the people protesting also remain significantly absent, and when re-presented as repressed social justice activists, they are identified as members of the Black Lives Matter movement, but with no connection to the acts against statues or war memorials. In contrast, in the fourth repertoire, the toppling of a statue is linked to the Black Lives Matter protests, bringing the anti-colonial and anti-racist aspects of protesters' actions to the fore.

10.2.1. Anonymous Attackers of Statues of Slave Traders

Rather than talking about people desecrating war memorials, MPs opposing the Bill shift the focus of the conversation and, instead, talk about the damage to statues of slave traders.

Extract 10.18. Charlotte Nichols (Labour Party)

[…] the Bill acts as a Trojan horse to push through divisive culture war issues, including specific offences on damaging statues and cracking down on the public's right to protest.

Extract 10.19. Bell Ribeiro-Addy (Labour Party)

More police on the streets are a waste of time if they are instructed to prioritise guarding statues.

In extract 10.18 and extract 10.19, the speakers challenge the way members of the Government re-present themselves as protectors of UK citizens. While in extract 10.18, members of the Government are described as actors who promote conflict by introducing measures on issues about which society is culturally polarised, in extract 10.19, they are re-presented as misusing public resources by prioritising the guarding of statues over protecting people.

Rather than desecrating war memorials, MPs opposing the Bill talk about "damaging statues" (extract 10.18). While war memorials tend to be considered the material reminders of those who have died fighting for their nation and are therefore associated with collective grieving and remembrance (Niven, 2007), statues tend to be considered as sculptures of something or someone who should be considered important, but that are not necessarily associated with the victims of wars or regarded

as national symbols (Resane, 2018). Consequently, arguing that members of the Government are wasting resources appears as a legitimate claim once they are accused of protecting objects that are not necessarily treated as matters of public interest.

Extract 10.20. Interaction between Thomas-Symonds and Philp.

Nick Thomas-Symonds (Labour Party): Ministers risk sending out an awful message on the level of importance that they attach to violent crime. The Government want a maximum penalty of 10 years for damage to statues. No Government should ever send out a signal that the safety of a statue carries greater importance in our laws than the safety of women, but, as currently drafted, this Bill would allow someone to receive a sentence of up to 10 years for attacking the statue of a slave trader when rape sentences start at five years. That does not reflect the priorities of the people.

Chris Philp (Conservative Party): The shadow Home Secretary should well know and should honestly tell the House that the maximum sentence for rape is life.

Nick Thomas-Symonds (Labour Party): I asked the Home Secretary earlier in the statement to tell me how many people convicted of rape were actually sentenced to life imprisonment, and she could not answer the question. The answer is hardly any.

In extract 10.20, the Shadow Home Secretary for the Labour Party criticises members of the Government for prioritising "the safety of a statue" over rape victims, a contrast structure (Smith, 1978) that is used to argue that the Government's order of priorities is at odds with "the priorities of the people", thereby acting against common sense. This oddity is further reinforced by deploying another contrast structure between the increased sentence lengths for actions against inanimate objects and those given to those committing a violent act on human beings. Furthermore, rather than general statues, the speaker refers to "the statue of a slave trader", which frames the attack on it as a moral act in the effort to erase the material legacies of a colonial past associated with the slave trade, thereby undermining the moral stance of members of the Government.

The Conservative Under-Secretary of State for the Home Department challenges the comparison the Labour MP made between the sentences. However, by only criticising the argument about the length of sentences, the Conservative MP moves the focus away from discussing whether the attacked statues were statues of

slave traders, let alone whether they should be considered part of *our* memorials. We can infer two potential reasons for this absence. One is that the critique about rape sentences is treated as more important and deserving of all the attention. However, this would risk opening the possibility to argue that the measures in the Bill regarding the protection of statues are not as urgent, thereby conceding that the Government's priorities are not in order. Another potential reason is that there is no morally accepted justification at hand regarding the concerns members of the Government have about the protection of statues of slave traders. Having the focus remain on the critique of statues of slave traders, a concession would be granted to MPs opposing the Bill, while the speaker would risk compromising his moral identity by being seen as a supporter of those involved in slavery practices. Nevertheless, the discussion continued developing about the sentences given to people convicted of rape, thereby rhetorically repressing the discussion about the protection given to statues of enslavers.

In another interaction during the Second Reading, the conversation focused on establishing what should be considered the damaged objects during the protests: while MPs advocating for the Bill centred their speeches on memorials and war memorials, MPs opposing the Bill centred their speeches on statues, especially statues of slave traders. These two ways of discussing the events that occurred during anti-racist protests remained discursively separate for most of the Second Reading, except on a few occasions.

Extract 10.21. Interaction between Thomas-Symonds and Brine

Nick Thomas-Symonds (Labour Party): My hon. Friend is absolutely right about the importance that is being put on statues over women, and the Government should be ashamed. This comes at a time when—

Steve Brine (Conservative Party): Will the right hon. Gentleman give way? […] If the desecration of our war memorials does not move the right hon. Gentleman, can I check this one with him? Two of my constituents lost their daughter when somebody impaired by the incorrect use of prescription drugs careered across the carriageway and hit her car head-on at high speed, killing her outright. In part 5 of the Bill, on road traffic, we introduce clause 64, on increased penalties for causing death by dangerous driving. Does the shadow Home Secretary support that and will he vote for it?

Nick Thomas-Symonds (Labour Party): I do absolutely support that and I will come to it in a moment but, to deal with the first part of the hon. Gentleman's question, he seemed to imply that I did not understand the value of war memorials. I absolutely do. The difference is that this Bill has now been extended to every form of memorial, including statues of slave traders. It really sums up the problem with the Government's approach.

In extract 10.21, after the Labour MP states that members of the Government are more concerned about statues than women, he is interrupted by a Conservative MP who asks to take the conversational floor, which indicates that the speaker is about to express disagreement and introduce a counterview to the argument introduced by the interlocutor (Murata, 1994; Zhao & Gantz, 2003). The Conservative MP shifts the focus of the conversation from statues by positioning the Labour MP as someone unaffected by "the desecration of *our* war memorials", implying that he fails to recognise their national sacred value. Having positioned the Labour MP in this way, the Conservative MP proceeds to discuss the deadly consequences of dangerous driving that measures in the Bill aim to prevent. In response, the Labour MP repositions himself as someone who "absolutely" understands the value of war memorials, as if such a stance should not be questioned, thereby emphasising how, rather than challenging the value of war memorials, the discussion is about treating statues of slave traders as having equal significance. Still, despite MPs opposing the Bill shifting the discussion from desecration of war memorials to damaging statues of slave traders, the meaning of war memorials as national symbols remains unquestioned.

In this section, we can see how, rather than two incompatible versions of reality, the discourse of MPs advocating for the Bill and MPs opposing the Bill revolved around two different actions: the desecration of war memorials and attacks on statues of slave traders, respectively. Each argumentative side claims that the action they describe should be the most relevant one, the one that properly objectifies the events that occurred in the summer of 2021. Each argument also implies potential challenges: while arguing for the protection of memorials carries the risk of being accused of also protecting statues of slave traders, arguing against statues carries the risk of being accused of disrespecting war memorials. These risks offer clues regarding how sedimented the sacred meaning attributed to war memorials and the negative

meanings attributed to slave traders are in the current UK cultural and political context. Still, while both parts of the debate claim to understand the value of war memorials and the need to protect them, only MPs opposing the Bill criticise the protection of statues of slave traders; MPs advocating for the Bill remain rhetorically silent. Moreover, to argue that slave traders' statues should not be protected might end up not only legitimising protesters' actions against them but also opening the possibility of conceiving protesters as anti-racist campaigners rather than malicious people or heinous criminals.

Finally, similar to MPs advocating for the Bill, MPs opposing the Bill did not identify who performed the damage to statues of slave traders. Thus, the identity of those protesting was also significantly absent.

10.2.2. Anonymous Campaigners for Social Change

In the discourse of MPs advocating for the Bill, rather than the claims of anti-racist protesters, the focus was on what they presented as the consequences of protesters' actions, whether these were the desecration of memorials or the harming of UK citizens. In contrast, some of the MPs opposing the Bill focused on the effects that anti-racist protesters had in sparking social change. One of them was the speech of the Labour MP for Bristol, the city where Colston's statue fell.

Extract 10.22. Kerry McCarthy (Labour Party)

In Bristol, of course, we know all about statues. When Colston fell, I called out the Home Secretary for her completely unwarranted attack on Avon and Somerset police over their policing of the protests. Now, the independent report that the Home Secretary herself commissioned has praised the decisions that the police made at the time and said that her criticisms of them were misguided. Last summer, we showed how protests could and should be policed. The city and our Mayor responded with dignity and maturity in the aftermath, setting up the We Are Bristol history commission and starting a city-wide conversation. We used that moment to bring the city together. The Government are now doing the exact opposite.

At the beginning of extract 10.22, the speaker positions herself as a member of a city in which the citizens "know all about statues", an argument that is presented as belonging to common sense ("of course"). Thus, the speaker introduces herself as

someone entitled to speak and provide expert accounts of what happened during the "last summer" protests in Bristol. Conversely, those who are not positioned as Bristol citizens are implicitly treated as not sharing the same broad knowledge about statues.

In her account of events, rather than re-presenting police officers as victims of protesters' assaults, the MP re-presents them as being unfairly attacked by the Home Secretary for the way they policed people protesting. Not only was this accusation against the Home Secretary supported by the speaker's entitlement as an expert, but the outcome of a report was also drawn upon to corroborate her argument. The report is described as produced by an independent party, thereby lending greater factual authority to its conclusions (Potter, 1996). Moreover, the MP states that the report was requested by the Home Secretary. Therefore, the argument that members of the Government were re-presented as attacking police officers is supported in three different ways: by appealing to the superior knowledge of the speaker as someone based in Bristol, by mentioning the independence of the report, and by stating that, although it was commissioned by the same members of the Government, the conclusions still hold them responsible for such acts.

As in previous extracts, the speaker does not offer any particular identification that would allow us to identify the people who participated in the Bristol event within the broad category of protesters. Furthermore, the MP does not mention that protesters pulled Colston's statue down; instead, the statue *just* fell, a passive construction that makes it unnecessary to identify the agents of the action for the argument to appear complete. By not mentioning them, protesters' anti-racist claims remained absent, which implies that their understanding as people campaigning for alternative narratives of the past becomes dismissed.

10.2.3. Repressed Social Justice Activists

In some speeches produced by MPs opposing the Bill, we can see how they refer to *last year's protests* as "Black Lives Matter protests", providing a more specific identification of those who protested. However, they avoid talking exclusively about anti-racist protesters, referring to them alongside other groups of protesters campaigning for different social issues.

Extract 10.23. Jon Trickett (Labour Party)

> They [members of the Government] have set their sights on our tradition of dissent, because their legislation is designed to crack down on our rights to take action against injustice. Black Lives Matter activists, workers who take industrial action, environmentalists and the women's movement are all in their sights.

As we can see in extract 10.23, when MPs opposing the Bill explicitly mentioned Black Lives Matter activists, it was neither about their claims nor about memorials. Instead, it was to re-present them as victims of state repression, but almost always mentioned alongside other kinds of protests organised to take action against injustice. This was also the case when re-presenting them as victims of state repression.

> **Extract 10.24. Apsana Begum (Labour Party)**
> Protests are often a space for the most marginalised to make their voices heard. In the past year, we have seen that in the Black Lives Matter protests and we have seen it over this past weekend. Just as police rode into protesters on horses last year, so, too, did they violently grab women on Saturday night. Given that our current Home Secretary refers to anti-racist Black Lives Matter protesters as "thugs", it is no wonder that people up and down the country are alarmed. The impact of this Bill will be felt by marginalised communities more than any other. It will be felt by women, unable to protest at the everyday violence they face. It will be felt by ethnic minority communities, Gypsy, Roma and Traveller communities, trade unions, anti-racist campaigners and climate emergency campaigners.

In extract 10.24, the speaker refers explicitly to those who acted collectively as "anti-racist Black Lives Matter protesters", providing not only a name to the group but also emphasising the social issue driving their demands. She argues that those who participated in the Black Lives Matter protests in 2020 were physically and verbally repressed. Physically, by arguing that police officers rode horses into them to disrupt the event, which constitutes a counterargument to the one produced by MPs advocating for the Bill, in which they re-present protesters as the ones attacking police officers (see extract 10.13). Verbally, by the way the Home Secretary described them as "thugs", reproducing a violent and criminal representation of protesters. However, the MP's discourse is not only about anti-racist protesters. She also draws on the way

police officers “violently grab women” who were paying tribute to Sarah Everard, a woman who was murdered by a Met police officer in London days before the Second Reading. Referring to these events together re-presents members of the Government, through police officers, as actors repressing the possibilities for “marginalised communities” to make their demands heard in the public realm. Similar to the previous two extracts, anti-racist protesters are mentioned alongside other groups campaigning for different issues. While this works in acknowledging different groups campaigning for change on diverse social issues and to re-present members of the Government as repressing a wide section of the public, it also serves in avoiding focusing solely on anti-racist protesters.

Extract 10.25. Kate Osborne (Labour Party)

We must not forget that while this type of state violence was made visible at the weekend, it is the case that these tactics have been used to protect powerful interests throughout our history. It was seen during the miners’ strike, and it was seen last year as a response to the Black Lives Matter protests.

In extract 10.25, describing the police officers' actions as “tactics” implies that they act deliberately and, by stating that this kind of abuse of power has been constant in *our* history, the speaker also implies that such a way of proceeding has been routinised and systematic with the purpose of protecting powerful people’s interests rather than public interests.

The MP positions the miners’ strike and Black Lives Matter protests in 2020 as some of the historical cases in which police officers have tackled protesters violently, objectifying the historical systematic state repression in both events. The absence of further details regarding the time and place of the miners’ strike, along with the lack of challenge by MPs advocating for the Bill, suggests that a particular understanding of the event is treated as widely shared. According to the way the miners’ strike is used in current discourse, we can infer that it has been hegemonically re-presented as an event characterised by state violence and police repression. Regarding the Black Lives Matter protests, a specific temporal context is provided. This contrasts not only with how the miners’ strike was portrayed, but also with how other protests from the past were referenced during the Second Reading, such as the suffragettes, the Chartist

movement, anti-apartheid protests, or the Ford machinists' strikes. The absence of spatial and temporal context allows us to infer that narratives of such events have been sedimented in culture and that there is a high degree of familiarity with these events (Gibson, 2015).

Specifying the time of the Black Lives Matter protests might suggest that there have been a series of events organised by the group, and thus, there is a need to specify which of them the speaker is referring to. However, some of the other historical protests are also understood as a series of events happening over a period of time. Having particularised last year's protests suggests that a hegemonic representation of Black Lives Matter protests has not *yet* been sedimented, which is reflected in the different meanings MPs attribute to their actions.

Associating anti-racist concerns with other kinds of concerns allows MPs opposing the Bill to argue that there are general concerns about diverse issues in society that need to be addressed, and that members of the Government threaten the possibility of people calling attention to those issues. However, not giving exclusive attention to anti-racist claims could suggest they were not worth attention on their own. Furthermore, it might suggest that racism is an issue that only concerns a minority. Lastly, positioning Black Lives Matter protests alongside other protests avoids a direct accusation of racism against MPs advocating for the Bill. Calling someone else a racist is an accusation that is difficult to make and that people avoid making directly due to its consensual extreme negative connotations (Durrheim et al., 2015; Gibson, 2016). One of the few instances where this is not the case is when the accusation comes from minoritised anti-racist groups pointing out discriminatory and unequal social structures (Van Dijk, 1992).

The name "Black Lives Matter" particularises anti-racist protesters, distinguishing them from other kinds of protesters. However, that MPs opposing the Bill name the anti-racist protests only when re-presenting protesters as victims of state repression conceals their agentic power in producing social change. This remains a constant issue in the speeches of MPs opposing the Bill that explicitly mention Black Lives Matter protests, except in one case, which I analyse in the following section.

10.2.4. Anti-Colonial and Anti-Racist Protesters

MPs advocating for the Bill and MPs opposing it re-present themselves, protesters, and protesters' actions in contrasting ways. However, there is a common absence in their discourses. As I presented above, MPs who referred to the desecration of war memorials or the attack on statues did not mention the identities of those involved in the protests. Those who discussed statues of slave traders did not refer to the specific case of Colston's statue in Bristol, while those who discussed Colston's statue did not mention his association with the slave trade. In sum, no name is attributed to the group of protesters, and no historical context is provided for their actions.

The business of naming has a crucial role in facilitating and constraining how we re-present particular phenomena (Kilby, 2016). By giving names to people or events, we can anchor them in familiar categories that would guide our understanding of them. By not naming Black Lives Matter or anti-racist protesters when describing the events related to war memorials or statues, the familiarising process remains incomplete, treating the authors of such action as an unknown, amorphous group.

Not mentioning who is acting against statues and memorials allows us to claim that this absence was due to their identities being part of a socially shared knowledge. However, when we compare the discursive context of anti-racist protests with that of other protests, such as environmental ones, it is also possible to claim that the identities of anti-racist protesters are not just consensual but are significantly absent (Billig & Marinho, 2019; Murray & Durrheim, 2025). That is, considering how Extinction Rebellion was constantly mentioned when talking about disruption or annoyance produced during environmental protests, mentioning black people, their allies, or members of the Black Lives Matter movement when talking about actions carried out during anti-racist protests would have been expected. Instead, these identities remain unspoken. Such a significant absence persists in all speeches of MPs opposing the Bill when discussing acts against statues and memorials, except in one, which I argue has a distinctive feature.

Extract 10.26. Anne McLaughlin (Scottish National Party)

While we are on the issue of racism in society, let me come to clause 46 on memorials. Is it not interesting that this legislation that comes down hard on anyone damaging a

> memorial comes about shortly after a group of people in Bristol toppled a statue of someone who made his money from slavery? Would I have toppled the statue? No. But do I think slave owners should have lasting memorials to them? Definitely not. […] It is interesting, isn't it, that the toppled statue that I believe prompted some of this legislation was toppled as part of a Black Lives Matter demonstration, when black people and their allies finally said, "Enough is enough"? As soon as they organise to have their voices heard, legislation pops up to silence them. I find that very interesting. I have spoken this weekend to people in the Black Lives Matter movement who believe that this endangers their very existence. They are in no doubt that they will be targeted.

At least four things that are absent in other MPs' speeches are explicitly mentioned in extract 10.26. First, the clause in the Bill introducing the new measures related to memorials is inherently associated with issues of racism. Furthermore, it is not about the racist behaviours of some individuals, which would suggest that they constitute exceptional cases and that the way to address such behaviours should be based on individualistic interventions. Instead, by referring to "the issue of racism in society", the speaker implies that it is a general social problem, which would require interventions pointing to structural changes.

Secondly, the speaker mentions that the proposals to protect memorials are also a reaction to the toppling of a statue in Bristol. Although there is no mention of the person the statue commemorated, it is stated that it was a statue of a man who made money out of slavery, bringing to the fore the colonial and racist practices that the statue objectified. Even though the speaker distances herself from the action of toppling the statue by stating that she would not do it, she emphasises a *definite* disagreement with the maintenance of memorials of "slave owners".

Thirdly, the speaker refers to a shared identity among those who pulled down Colston's statue. The toppling of the statue is positioned as something that happened during a Black Lives Matter demonstration, but rather than referring exclusively to members of the movement, it is pointed out that "black people and their allies" participated in that demonstration. That is, although the demonstration was organised by members of the Black Lives Matter movement, it was not only members of the movement who participated, but also people sharing a common concern: racism in society.

Fourth, rather than limiting the discourse to the social value of memorials or statues, the speaker positions the act in a broader context by arguing that black people and their allies organised themselves due to the continuous oppression and lack of political action regarding racism in society. In other words, they were re-presented as sharing a common anti-racist identity, as people who see in the removal of statues of slave traders an opportunity to remove the reminders of a colonial past that continues to be commemorated in public spaces. On the other hand, members of the Government are re-presented as the oppressors who attempt to restrict people's possibilities to campaign against structural racism and for social change; that is, as defenders of a status quo based on unequal, racist relationships.

There is, I argue, a distinctive feature that might explain why the discourse in extract 10.26 differs from others: the MP belongs to the Scottish National Party (SNP), a political party whose members campaign for Scotland to leave the UK and become an independent nation. Arguing that memorials and statues commemorating slave traders should not exist carries the risk of positioning the speaker against the symbols materialising a common national past. However, because the speaker belongs to a political party advocating for Scotland's independence from the UK, we can assume that being positioned against Britain does not entail the identity dilemma that other MPs might face. Because 'British' and 'English' tend to be used interchangeably, adopting a British identity would be considered a mode of English domination over the Scottish identity (Reicher & Hopkins, 2001). Additionally, by pointing out that those who toppled *the* statue of a slave trader in Bristol (with the definite article and location suggesting she is referring to Colston's statue) were participating in a protest organised by members of the Black Lives Matter movement, the speaker brings to the fore protesters' anti-racist and anti-colonial claims, pointing out current social structures reproducing racist colonial systems of oppression. This resonates with the colonial rhetoric that SNP members have employed in nationalist discourse during their campaign for independence (Reicher & Hopkins, 2001). In such rhetoric, SNP members position Scotland as a British colony and Scottish citizens as victims of English colonialist and anti-democratic policies (Duclos, 2025). Consequently, pointing to current colonial powers and how members of the UK Government oppress those who have been historically marginalised when discussing anti-racist protests also serves to

reproduce the meaning of the UK Government as colonialist oppressors of Scottish nationals.

In sum, regarding how MPs re-presented anti-racist protesters, we can notice a battle to impose which understanding of events should be considered the legitimate one (Castro et al., 2018), which also implies the legitimate purpose of the Bill. The two competing understandings are dependent on the way anti-racist protesters are re-presented. They have been re-presented implicitly in two contrasting ways. One, as desecrators of war memorials, positioning them as malicious people who attack and disrespect national symbols, which is an action that causes emotional harm to UK citizens. The other way in which protesters are re-presented is as anti-racist campaigners who are targeting statues of slave traders, objects that objectify particular versions of the past and fulfil a role in shaping the current social order. Being re-presented as people who attacked statues of slave traders, they are positioned as people who are against commemorations of racist and oppressive practices materialised in statues of enslavers. Therefore, if they act against oppressive practices, they are also positioned as defenders of those who have been marginalised, independently of their nation.

Contrary to traditional accounts of protests, in which participants are often portrayed as irrational (Reicher & Potter, 1985), MPs did not talk about anti-racist protesters as causing generalised destruction. Instead, they re-presented them as deliberately targeting specific monuments. Re-presenting them in this way positions them as enemies who intentionally target the living memories that uphold the nation. While people who defend Britain's monuments re-present themselves as guardians of the nation's past and therefore the historical foundations from which a hegemonic British national identity is produced, the people who attacked *Britain's* statues are implicitly re-presented as actors who do not embody such national identity. They are positioned as advocating for a past different from *ours* (i.e., the one shared by a national community) and, consequently, as having a collective identity at odds with that of British nationals. It is only by following the limited contextual clues in MPs' arguments that we can infer that those left out of the national group were those campaigning against anti-Black racism, the majority of whom were Black. Therefore,

when talking about anti-racist protesters, MPs' arguments rest on a hegemonic representation of a white British national identity.

Chapter 11. Conclusion

Much of history can be understood in terms of who got to position their voices and versions of reality as the most legitimate. Although on some occasions we are forced to agree with one version of reality over others through the material constraints of punishment or economic restrictions, their effects ultimately "depend on a configuration of shared understandings" (Gergen, 1989, pp. 73–74). Similarly, although social and institutional structures maintain unequal access to resources, their legitimacy is mainly reproduced in discourse (Fairclough, 2013). In the case of elite politicians, they have the power to materialise the outcomes of their discursive negotiations as understandings imposed on their constituents, often under the threat of legal prosecution. For this reason, in this thesis, I analysed how UK elite politicians re-present the identities of people protesting and how hegemonic representations related to the status quo are reproduced in policy papers, news stories, and MPs' speeches during the parliamentary debates of the PCSC Bill 2021. The Bill, which was ultimately enacted as an Act of Parliament in 2022, contains measures that grant police officers additional powers to tackle social protests.

It is worth noting that, although the corpus of analysis comprised discourses of elite politicians, we can assume that the contents MPs draw on in their discourse do not differ from those we would find in ordinary conversations; otherwise, only elite politicians would be able to comprehend their own discourses (Billig & Marinho, 2019). In this sense, the ways the political elite re-present protests and protesters' identities are assumed to echo patterns of discourse circulating in the speakers' culture.

After analysing policy papers, news stories, and MPs' speeches during the Second Reading of the Bill in the House of Commons, I identified particular repertoires that re-present the right to protest and protesters in specific ways. Although I structured the analytic chapters around the two sides of the parliamentary debate, I am not suggesting that each repertoire or way of making sense inherently belongs to members of a particular political party. What I suggest is that such patterns of talking and signifying reflect arguments considered reasonable within the cultural, historical, and political context of the speakers when arguing for or against social protests and the identities of protesters.

In the following section, I discuss the implications of the ways MPs re-presented social protests and protesters' identities.

11.1. UK Elite Political Discourse on Social Protests

A common feature in the discourse of MPs advocating for the measures restricting the right to protest was the avoidance of any reference to the context behind the protests. While focusing on how people protested, there was no mention of the social issues that drove them to protest or of the protesters' claims and demands. Some authors have considered this reduction of protests to protesters' actions at the expense of their political features a typical error when interpreting protests (Reicher & Potter, 1985). However, rather than assessing the accuracy or correctness of MPs' accounts, what is of interest is the implications of excluding protesters' motives from discourse.

Discussing protests in decontextualised ways, in which their concerns and claims about social structures, cultural norms, and policies are excluded from the conversation, promotes a view of protesters' actions as manifestations of deviant people rather than attempts by those socially marginalised and oppressed to participate in the public realm to produce change. Re-presenting protesters as people who enjoy disrupting others' lives for its own sake positions them as a group of outsiders who do not engage with the established routines of society, and whose only interest is to destabilise such routines. This resonates with Wetherell's (2002) reflections on her study of racist talk in New Zealand. After analysing what was taken for granted and counted as a good argument when talking about protests organised by Māori people, Wetherell comments that the majority of the Pakeha participants in her research positioned themselves as peaceful and passive people who are only worried about following their daily routines, whilst Māori people demanding social change were positioned as active disruptors of social harmony. The author notes that by removing the social context that drives Māori to protest from discourse, they are re-presented as illegitimate members of an assumed ordinary Pakeha society. In the case of the UK elite politicians, those who are not protesting are assumed to be passive individuals merely committed to fulfilling their respective roles in society, who happen to become victims of protesters' actions as if protests occurred out of nowhere and as if those not protesting were not able to share and support protesters' concerns. By

focusing on defining (un)acceptable ways of protesting rather than on the meanings protesters attempt to introduce in the public agenda, social protests become decontextualised (Uysal et al., 2024). Furthermore, not only are protesters' claims excluded from discourse, but the criminal way in which MPs re-presented them also promotes their social exclusion.

Whilst focusing on the reasons driving people to protest can help to understand the sense of justice shared by protesters and to give marginalised voices a platform in the public realm (Uysal et al., 2024), criminalising protesters has been a recurrent political practice used by elite politicians to contain, control, and delegitimise representations considered a threat to the stability of the status quo (Browne et al., 2025). When protesters are criminalised, their claims are delegitimised and ultimately avoided (Browne et al., 2025; Gillespie, 2020). Furthermore, criminalising protesters in decontextualised ways shifts the focus from the analysis of historical and social issues (Joseph, 2020; Reicher, 2004), marginalises the possibility of challenging the hegemonic meanings that support the social order, and impedes the introduction of alternative meanings from which alternative futures could be built (Howarth, 2014). That is, by criminalising protesters, the power of social protest to produce social change is restricted, leaving untouched the hegemonic meanings that uphold the status quo.

A potential implication of these decontextualised and criminalised ways of talking about protests is that they legitimise the restriction of public assemblies and processions from which collective identities can emerge. To protest involves participating in ongoing collective meaning-making processes that challenge taken-for-granted understandings embedded in common sense by introducing new ideas, claims, and identities into public discourse (Pradillo-Caimari, 2025). It is through collective meaning-making practices that we develop a sense of justice and agency, and therefore, it is when we conceive ourselves as part of a community that we can act collectively (Elcheroth et al., 2011). When our ability to express our concerns as collective issues in the public space is restricted, impeding our ability to demonstrate together, they can be easily dismissed as individualistic matters that need to be contained and controlled.

Collective actions, such as social protests, constitute acts of resistance in the face of neoliberal tendencies towards individualisation. Coming together in an

organised fashion enabled people campaigning for social change to disrupt business-as-usual and secure political concessions in the past (Taylor & Hunt-Hendrix, 2024). Furthermore, inclusive and cohesive communities would undermine the power of hegemonic representations that reproduce the conception of some members of society as outsiders, a representation that I discuss in the following section.

11.2. The Extra-Discursive Power of Hegemonic Social Representations

If our social structures depend on enduring shared meanings that have become relatively fixed and independent of the context in which they were produced, then it is possible to argue that, although discourses are shaped through language, they can be regularly treated as natural phenomena (Banta, 2012). From an SRT perspective, these discursive productions that have become sedimented in culture as naturalised and culturally available meanings are named hegemonic social representations.

The analysis of how MPs negotiate the meanings attributed to social protests and protesters in light of their rhetorical goals constitutes an examination of what I have labelled the argumentative features of communication. This analysis focuses on how MPs draw on different culturally available resources to re-present protesters in particular ways. However, for the arguments to make sense and be understood by MPs' audiences, they need to resonate with widely shared meanings in society. Therefore, alongside the argumentative features of communication, I also examined repetitive features, focusing on meanings taken as consensual and the hegemonic representations I argue underlie MPs' arguments.

At the end of each analytic chapter, I noted which hegemonic representations appear to influence what counts as a reasonable argument when MPs discussed protests, environmental protests, or anti-racist protests. The hegemonic social representations inferred from MPs' discourses related to maintaining the status quo include a positive conception of democracy, the assumption that people are members of national communities, neoliberal capitalism, and assumptions about who belongs to the British national community.

11.2.1. The Benignness of Democracy and the World of Nations: Hegemonic Representations Underlying MPs' Arguments about Social Protests

When discussing the right to protest and protesters' identities in general, MPs described the right to protest as a cornerstone or foundation of democracy to emphasise the need to protect it. Similarly, speakers lend legitimacy to their arguments by positioning themselves as democratic politicians while undermining their rhetorical opponents' arguments by positioning them as anti-democratic or totalitarian. This use of democracy as a rhetorical tool suggests a widely shared understanding of democracy as inherently good, a use that has also been noted in previous research on political discourse in the UK Parliament (see Hunt, 2025; Hunt & Demasi, 2024; Marsh, 2023).

Despite the clash of claims among MPs over who is behaving democratically, there is no discussion of *what* democracy is. Beyond the MPs' arguments about what is the *appropriate* democratic way to behave, what remains unquestioned is the meaning of democracy as inherently good. Furthermore, there is no justification for why the *cornerstones* or *foundations* of democracy require protection. The rhetorical struggle is about who is considered an authentic democratic politician or a legitimate democratic act, but what appears non-negotiable is the superior value of democracy, which is treated as taken-for-granted knowledge. Because of this hegemonic understanding, democracy appears as an *almost* material object with ontological power, restricting which arguments are (or are not) acceptable in the cultural context of politicians when claiming to be on the right side of a parliamentary debate. However, MPs attempted to legitimise their democratic advocacy or opposition to the Bill by claiming to defend not any democracy but *our* British democracy.

Although there is no specification of who the 'we' owning 'our' democracy are, the first plural person suggests a harmony between the interests and identities of the MPs and their audiences (Billig, 1995). In this case, the possessive pronoun indicates that the democracy in question is the British democracy, and that those claiming it as their own are those positioned as members of a British national community. Furthermore, the routinised use of the pronoun "our" before mentioning "democracy" serves as a constant reminder of how we must think about who we are and where we are in a world of nations, as if it were an unquestionably objective reality (Billig, 1995). Similarly, there is no discussion of the democratic system being British or not, nor of

why things defined as British should be protected. In this sense, through the routinised use of "our [British] democracy", democracy is banally nationalised.

Banal nationalism, or the naturalised reproduction in daily practices and communications of the understanding of the world as constituted by nations, fulfils the function of reminding us every day about our belonging to one nation (or some of them) and to keeping us ready to defend it (Billig, 1995). It also keeps us aware of which nations are regarded as allies or threats (Reicher & Hopkins, 2001). Additionally, to conceive of a nation, it is essential to imagine a community whose members identify with it (Reicher & Hopkins, 2001). The absence of arguments in the data about who belongs to the British nation suggests a consensual understanding of who does. Thus, the conception of reality as organised into nations and of people as belonging to them appears to be a naturalised, hegemonic representation whose power lies in shaping how MPs address their audiences and advocate for their rhetorical and political projects, thereby perpetuating the idea of an existing national community.

11.2.2. Neoliberal Capitalism: Hegemonic Representation Underlying MPs' Arguments about Climate Activists

In revisiting Milgram's obedience experiments from a DRP perspective, Gibson (2019b, p. 255 emphasis in original) notices how the institution, the experimental procedures, the apparatus, and the roles of scientist, experimenter and participants fulfilled a rhetorical role in the experimental settings: "Institutions and situations have a rhetorical structure that functions persuasively, *before anyone opens their mouths*". When explicit instructions were given by the experimenters, Gibson (2019a, p. 197) argues that this could be seen as indicative of "the failure of the institution to be sufficiently persuasive in its own right". As Gibson acknowledges, this also resonates with Foucault's (1979) conception of disciplinary power operating through the physical structures and routinised practices in social institutions such as schools, hospitals, and prisons.

I extrapolate Gibson's arguments from the experimental to the social setting, proposing that social institutions, elite politicians, and legislation fulfil the rhetorical role of influencing us to behave in certain ways and to demarcate the procedures we banally follow. When arguments, such as debates over the need to introduce new legislation or the resort to physical force through police interventions, become

necessary to justify and maintain social arrangements, we can say that the social structure has lost part of its persuasive power and that resistance to its disciplinary power has emerged.

Examining MPs' discourse, we can infer a pervasive conception of society in which each person is expected to remain engaged in their daily affairs. When some members of society protest, MPs tend to describe their actions as extraordinary, suggesting they are not part of mundane activities. In this sense, protesters can be considered a group of people who have stopped obeying the rhetorical forces of the social order, questioning some of those norms, and demanding a change. In other words, they constitute a threat to the banal exercise of power in society. Protesters not only refuse to engage in their daily activities, but are also re-presented as preventing *hard-working* people from doing so. Considering that these are presented as reasonable reasons for state intervention, we can assume that rhetorical forces are at work to encourage us to remain productive and highly dedicated to our jobs. Based on this, I argue that MPs' discourse regarding climate activists rests on the hegemonic representation of neoliberal capitalism.

Neoliberal capitalism is characterised as a political and economic system in which the state privatises most of its functions and removes as many regulations as possible to allow a free market to operate, on the grounds that having a more active role would weaken the economy (Fremstad & Paul, 2022). The role of the state is thus reduced and limited to intervene to guarantee the freedom of the market, through the use of its monopoly of violence if necessary (Harvey, 2005). This has given rise to free competition between corporations that, in order to survive, must remain highly competitive (Sugarman & Thrift, 2020). Consequently, neoliberalism has led to an era of overproduction, driven by ever-increasing resource efficiency aimed at lowering costs and by the promotion of hyper-consumerism to increase profits. The logic of accelerated overproduction brings with it dynamics that impact people's daily lives. If corporations must be efficient to remain competitive, then those working for them are the ones who must stay competitive.

In neoliberal societies, time is translated into money and personal fulfilment is redefined through the lens of acceleration and efficiency (Sugarman & Thrift, 2020). In this ideological context, we are pressured to be more competitive than others, presenting ourselves as diligent workers who consistently put in extra effort,

continually seek to improve, and overachieve in our jobs (Han, 2015). Even without a job, people often debate whether a person is worthy of state welfare assistance based on how much effort they believe the person makes to deserve it (Gibson, 2009).

If neoliberalism is sustained by a constant pace of production that must not be interrupted, then we can expect to reproduce in our discourses meanings that lead us to overexploit ourselves at work. Furthermore, a moral order guiding our practices is implicitly reproduced, indicating that not investing our time, or preventing others from investing theirs, in producing value is an immoral act (Sugarman & Thrift, 2020). Similarly, if the role of the state is to ensure that the free market and its rhythms of production are not interrupted, its intervention can be understood as the moment when rhetorical forces need to be emphasised argumentatively, for example, through new legislation that makes it difficult for some people to disturb the work of others.

The hegemonic representation of neoliberal capitalism is not only about the overexploitation of the workforce but also of the environment (Márquez Covarrubias, 2010). Due to the lack of state regulation and the need for hyperproduction, corporations have intensified the extraction of natural resources, thereby exacerbating global warming and the climate crisis in their pursuit of profit (Di Duca, 2021). This has led some to argue that the neoliberal model, whose rhetorical forces push us into a rhythm of constant acceleration, expansion, and economic growth, is incompatible with practices that make life possible (Márquez Covarrubias, 2010). This contrast is also reproduced in the discourse of the MPs opposing the Bill.

Nevertheless, the disruption of work routines (among hardworking people) appeared only in MPs' discourses when discussing climate activists' protests[6]. Furthermore, the financial cost of policing protests is only mentioned when discussing climate activists, holding them accountable not only for disrupting the rhythms of hyperproduction and personal overachievement but also for causing an inefficient expenditure of resources. This was also noted by H. M. Lewis and Vignoles (2024), who observed how, when people talk about climate activists in the UK, they are often re-presented as immoral and incompetent for not adopting the hard-working values of the community. This emphasises how not only the state but also fellow citizens

[6] When the disruption of work routines was attributed to all protesters, it was because Extinction Rebellion's actions were transcendentalised to stand on behalf of all protests, as I argued in the analysis of the data.

contribute to reproducing the hardworking logic that upholds the neoliberal hegemonic representation. At the crossroads between environmental degradation and economic growth, economic growth has been prioritised.

Consequently, I argue that what gives MPs' discourses about climate activists sense is the pervasive belief that disrupting people's everyday productive rhythms constitutes a serious offence, especially when it results in economic loss. In other words, the rhetorical force of the neoliberal-capitalist representation restricts which arguments are considered reasonable to elaborate when talking about environmental protests. By introducing legislation aiming to tackle climate activists' protests, the Government fulfils its neoliberal role of preventing the economy and free market from coming to a standstill, implying that the rhythms of neoliberalism, a hegemonic representation upholding the status quo, must remain stable.

11.2.3. A Racialised National Identity: Hegemonic Representations Underlying MPs' Arguments about Anti-Racist Protesters

In contrast to what we saw in the discourse of MPs when re-presenting climate activists, there were no mentions of protesters preventing others from going to work, disrupting the lives of hardworking citizens, or provoking an inefficient use of resources when discussing anti-racist protests. It was other kinds of arguments that MPs produced regarding anti-racist protesters, and therefore, another hegemonic representation underlying MPs' arguments.

During the Second Reading, MPs defined statues and war memorials as part of *our heritage*, with the possessive pronoun implying an imagined community sharing a common past that allows them to be grouped together under the same national category. However, imagining a national community is only possible when we can also imagine who is not part of it (Reicher & Hopkins, 2001). Defining statues and war memorials as *ours* implies the existence of other imagined national communities: if there is a need to indicate that they are *ours*, then there must be others that are *theirs*. Furthermore, claiming that the mentioned statues and memorials symbolise *our heritage* implies that belonging to the national community is a matter of descent.

Monuments have been used to materialise, impose, and maintain 'defining moments' of a particular version of a national past (Reicher & Hopkins, 2001; Tinsley et al., 2024). According to Cohen (1994), the colonial-imperial past has a significant

influence on shaping the British identity, a period that is constantly reproduced to remind the British public of the so-called superiority of their nation (Bratton et al., 2017). Similarly, considered the last great achievement of the nation on the global stage, World War II is widely treated as a 'defining moment' (Reicher & Hopkins, 2001) and is constantly reproduced to remind the British public of Britain's most recent glorious past (Gibson, 2015; Paris, 2000). Both narratives, which reproduce a historical version of the nation's greatness from the colonial-imperial past and from World War II, are materialised in Colston's statue in Bristol, and in the National Cenotaph and Churchill statue, respectively.

Although the way MPs talked about statues and memorials reproduces their naturalised representation as objects standing on behalf of relevant historical figures or events, the lack of arguments challenging the 'defining moments' these mentioned statues and memorials are assumed to objectify suggests that there is a widespread consensus regarding which events are treated as having historical relevance. However, since statues and memorials can legitimise hegemonic representations that justify existing unequal power relations (Tinsley et al., 2024), some of those harmed by such relations often campaign to introduce alternative representations of the past.

MPs' claims of patriotism, claiming for the defence of national symbols, suggest that the banal reproduction of the nation and what is considered *ours* has been disrupted by anti-racist protesters by acting against statues and memorials. As some scholars have argued (see Reid & Craig, 2021), protests demanding racial justice are often re-presented as threats to national interests. When MPs claim that it is necessary to stand and defend the material reminders of *our* nation's history, the implication is that anti-racist protesters and members of the Black Lives Matter movement, who are accused of destroying the foundations of *our* nation, do not truly belong to the national community. That is, those attacking statues and memorials are positioned as a foreign Other.

Nevertheless, rather than direct accusations, MPs supporting or opposing the Bill avoided directly mentioning the name of the group organising the protests (Black Lives Matter) and the shared anti-racist identity of those participating. They remained a quasi-anonymous threat, whose identity could only be inferred from small words, except for the SNP MP, who openly challenged the hegemonic British national identity objectified in British monuments. This significant absence (Billig & Marinho, 2019) in

MPs' arguments regarding who should be held accountable for acts against statues and memorials offers clues about a moral order in which re-presenting Black people as a threat to the nation can lead to social sanctions. This resonates with post-World War II covert racism in which, in contrast to explicit and direct manners, racism started to be reproduced indirectly, without references to categories of race (Billig, 1996; Condor et al., 2006; Van Dijk, 1992; Wetherell & Potter, 1992). Similarly, the absence of arguments in favour of statues of slave traders and against war memorials reflects a moral order in which no argument that challenges the great, glorious version of the nation's past must be produced, at least, within debates taking place in national parliaments. Thus, by keeping protesters' identities and anti-racist claims out of their discourses, MPs' arguments about the need to defend the representations materialised in statues and memorials remain deracialised.

Consequently, the way MPs talked about people protesting against institutional racism was supported not only in the hegemonic representation of the nation or the hegemonic understanding of statues and memorials as material symbols objectifying a version of a national past. It was also supported by what appears to be a consensual understanding of who is and who is not a legitimate member of the imagined national community. Anti-racist protests, most of which were led by members of Black Lives Matter, were treated as acts against the historical foundations of the nation and, by implication, Black people and their allies were positioned as not truly belonging to the British community. Thus, a hegemonic representation of the British identity as being predominantly white seems to dictate the kind of arguments and ways of re-presenting that are deemed reasonable to be (re)produced when discussing anti-racist protests. This pervasive meaning preserves a racialised status quo and delineates the boundaries of who is a legitimate member of the national community.

The analysis of hegemonic social representations enables us to affirm that the domain of contemporary discourse around social protests in the UK is one in which nationhood, neoliberalism, and racialised assumptions about the nation are at stake. Not only do these representations give MPs' arguments sense, but the same elaborated arguments and the lack of challenge end up keeping them as current systems of meaning that restrict what counts as a (un)reasonable thing to say when re-presenting protests and people protesting. The power of hegemonic representations in

restricting how we configure our realities lies not in their endorsement by everyone, but in their widespread availability and cultural accessibility (Augoustinos, 2001).

As I argue in this research, what is treated as consensual in our arguments not only influences how new phenomena come to be understood but also helps reproduce the meanings that support an unequal social order and an unsustainable economic model. The current attempts to silence and criminalise protests demanding structural changes resonate with historical political practices in the UK in which expressions of dissent have been systematically suppressed in defence of a status quo based on racial capitalism (Browne et al., 2025). Nationalist, neoliberalist, and racist hegemonic representations continue to influence systems of othering and excluding, maintaining some members of society as illegitimate political actors by positioning them as acting antidemocratically, against the majority of good, hard-working citizens, and as not truly belonging to the national community.

11.3. Theoretical, Methodological, and Empirical Contributions

I aim to make theoretical, methodological, and empirical contributions in this research. Firstly, some discourse analysts adopting a critical realist stance argue that our discourses are restricted by extra-discursive features (Nightingale & Cromby, 1999; Sims-Schouten et al., 2007). What I argue here is that hegemonic social representations, that is, the naturalised, sedimented, commonsensical understandings guiding our daily practices, should also be regarded as possessing extra-discursive features for restricting what are (un)reasonable ways of arguing about social objects. From a critical perspective, our goal is to show how discourses are shaped by ideologies (i.e., hegemonic representations) that perpetuate and legitimise current unequal power relations, and to examine the social and political effects of our discourses, even when these effects are not apparent to the people producing them (Fairclough, 2009). In this thesis, I aim to illustrate how considering both DRP and dialogical-critical approaches to SRT provides us with theoretical tools for conceptualising how hegemonic representations might constrain our discourse when we argue about particular social objects in specific cultural and political contexts. This constitutes my theoretical contribution.

Secondly, I argue that paying attention to the argumentative and repetitive features of communication (i.e., what is being contested and what is taken for granted)

enables us to conceive DRP and SRT in complementary ways. Routinely following standard analytic procedures might lead to the naturalisation of the kinds of information we need to pay attention to and those we automatically dismiss as irrelevant (Billig, 1996), thereby compromising our critical edge (Billig, 1991). With the deliberate attempt to transgress the boundaries of two social psychological traditions, I integrate Discursive and Rhetorical Psychology and Social Representations Theory as my theoretical and methodological lenses.

The four-decades-long relationship between DRP and SRT has revealed convergent topics and research aims, enabling us to capture different aspects of reality (Chryssides et al., 2009). Rather than competing research programs, they "complement each other in important and fundamental aspects" (Wagner, 1996, p. 96). Integrating DRP and SRT has a twofold value. For DRP, the integration emphasises the historicity and the reproduction of implicit meanings upholding the status quo. For SRT, it emphasises the relevance of looking to natural discourses and discursive practices. Putting both together, the integration allows us to see how people construct versions of reality and how meanings available in our cultures are implicitly reproduced in routinised ways of speaking. It also enables us to explain why, despite the everyday negotiation about how to make sense of the people, objects, and events that inhabit our symbolic surroundings, our societies tend to remain stable (Castro & Batel, 2008).

Despite resistance among some DRPs to integrating their theoretical and methodological approaches with SRT, other scholars have made integrative proposals (see Augoustinos, 2001; Batel & Castro, 2018; Gibson, 2015; Howarth, 2006a; Moloney & Walker, 2002; Sakki & Hakoköngäs, 2022). In some of these proposals, priority has been given to social representations over interpretative repertoires (see Gibson, 2015), while in others, interpretative repertoires have not been considered (see Batel & Castro, 2018; Howarth, 2006a). In contrast, I argue that both interpretative repertoires and social representations constitute the two faces of the same coin: patterns of talking about objects shape how we make sense of them, and how we make sense of objects shapes how we talk about them. Sakki and Hakoköngäs (2022) make a similar proposal, arguing that different interpretative repertoires can emerge from a single social representation. However, while they establish a distinction between interpretative repertoires based on stylistic and grammatical elements, I argue that,

since the analytic focus is on the (re)production and transformation of meanings, it is variances in patterns of signifying (i.e., re-presenting) from which a distinction between repertoires should be established. Similar to Wetherell and Potter's (1992) concern with language use rather than linguistic details in their use of interpretative repertoires, what I argue is that, as long as the configured meaning remains the same, we are looking at the same repertoire regardless of stylistic and grammatical variations. Conceived in this way, we can claim that each interpretative repertoire is linked to a specific way of re-presenting. Therefore, rather than giving priority to interpretative repertoires or social representations, or establishing a linear relationship between them, I propose that there is a circular relationship in which patterns of discourse create meanings, and such meanings, having become widely reproduced and naturalised, condition what is reasonable to say in specific contexts. Social change occurs when existing meanings are challenged, and new arguments become necessary.

Additionally, I build on Augoustinos' (2001) and Moloney and Walker's (2002) claim that analysts should infer underlying social representations from explicit discourse. If we adopt a critical approach, I believe it is crucial to go beyond the immediate talk and text and explore the commonsensical understanding that might explain why discourses work. Our discursive analyses cannot be limited to telling stories or describing discursive practices if we take seriously the material effects of asymmetrical relations of power that exclude and oppress certain identities from the public realm (Jovchelovitch, 1994). As Augoustinos et al. (2014, p. 292) state, if we do not go beyond the "talk-in-interaction, there is a danger that we are left with no understanding of what is that is to be changed, since 'it' lies outside of the interactional moment". Including what lies outside participants' utterances is necessary if we are concerned with studying ideological practices, bringing to the fore patterns of discourse and the historically developed cultural resources that inform them (Wetherell, 2002). Following Billig and Marinho's (2019) claim that what remains unchallenged and unjustified offers clues to the assumptions of our time, examining what appears to be consensual patterns of meaning and absence offers possibilities of inferring hegemonic representations circulating in our culture.

In sum, the circular relationship between interpretative repertoires and social representations and the call to infer underlying, hegemonic representations constitute my methodological contribution.

Thirdly, although some researchers have approached social protests from a DRP and/or SRT analytical perspective, the ways in which social protests and protesters' identities are re-presented by elite politicians (i.e., the social actors who have the power to materialise versions of reality through legislation) remained unexplored. Furthermore, representations and discursive constructions of protests and protesters in the UK context of the PCSC Bill 2021 have also remained unexamined. Throughout the analysis, I provide novel findings on how social protests and protesters' identities are configured in the discursive productions of the contemporary UK political elite, and on the material effects these ways of re-presenting have on the future of social protest in the UK. This constitutes my empirical contribution.

11.4. Limitations and Suggestions for Future Research

This thesis is not without some limitations. My main interest was analysing discursive practices as the primary place where we create, negotiate, and resist versions of reality and the objects that populate our domesticated universes. Consequently, I did not include the analysis of everyday embodied practices. Several authors have called for researchers to pay attention to the reproduction of meaning through our daily actions (Augoustinos, 1998; Elcheroth et al., 2011; Hokkanen, 2021; Howarth, 2006a; Jodelet, 1991, p. 19; Wagner, 1998). Furthermore, some have argued that "Social representations are often only apparent in action" (Howarth, 2004, p. 366). Embodied actions tend to reflect how we have socially interacted with existing objects and issues that predate our existence, as well as how we have navigated our social, material, and symbolic surroundings (Wagner, 2015, 2017). For instance, Hokkanen (2021) points out that public restroom arrangements reflect existing social representations of gender, guiding us in enacting such representations as long as the material arrangements remain unquestioned. Based on this, I suggest that future research focusing on protests and protesters' identities should examine how meanings attributed to protesters are embodied, resisted, or apparently ignored in the behaviour of protesters, police officers, and bystanders at a protest event. Similarly, examining protesters' performances might help us grasp how their actions, understood as materialised discourses, constitute a challenge to hegemonic representations of the status quo, whilst alternative, polemical representations aiming to produce social change are performatively promoted.

Another limitation concerns my exclusive interest in contemporary discourses. The hegemonic meanings that underpin politicians' discourses are shaped by a history permeated by power relations, and to explore the historical dimensions of discourse, it is essential to compare it with other ages and cultures (Billig, 2001). Similarly, to understand how social realities are reproduced or transformed, Elcheroth et al. (2011) suggest comparing contexts to better understand how some discourses succeed in re-presenting particular individuals as legitimate political actors or dangerous agitators, but fail to do so in alternative contexts. Consequently, another suggestion for future studies is to adopt a comparative approach that allows us to understand which hegemonic meanings make discourses that promote more humane and inclusive futures successful, and which ones restrict them.

During the Second Reading, some MPs regularly referred to mainstream media content in their speeches as the source of their awareness about protest-related events. By implication, we can assume that such content was the same as that available to the lay public. This highlights the significance of media discourse in the broader development of social representations of protest and of the identities of those involved. However, another limitation of this thesis is that, by focusing on how the political elite negotiated what was ultimately materialised in legislation, I deliberately excluded media discourse.

Mass media is a social institution with the power to mobilise versions of reality as factual, which gives them a crucial role in shaping social representations (Howarth, 2002; Howarth et al., 2004; Moscovici, 1961/2008). Social 'realities' upheld by mainstream media, which most often align with the political elite (Van Dijk, 1988), can reinforce or transform what is usually perceived as common sense, thereby naturalising certain identities (Höijer, 2011). Moreover, media content tends to convey the first meanings most of the public receives about particular objects or events, implying that alternative meanings are expected not only to mobilise different realities but also to challenge versions introduced by mass media.

Some authors have explored media coverage of protests, noticing that there is a 'protest paradigm' in the way the media re-present protests in ways that demonise protesters and delegitimise and marginalise protesters' claims, hindering their role as political actors whilst preserving the status quo (McLeod, 2007; McLeod & Detenber, 1999). However, most of these studies have been based on a framing analysis, focusing

on how meanings are constructed by the kinds of protests, sources, and information included or excluded in news reports. Although studies on news framing offer valuable insights, I believe it is relevant to examine the actual discourse produced by media outlets, analysing how rhetoric is organised to mobilise and legitimise certain representations of protesters at the expense of others. Thus, another suggestion for further research is to examine how the media re-presented people protesting in the context of the PCSC Bill 2021, where the restrictions on the right to protest were at stake.

Finally, I suggest examining how people who have recently participated in protests in the UK account for their actions and how they negotiate, adopt or resist the different identities attributed to them by the UK political elite. By doing so, we would be utilising the social power we have as members of scientific social institutions to give voice to and reproduce alternative meanings of protesters' identities. This would also place protesters' demands for social justice at the centre stage, especially in a context where protesters' voices are being systematically marginalised from public space.

11.5. The Current Status of the Right to Protest in the UK

Since the PCSC Act 2022 was enacted, UK MPs have passed another Act of Parliament that further restricts the right to protest. The Public Order Act 2023, sponsored by the UK Home Office, builds on the measures introduced in the Police, Crime, Sentencing and Courts Act 2022, incorporating some measures that the Conservative Government attempted to add when the PCSC Bill 2021 was entering the final stages of its respective parliamentary debate and that were rejected due to their late inclusion. With the new measures now approved in the Public Order Act 2023, further forms of protest are considered criminal offences. For instance, the Act criminalises the protest tactic of attaching oneself to other people, objects, or buildings with the purpose of causing "serious disruption" and gives police officers the power to arrest people who have equipment that could be used to lock themselves onto something or someone. It also criminalises interfering with infrastructure considered key to the nation, such as airports, railways, printing presses, and oil and gas extraction infrastructure. Additionally, it introduces a Serious Disruption Prevention Order, which gives courts the power to impose a 5-year ban on people who have committed public order offences during protests. Members of the Government

claimed that these new measures were necessary to address the costs of policing some environmental groups, such as Just Stop Oil and Insulate Britain (Home Office, 2023).

Remarkably, considering the arguments Labour MPs produced during the Second Reading of the PCSC Bill 2021, members of the Labour Government elected in 2024 introduced the Crime and Policing Bill 2025, which, by the time of the submission of this thesis, was going through the Committee Stage at the House of Lords after being approved by the House of Commons. In the Crime and Policing Bill 2025, members of the Labour Government introduced measures criminalising climbing on war memorials or monuments of national, cultural, and historical significance, referring to the Cenotaph and the statue of Winston Churchill in Parliament Square as illustrative examples (Home Office & Ministry of Justice, 2025). Lastly, in October 2025, the Labour Government proposed changes to the Public Order Act 1986 to give police officers further powers to impose conditions on public processions and assemblies that have a 'cumulative impact' over time (Home Office, 2025).

Despite the UK elite politicians continuing to restrict our collective ability to express disagreement and demand political action in public spaces, resistance always remains a possibility. There is always the possibility of producing counterarguments to the reality that has become established, no matter how dominant one side of the debate has become (Billig, 1996). Our history is an open-ended process in which negotiation and innovation offer possibilities to introduce change in relations of power over time (Rose et al., 1995). No argument, however hegemonic it has become, is immune to the human condition of rejecting, criticising, and re-presenting (Castro et al., 2018). Even if it is embodied in law, as long as controversy persists, there will be opportunities to replace it, even after structural changes have been implemented (Howarth et al., 2004).

Finally, although the series of new legislation suggests that protests have failed in producing change, Gülsüm Acar et al. (2024, p. 11) remind us that, "even when the efficacy of protests is not immediately apparent and there are many reasons for despair, solidarity is crucial, and efficacy can show up in many different forms in the short and long term". Most protests against long-term structural issues usually yield results only over long periods, after a series of short-term achievements (Ortiz et al., 2022). For instance, protesters' actions can change our culture by introducing alternative discourses that disrupt the patterns of talking that are naturally reproduced

and carry hegemonic social representations that uphold the status quo. Questioning and problematising taken-for-granted knowledge force us to justify and discuss the meanings that are unconsciously reproduced, open space for new arguments to be elaborated, and make cultural change possible. By fostering cultural change, public pressure on politicians to legislate would remain constant.

11.6. Concluding Words

In a society where only a few hold positions of power, such as politicians, and where there is inequality in rights, we need to examine not only how discourses are consequential for interactional encounters but also for the organisation of society. In this thesis, I examine how social protests and protesters' identities are currently re-presented and how neoliberalist, nationalist, colonial, and racist meanings are reproduced in the discourse of UK elite politicians in the context of the PCSC Bill 2021. Although our discursive productions and social representations are sensitive to and dependent on the contexts in which they are (re)produced, I argue that this research has global implications.

The way in which people fighting for social justice and social change are re-presented in political discourse can restrict the development of more humane and egalitarian realities, especially when these representations risk becoming materialised in legislation. Once established as common sense, representations can restrict the elaboration of everyday discourses that mobilise other possible realities. In the same way that past discourses constrain contemporary ones, contemporary discourses about social protests also shape the symbolic foundations from which subsequent representations of protests will be elaborated.

The rhetorical force of hegemonic social representations that sustain the status quo lies in their banal reproduction. In our daily discourses, we rehearse and rework prevailing cultural ideas (Gough & McFadden, 2001). We cannot produce discourses without reproducing certain meanings available in our cultures, nor can we make sense of social phenomena without drawing on what is already familiar. As Shotter (1989, p. 142) states, "We are all embedded within a dominant social order which we must, to some extent at least, continually reproduce in all of the mundane activities we perform". In reproducing parts of this dominant social order in our discursive productions, we risk reproducing commonsensical knowledge about patterns of

domination and unequal power relations (Billig, 1991). Therefore, to achieve significant change in society, it is important to tackle not only social and material structures (Parker, 1992; Willig, 1999b) but also naturalised symbolic ones (i.e., hegemonic social representations) that dictate what constitutes a reasonable argument in specific contexts. Revealing the marginalising and oppressive effects of hegemonic meanings circulating in our cultures contributes to challenging them and to opening opportunities for promoting alternative meanings (Gough & McFadden, 2001). Also, by making explicit what has been taken for granted, we can weaken its rhetorical power (Gibson, 2019a). Thus, by pointing to the taken-for-granted meanings that constrain how we talk about protests and protesters, and that support an unsustainable economic model and an unequal social order in which many are positioned as not truly belonging, I expect this research to contribute to undermining the restricting power of these hegemonic representations. Once these are turned into controversial, debatable meanings, critiques and justifications will be required, and new representations will be created.

As social scientists committed to social change, it is important for us to ask whether our work and everyday patterns of discourse contribute to maintaining and reproducing the current social order or to its transformation (Moscovici, 1972). We are not immune to wider commonplaces circulating in our cultures. As Billig (1995, p. 12) states, “It is naïve to think that a text of exposure can escape from the times and place of its formulation”. There is always a risk that what speakers perceive as natural is also perceived as such by analysts, remaining invisible to us. In this thesis, I did not attempt to provide an ideologically-free analysis, nor did I believe it would be possible, since to communicate, we need to make use of meanings already available in our cultures. However, if producing analyses consists of developing an argument (Wetherell, 2002), this thesis constitutes an argument against the symbolic structures of the status quo that pervade institutionalised practices, maintain an unequal social order, exclude socially marginalised voices, and jeopardise the conditions for life. In agreement with what some scholars have proposed (see Gergen et al., 2015; Martin-Baró, 1984), the goal is to open up possibilities for challenging oppressive, discriminatory, and marginalising patterns of discourse. We occupy a privileged position in society to promote arguments that not only explain but also challenge the status quo, laying

foundations for alternative, more humane representations that lead to just and inclusive futures.

Regarding protests, it is important for protesters to continue expressing their demands even when there is little hope of those demands being met by their governments, because demanding would move those with social power to account for why they refuse to act on people's demands (Willig, 1999b). This way, even if changes in institutional practices are not implemented immediately, protesters can still influence the public agenda by maintaining alternative meanings (i.e., polemic representations) circulating in society.

In a context where the future of protest as a means for social change and campaigning for social justice is threatened, it is vital to remember that what appears to be the last word is never the last word (Billig, 1991). Even with recent UK legislation suggesting that the door to social change is closed, knocking on it remains a possibility. As long as we keep knocking, through social protest or critical research, the possibility of the door being opened continues to exist.

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Appendix A. Policy Papers

Policy Paper 1. PCSC Bill 2021: Overarching factsheet

Note: see Home Office (2021c) for full reference.

Retrieved on 7 February 2022 from: https://www.gov.uk/government/publications/police-crime-sentencing-and-courts-bill-2021-factsheets

Police, Crime, Sentencing and Courts Bill 2021: overarching factsheet

1. What are we going to do?

- Back our police by equipping officers with the powers and tools they need to keep themselves and all of us safe.
- Introduce tougher sentencing for the worst offenders and end automatic halfway release from prison for serious crimes.
- Improve the efficiency of the court and tribunal system by modernising existing court processes.

2. How are we going to do it?

The Bill will:

- Protect our police by enshrining the Police Covenant in law, enabling special constables to join the Police Federation and introducing a new legal test that will compare a police driver to a peer with a similar level of training. This new test will strike the right balance between giving trained officers the confidence they need to fight crime effectively while holding to account those who drive in an inappropriate manner.
- Increase the maximum penalty from 12 months to two years in prison for anyone who assaults or commits an offence of battery against an emergency worker.
- Introduce a serious violence duty on specified authorities to work together to prevent and reduce serious violence.
- Place a duty on chief officers of police, local authorities and clinical commissioning groups or local health boards to undertake offensive weapons

homicide reviews to learn the lessons from such deaths and help prevent future homicides.

- We are going to strengthen the law that governs digital information extraction as part of criminal investigations through a statutory power and a code of practice. The statutory power will ensure that authorities can extract information from digital devices while protecting the privacy of victims of crime and others.
- The code of practice will guide authorities and provide clarity and consistency in obtaining digital evidence.
- Reform pre-charge bail to better protect vulnerable victims and witnesses.
- Extend the offence of arranging or facilitating the commission of a child sex offence to cover a wider range of preparatory conduct in respect of sex offences committed against children under 13.
- Extend the scope of offences in the Sexual Offences Act 2003 relating to the abuse of positions of trust legislation to capture additional roles, such as sports coaches.
- Ensure that the criminal courts have sufficient sentencing powers where criminal damage is caused to a memorial so that they can consider all the impacts, not just the monetary value of the damage done.
- Confer new powers on the police to assist them in locating human remains, to help provide closure where possible to families with missing loved ones.
- Amend the Crime (Overseas Production Orders) Act 2019 to ensure that it operates effectively to give the police and prosecutors the power to obtain faster access to electronic data held overseas.
- Strengthen police powers to tackle non violent protests that have a significant disruptive effect on the public or on access to Parliament.
- Strengthen police powers to tackle unauthorised encampments, where trespassers cause distress and misery to local communities and businesses.
- Introduce a number of road traffic measures to ensure the courts have the powers they need to deal with dangerous and careless drivers, place on a statutory footing the fees charged under the National Driver Offender Retraining Scheme, remove the legal requirement to surrender their driving license before a person can accept a fixed penalty notice and allow the police in Scotland to issue

fixed penalty notices on the spot to people who commit certain minor road traffic offences.

- Deliver on commitments made in the Sentencing White Paper to reform the sentencing and release framework, ensuring that we have a system that takes account of the true nature of crimes and protects the public from harm. Serious criminals will receive a tougher punishment and spend longer in prison. As part of this we are ending the automatic halfway release point from prison for an additional cohort of serious sexual and violent offenders; making a Whole Life Order the starting point for the premeditated murder of a child and preventing the automatic early release of prisoners who become of significant public protection concern.
- In addition, ensure that the system is agile enough to give offenders a fair start on their road to rehabilitation. Community sentencing should offer an appropriate level of punishment and address the underlying drivers of offending, providing interventions early to deflect people away from future offending. We will pilot a problem solving court approach to provide a robust alternative to an immediate custodial sentence and improve national consistency for adult Out Of Court Disposals. We will also reduce the time periods after which some criminal sentences become spent, aiding rehabilitation by helping offenders to move on with their lives.
- Wherever possible children who offend should be diverted from custody. Our youth justice measures will strengthen alternatives to custody which promote rehabilitation, while at the same time ensuring that children who commit serious offences and pose a risk to the public receive sentences that reflect the seriousness of their offending.
- Empower future providers of Secure Schools, which represent our vision for the future of youth custody— schools with security, rather than prisons with education, with education, wellbeing and purposeful activity at their heart.
- Introduce new Serious Violence Reduction Orders, giving the police stop and search powers to target adults convicted of knife and offensive weapons offences.

- Strengthen the management of sex offenders, including by enabling positive obligations and electronic monitoring requirements to be imposed on those who pose a risk through Sexual Harm Prevention Orders and Sexual Risk Orders.
- Strengthen the management of terrorism risk offenders on licence in the community by introducing new police powers of premises and personal search and an urgent power of arrest.
- Modernise the delivery of criminal justice and encourage greater use of technology, where appropriate. It will enable us to make permanent temporary provisions (in the Coronavirus Act 2020) which enable court users to participate in and observe proceedings remotely via video and audio technology to improve the accessibility and efficiency of our criminal courts and reduce the need for participants to travel unnecessarily to court; and to make specific provisions for Prisoner Escort and Custody Service officers to be able to supervise detainees in hearings taking place by way of live link in police stations, in particular Video Remand Hearings. Finally, we are enabling British Sign Language (BSL) interpreters to be present in the jury deliberation room, meaning that profoundly deaf individuals are not prevented from participating in jury service simply because they require the assistance of a BSL interpreter.

3. Background

In December 2019, the Government was elected with manifesto commitments to protect and empower our police by enshrining “the Police Covenant into law”, “passing the Police Protection Bill”, introducing new powers to “tackle unauthorised traveller camps” and introducing “a new court order to target known knife carriers, making it easier for officers to stop and search those convicted of knife crime”. The manifesto also committed to empower the courts to tackle crime, ensuring a fair justice system by introducing “tougher sentencing for the worst offenders and [ending] automatic halfway release from prison for serious crimes”; and toughening “community sentences, for example by tightening curfews and making those convicted do more hours of community payback”. This Bill contains a number of measures to support the delivery of those commitments.

In particular, the Bill will give effect to proposals set out in the following consultations

and White Paper:

- Police Covenant for England and Wales.
- The Law, Guidance and Training Governing Police Pursuits.
- A new legal duty to support a multi-agency approach to preventing and tackling serious violence.
- Serious Violence Reduction Orders: A new court order to target known knife carriers.
- Strengthening police powers to tackle unauthorised encampments.
- Police powers: pre-charge bail.
- A Smarter Approach to Sentencing, which details several proposals covering both youth and adult offenders, aiming to produce a sentencing regime which is robust when faced with the most dangerous offenders, but agile enough to give offenders a fair start on their road to rehabilitation.

The Government's manifesto also committed to trialling secure schools. Secure schools are a planned new form of youth custody which will align the youth custodial estate with international evidence that smaller, more therapeutic units are more successful in rehabilitating offenders and reducing reoffending.

During summer 2020, there was widespread upset about the damage and desecration of memorials. It has long been considered that the law is not sufficiently robust in this area— incidences of damage and desecration of memorials are typically of low monetary value, but very often carry a high sentimental and emotional impact. For this reason, we are legislating to remove the consideration of monetary value which would otherwise, in some cases, determine venue for trial and limit sentencing powers.

Further, COVID-19 has put pressure on our court rooms and we've had to react quickly and temporarily to enable court users to participate in and observe “virtual” proceedings taking place remotely via video and audio technology. These changes have reduced inefficiencies for court users and time-pressed citizens, whilst also making the court process less intimidating for vulnerable people. We want to put these temporary provisions on a permanent footing with the ability to extend remote observation of hearings beyond “virtual” proceedings in the future — subject to judicial discretion.

4. Frequently Asked Questions

4.1 How much will these measures cost?

- The Impact Assessments published alongside the Bill indicates that the current estimated cost of the measures in the Bill applying to England and Wales is between £100 million to £146 million per year once fully implemented.

4.2 Will these measures apply across the United Kingdom?

- The majority of the provisions in the Bill apply to England and Wales only, although certain provisions also apply to Scotland and Northern Ireland.
- The provisions in the Bill relate to a mixture of devolved and reserved or excepted matters in Scotland, Wales and Northern Ireland.

Policy Paper 2. PCSC Bill 2021: Protest powers factsheet

Note: see Home Office (2021d) for full reference.

Retrieved on 7 February 2022 from: https://www.gov.uk/government/publications/police-crime-sentencing-and-courts-bill-2021-factsheets

Police, Crime, Sentencing and Courts Bill 2021: Protest powers factsheet

> Protests are an important part of our vibrant and tolerant democracy. Under human rights law, we all have the right to gather and express our views. But these rights are not absolute rights. That fact raises important questions for the police and wider society to consider about how much disruption is tolerable, and how to deal with protesters who break the law. A fair balance should be struck between individual rights and the general interests of the community.
>
> Having reviewed the evidence, our conclusion is that the police do not strike the right balance on every occasion. The balance may tip too readily in favour of protesters when — as is often the case — the police do not accurately assess the level of disruption caused, or likely to be caused, by a protest.
>
> These and other observations led us to conclude that a modest reset of the scales is needed.

Her Majesty's Inspector of Constabulary, Matt Parr CB, 2021

1. Why are these measures needed?

Over recent years, certain tactics used by some protesters have caused a disproportionate impact on the hardworking majority seeking to go about their everyday lives. This has included halting public transport networks, blocking the printing press, blocking ambulances from reaching hospitals and preventing hundreds of hard-working people from getting to their jobs.

These protests have not only been highly disruptive and sometimes incredibly dangerous, they have also been a drain on public funds. For example, during Extinction Rebellion's protests of April and October 2019, some of London's busiest areas were brought to a standstill for several days. This had a disproportionate impact on commuters and small businesses, for example, with the policing operation for the two

extended protests costing £37m - more than twice the annual budget of London's violent crime taskforce.

Over the summer of 2020, 172 Metropolitan Police Service officers were assaulted by a violent minority during the BLM protests.

As a result, the National Police Chief's Council have expressed concerns that existing public order legislation is outdated and no longer appropriate for responding to the highly disruptive protest tactics used by some groups today.

The measures in the Police, Crime, Sentencing and Courts Bill will improve the police's ability to manage such protests, enabling them to balance the rights of protesters against the rights of others to go about their daily business, and to dedicate their resources to keeping the public safe.

2. What are we going to do?

The measures in the Bill will allow the police to take a more proactive approach in managing highly disruptive protests causing serious disruption to the public.

We have asked Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) to consider five legislative proposals. These were to:

- widen the range of conditions that the police can impose on assemblies (static protests), to match existing police powers to impose conditions on processions;
- lower the fault element for offences relating to the breaching of conditions placed on a protest of either kind;
- widen the range of circumstances in which the police can impose conditions on protests (again, of either kind);
- replace the existing common law offence of public nuisance with a new statutory offence as recommended by the Law Commission in 2015; and
- create new stop, search and seizure powers to prevent serious disruption caused by protests.

HMICFRS “concluded that, with some qualifications, all five proposals would improve police effectiveness without eroding the right to protest”. They go on to recommend

that the Home Office consider introducing legislation to obligate organisers of public assemblies to give the police written notice in advance of such assemblies and make provision for the prohibition of public assemblies. Such measures already exist for public processions, introducing them would align legislation so that the police have the same powers to deal with processions and assemblies.

Following careful consideration of the impact these measures will have on the police's ability to manage protests as well as civil liberties, we are proceeding with the legislative proposals set out below.

3. How are we going to do it?

Provisions in the Bill will:

- Widen the range of conditions that the police can impose on static protests to match existing police powers to impose conditions on marches.

This measure will enable the police to impose conditions such as start and finish times and maximum noise levels on static protests. The police already have the power to impose such conditions on marches.

HMICFRS' inspection found that "protests are fluid, and it is not always possible to make this distinction [between static protests and marches]. Some begin as assemblies and become processions, and vice versa. The practical challenges of safely policing a protest are not necessarily greater in the case of processions than in the case of assemblies, so this would not justify making a wider range of conditions available for processions than for assemblies".

- Broaden the range of circumstances in which police may impose conditions on a protest.

This measure will broaden the range of circumstances in which the police can impose conditions on protests, including a single person protest, to include where noise may cause a significant impact on those in the vicinity or serious disruption to the running of an organisation. The Home Secretary will have the power, through secondary legislation, to define and give examples of "serious disruption to the life of the community" and "serious disruption to the activities of an organisation which are carried out in the vicinity of the procession/assembly/one-person protest". These

regulation-making powers will clarify ambiguous cases where, if they arise, it may not be clear whether the threshold for the use of such powers have been reached. This will enable the police to make use of their powers with the confidence that they are doing so legally.

- Amend the offence relating to the breaching of conditions

This measure will close a loophole which some protesters exploit. Some will cover their ears and tear up written conditions handed to them by the police so that they are likely to evade conviction for breaching conditions on a protest as the prosecution have to prove that the person "knowingly fails to comply with a condition imposed". The Bill will change the threshold for the offence so that it is committed where a person "knows or ought to have known" that the condition has been imposed.

- Restate the common law offence of public nuisance in statute

The Bill will implement a recommendation by the Law Commission to introduce a statutory offence of public nuisance and abolish the existing common law offence. This will provide clarity to the police and potential offenders, giving clear notice of what conduct is forbidden.

- Ensure vehicular entrances to the Parliament Estate remain unobstructed

This measure will enable the police to direct an individual to cease, or not start, obstructing the passage of a vehicle into or out of Parliament and make it an offence not to comply with such a direction. This will protect the right of access to the Parliamentary Estate for MPs, Peers and others with business there, as recommended in the Joint Committee on Human Rights in their 2020 report on Democracy, freedom of expression and freedom of association: Threats to MPs.

4. Common Misconceptions

4.1 Will these measures ban protests?

No, these measures will not grant the police, local authorities, or any other body powers to ban protests.

However, the Public Order Act 1986 already contains exceptional powers for a local authority, on an application by the Chief Constable and with the consent of the Home

Secretary, to prohibit a public procession or trespassory assembly. In London, these powers are given to the Commissioner of the Metropolitan Police and the Commissioner of the City of London Police, with the consent of the Home Secretary. These powers are unchanged by this Bill.

4.2 Will these measures ban protests for being too noisy?

No, the police will only be able to impose conditions on unjustifiably noisy protests that cause harm to others or prevent an organisation from operating.

The threshold for being able to impose conditions on noisy protests will be appropriately high. Police will only use it in cases where it is deemed necessary and proportionate.

For an upcoming protest, the Chief Constable of the relevant force will be responsible for making the decision of whether the threshold is likely to be met. For a protest already taking place, the most senior officer at the scene will decide if the threshold is likely to be met. Depending on the circumstances, the senior officer would typically be an Inspector, Chief Inspector, or Superintendent.

In recent years we have seen some protesters use egregious noise not as a method of legitimately expressing themselves, but to antagonise and disrupt others from the enjoyment of their own liberties and rights.

This power can only be used when the police reasonably believe that the noise from the protest may cause serious disruption to the activities of an organisation or cause a significant impact on people in the vicinity of the protest. “Impact” is defined as intimidation, harassment, serious unease, serious alarm, or serious distress with the police then having to consider whether the impact is significant.

When making use of these powers, the police will need to take into account a range of factors, including:

- Who is impacted — police can consider factors such as whether a protest will impact children or vulnerable groups. They may also consider the number of people likely to be impacted by a protest.
- The duration of the impact —an extended protest stretching over many days may, for example, be more likely to meet the thresholds for use of these powers than a short but noisy protest, which will be unlikely to meet the threshold.

- The intensity of the impact —an extremely noisy protest taking place outside a large, double- glazed office building is unlikely to have the same impactor cause the same disruption as a similarly noisy protest outside a care home for the elderly, a small GP surgery, or small street- level businesses.
- The human rights of protesters and of those impacted — in all scenarios, police will need to consider the human rights both of protesters — including freedom of expression and freedom of assembly —and of those impacted by protests.

This means that:

- A noisy protest in a town centre may not meet the threshold, but a protest creating the same amount of noise outside a school might, given the age of those likely to be impacted by the protests.
- A noisy protest outside an office with double glazing may not meet the threshold, but a protest creating the same amount of noise outside a care home for elderly people, a small GP surgery, or small street-level businesses might, given the level of disruption likely to be caused by the protest.
- A noisy protest that only lasts a short amount of time may not meet the threshold, but a protest creating the same amount of noise over several days might, given the extended duration of the protest.

The majority of protests in England and Wales do not cause serious disruption to the activities of an organisation or a significant impact on the people in the vicinity of the protest so will be unaffected by this legislation. This power will only limit the most extreme cases where the noise from protests is unjustifiable.

4.3 Will these measures ban protests outside Parliament?

No, the ability to protest outside the heart of our democracy is a fundamental right that this Government will not erode.

The measure relating to Parliament enables a police officer to direct an individual to cease, or not begin, obstructing the passage of a vehicle into or out of Parliament. This is to ensure that those who have business there can access Parliament without facing the security risk of being attacked as a result of being held stationary outside of Parliament's gates.

Protesters will be able to continue to protest outside Parliament, providing they follow a police officer's direction to not obstruct vehicular entrances as a vehicle is approaching.

This measure responds to a recommendation made by the cross-party Joint Committee on Human Rights to prioritise the protection of democratic institutions and the importance of access to Parliament for everyone with business there in their October 2019 report “Democracy, freedom of expression and freedom of association: Threats to MPs”. The Committee is Chaired by Harriet Harman, a Labour MP.

4.4 Will these measures ban protest that are annoying?

No. The Police, Crime, Sentencing and Courts Bill does not introduce a new power to ban protests.

Whilst the public nuisance offence can capture behaviour that causes the public or a section of the public to suffer serious annoyance, this is consistent with the existing common law offence of public nuisance and does not connote merely feeling annoyed.

The term “annoyance” has been applied to:

- allowing a field to be used for holding an all-night rave;
- conspiring to switch off the floodlights at a football match so as to cause it to be abandoned; and
- noise, dirt, fumes, noxious smells and vibrations.

4.5 Will protesters face 10-year sentences for being a nuisance?

The public nuisance offence is not a new offence, but an existing, centuries old, common law offence which currently has a maximum sentence of life imprisonment.

We are introducing the offence in statute, and abolishing the common law offence, in line with the recommendations of the independent Law Commission. In doing so, we are narrowing the scope of the offence and lowering the maximum penalty from unlimited crown court penalties, to 10 years' imprisonment.

The offence of public nuisance covers behaviours beyond those related to public order. The Law Commission identified the need for this offence as “Human inventiveness being so great, it is desirable to have a general offence for culpable acts that injure the public but do not fall within any of the specialised [existing] offences.”

Any protesters found guilty of public nuisance are likely to face penalties in line with existing sentences for public order offences.

Stricter sentences under this offence are likely to only occur in exceptional circumstances, the Law Commission recommended "as the offence is intended to address serious cases for which other offences are not adequate, if a maximum sentence is set it should be high enough to cover these cases." Sentencing in individual cases is a matter for the independent judiciary.

4.6 Will the Home Secretary be able to decide what constitutes "serious disruption"?

No. Deciding whether to place conditions on an assembly or procession to prevent serious disruption is an operational matter for the police. In the event of a challenge, ultimately it would be for the courts to decide whether the threshold of serious disruption had been met.

The regulation-making power provided for in the Bill simply allows the Home Secretary to provide clarity as to the term "serious disruption" where confusion arises. Any definition created through this power will need to fall within what can reasonably be understood as "serious disruption". For example, clarifying that hindering news reporting and disrupting the free press can be considered to be serious disruption.

The regulations will need to have been debated and approved by both Houses of Parliament before they can be made by the Home Secretary.

4.7 Will these measures undermine freedom of expression?

No, freedom of expression is a cornerstone of British democracy. The majority of protests in the England and Wales will be unaffected by these changes.

These measures will balance the rights of protesters with the rights of others to go about their business unhindered. They will achieve this by enabling the police to better manage highly disruptive protests.

4.8 Why are these measures needed?

Existing public order legislation was passed in 1986 and is no longer fit for managing many of the types of protests we experience today.

The highly disruptive tactics used by some protesters cause a disproportionate impact on the surrounding communities and are a drain on public funds. For example, during

Extinction Rebellion's protests of April and October 2019, some of London's busiest areas were brought to a standstill for several days with the policing operation for the two extended protests costing £37m - more than twice the annual budget of London's violent crime taskforce.

These measures will improve the police's ability to manage such protests, enabling them to dedicate their resources to keeping the public safe.

4.9 How will protesters' rights be protected?

When using these, or existing public order powers, the police must act within the law and be able to demonstrate that their use of powers are necessary and proportionate. They must act compatibly with human rights, principally in relation to protests, Article 9 (freedom of thought, conscience and religion), Article 10 (freedom of expression) and Article 11 (freedom of association) of the European Convention on Human Rights (ECHR).

The ECHR is explicit in stating that public authorities may temporarily restrict these rights in extreme circumstances if they can show that their action is lawful, necessary and proportionate in preventing disorder or crime [among other reasons].

For example, an authority may be allowed to restrict the freedom of expression, given by article 10, if the protest in question expresses views that encourage racial or religious hatred. This in turn protects the rights of the public at large, including the protestors.

4.10 What conduct will the new public nuisance offence capture?

The new statutory offence of public nuisance will cover the same conduct as the existing common law offence of public nuisance. The offence captures conduct which causes serious harm to, endangers the life, health, property or comfort of the public, or obstructs the public in the exercise or enjoyment of rights common to the public. An act or omission is considered to cause serious harm if as a result, a person suffers serious distress, serious annoyance, serious inconvenience or serious loss of amenity. Conduct captured here will include nuisances such as producing excessive noise or smells, or offensive or dangerous behaviour in public, such as hanging from bridges. For instance, previous convictions have been for throwing oneself into a river, or for threatening to jump from motorway bridges. Each of these caused unnecessary

burden on, and distraction for, emergency services, in particular the use of police resources that could not be used elsewhere in the community. This denied an amenity to a cross section of the public.

A reasonableness defence is provided; allowing for a person to prove that they had a reasonable excuse for the act or omission. The burden of proof is placed on the defendant as the facts as to whether they have a reasonable excuse will be within their knowledge.

Policy Paper 3. PCSC Bill 2021: Criminal damage to memorials factsheet

Note: see Home Office (2021b) for full reference.

Retrieved on 7 February 2022 from: https://www.gov.uk/government/publications/police-crime-sentencing-and-courts-bill-2021-factsheets

Police, Crime, Sentencing and Courts Bill 2021: criminal damage to memorials factsheet

Increasing the maximum penalty for criminal damage of less than £5,000 to a memorial from 3 months to 10 years' imprisonment

1. What are we going to do?

The offence of criminal damage is an either way offence which attracts a maximum sentence of 10 years' imprisonment. Where the damage value is less than £5,000, the case must be tried summarily and attracts a maximum sentence of 3 months' imprisonment and, or a fine of up to £2,500.

Damage to a memorial is covered by the offence of criminal damage and where the damage value is under £5,000, the court's powers are restricted as outlined above.

Concern has been voiced in Parliament and society that the law focuses too heavily on the monetary value of the damage with insufficient consideration given to the emotional or wider distress caused by this type of offending, and as a result, the punishments do not fit the crime.

We intend, where there is damage to a memorial, to remove the consideration of monetary damage, which would otherwise, in some cases, determine venue and limit sentencing powers.

Instead, in cases where a memorial has been damaged, mode of trial will not be determined by the monetary value of the damage caused and the maximum sentence of imprisonment will be ten years' imprisonment.

2. How are we going to do it?

Section 1(1) of the Criminal Damage Act 1971 creates an offence of destroying or damaging any property belonging to another person, whether intentionally or recklessly, without lawful excuse. This offence attracts a penalty of a term of imprisonment not exceeding ten years.

Where the damage caused to the property does not exceed £5,000 in value, section 22 of the Magistrates' Courts Act 1980 requires the case to be tried summarily in the magistrates' court where the maximum sentence available is 3 months' imprisonment and/or a fine of up to £2,500.

The proposed change will amend the Magistrates' Courts Act 1980 so that, where damage or desecration of a memorial occurs and amounts to an offence of criminal damage the court will no longer be constrained in its options where the value involved in monetary terms is assessed to be less than £5,000.

Background There is widespread belief that the current law does not provide enough powers to allow the court to deal effectively with the desecration of war memorials and other statues. The issue re- emerged during summer 2020 when many statues and memorials were damaged causing great concern to the wider public. The government has considered these concerns and proposed, these changes which will mean the courts can now deal effectively with damage caused to memorials.

3. Frequently Asked Questions

3.1 Why has this law been introduced?

There has been widespread upset about the damage and desecration of memorials with a recent spate over the summer of 2020. It has long been considered that the law is not sufficiently robust in this area. Incidences of damage and desecration of memorials are typically of low monetary value, but very often carry a high sentimental and emotional impact. As the law previously stood, courts were obliged to try such cases summarily where the value of damage was assessed as being less than £5,000, which, in turn, meant the full range of sentencing powers was not available.

3.2 What is classed as a memorial?

The Bill defines a ‘memorial’ as a building or other structure, or any other thing that is erected or installed on land (or in or on any building or other structure on land). A

memorial can include a moveable object, a garden or any other thing planted or grown on land. At least one of the memorial's purposes is to commemorate an individual or animal; whether living or deceased or capable of being identified; or an event or a series of events (such as an armed conflict).

3.3 Will the changes cover damage to items laid on a memorial, such as wreaths and flowers?

Flowers or a wreath which are placed at a structure, such as a gravestone or The Cenotaph, for the purposes of commemoration (as defined), albeit temporarily, would be treated in the same way as the memorial itself.

Policy Paper 4. Overarching equalities statement: Criminal law

Note: see Home Office & Ministry of Justice (2022) for full reference.

Retrieved on 7 February 2022 from: https://www.gov.uk/government/publications/police-crime-sentencing-and-courts-bill-2021-overarching-documents

Overarching equalities statement: criminal law

Purpose of Document

1. This equality analysis has been undertaken to assist the Secretary of State in deciding whether to (a) amend legislation to ensure that where memorials are damaged or desecrated, the courts are able to sentence appropriately, and (b) extend the criminal offences at ss 16 - 19 of the Sexual Offences Act 2003 (the "position of trust" offences) to capture other roles or relationships within their parameters, by indicating any likely equalities impacts of the proposed changes that the PCSC Bill would introduce. This analysis supports the Secretary of State in fulfilling his duty under the Public Sector Equality Duty (PSED) by having due regard to the equality impact of implementing the proposed provisions.
2. This document assesses the potential equalities benefits and risks that have been identified in relation to (a) amending legislation, to ensure that where memorials are damaged or desecrated the courts are able to sentence appropriately; and (b) the extension of the "positions of trust" offences. It considers the justification for the change, any necessary mitigating actions which have been proposed to reduce the likelihood of the risks and includes an assessment of any equalities benefits.

Ministry of Justice and the Public Sector Equality Duty

3. Under the Equality Act 2010, when exercising its functions, the MoJ has an ongoing legal duty as part of the Public Sector Equality Duty (PSED) to pay due regard to the need to:
    - eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct under the Equality Act 2010;

- advance equality of opportunity between different groups of persons who share a protected characteristic and those who do not; and
- foster good relations between different groups.

4. We also recognise that the MoJ, as a service provider, has a duty to make reasonable adjustments for disabled people.
5. Having due regard to the PSED needs to be considered in light of the nine protected characteristics:
    a. Race
    b. Sexual Orientation
    c. Marriage/Civil Partnership
    d. Gender (sex)
    e. Religion or Belief
    f. Gender Reassignment
    g. Disability
    h. Age
    i. Pregnancy/Maternity

Policy Summary

Policy: Amending legislation to ensure that where memorials are damaged or desecrated the courts are able to sentence appropriately.

6. A Private Members' Bill, the Desecration of War Memorials Bill was introduced to Parliament under a ten-minute rule motion on 3 February 2010. It proposed an amendment to the Criminal Damage Act 1971 to make provision for damage to war memorials, but the Bill did not progress due to the 2010 General Election.
7. During the demonstrations which took place in summer 2020, protesters targeted statues, including war memorials and other commemorations of cultural significance. This sparked significant interest in the issue in the House of Commons, particularly from Conservative MPs.
8. On the 23 June 2020, backbench MPs asked the Government to support a new Desecration of War Memorials Bill, intended to introduce a new and specific offence where a person destroys, damages or otherwise desecrates a war memorial. The MPs expressed concern that under the current law, damage to war

memorial of £5,000 or less, must be tried summarily and has a maximum custodial sentence of three months, which does not reflect the severity of the crime, nor the public offence caused.

9. The aim of this proposal is to introduce an amendment to the Magistrates' Courts Act 1980 to remove consideration of monetary value with respect to criminal damage to memorials which would otherwise, in some cases, determine venue and limit the court's sentencing powers. These changes will ensure that where memorials are damaged or desecrated, the courts are able to sentence appropriately.
10. Where damage to a memorial is worth C5,000 or less, it will no longer be treated as a summary only offence. Instead it can be tried either way and attracts a maximum custodial sentence of ten years.

Policy: Extending the "positions of trust" offences in the Sexual Offences Act 2003.

11. The Sexual Offences Act 2003 contains a number of offences which criminalise sexual activity with a person under the age of 18 by people who hold a "position of trust" in respect of that young person even if such activity involves a victim who is over the age of 16 and appears to be consensual, effectively raising the age of consent from 16 to 18 in those circumstances.
12. The offences were not intended to cover all scenarios in which a person might have contact with, or a supervisory role of, those aged under 18. The "positions of trust" offences were so defined to target those where the young person has some element of dependency on the adult involved, often combined with an element of vulnerability of the young person: for example, those caring for a young person in a residential care home, hospital or educational institution.
13. These offences build on the "general" child sex offences, which make it a crime for anyone to engage in sexual activity with someone under the age of 16, whether or not they consent to that activity. Non-consensual sexual activity, whatever the age of the victim, is also illegal.
14. The existing offences seek to balance the need to protect those young people in vulnerable positions while respecting the rights of all young adults to give legal consent to sexual activity from the age of 16.

15. We have carried out an internal review to ensure that existing offences are being used appropriately and effectively. By conducting this engagement exercise, it allowed us to test how effectively the current law is working and how well it is understood. It also allowed us to engage with organisations that work with young people across a range of sectors to understand their concerns and ensure that the right measures are in place to protect young people from inappropriate behaviour.
16. Our review found that the current laws are not providing full protection to young adults who have ultimately been abused by adults on whom they are dependent and in situations where they could be considered vulnerable.
17. The review found that this was particularly the case for adults in positions of trust over young people in sports and religious/faith activities. Sports coaches have, unlike many other roles, the opportunity to physically touch the young people in their care. They also have the opportunity to spend time, including overnight stays, with those in their care, and can have a very powerful influence over a young person's future in the sport.
18. We also found that religious leaders are in a particular position of trust because of their centrality to the life not just of a young person, but of that person's whole family and community.
19. We recognise, however, that there are other roles which may be exploited in this way, which is why we will make it easier for the government to add further roles by secondary legislation if evidence suggests this is needed in the future.
20. The objective of the policy is to extend the roles defined as “positions of trust” to protect children, including more young people aged 16- 17 from sexual exploitation and abuse.

Sources of Information

21. The main source of information used for this analysis is data on Criminal Justice System (CJS) outcomes (specifically sentencing) by age, sex and ethnicity in the annual Criminal Justice System Statistics Quarterly (CJSQ), which is published every year.
22. We have also consulted:
    a. Statistics on Race and the Criminal Justice System 2018;
    b. Statistics on Women and the Criminal Justice System 2017;

c. Her Majesty's Prison and Probation Service (HMPPS) Offender Equalities Annual Report 2018 to 2019;
d. The Nature of Violent Crime in England and Wales: year ending March 2018;
e. 2011 United Kingdom Census.

Availability of data

23. Detailed data about sentenced prisoners in the affected cohort is widely available for three of the nine protected characteristics —age, sex and ethnicity. We have used this data for our equality analysis. Although there are some data available on those serving sentences of imprisonment by other protected characteristics (see Her Majesty's Prison and Probation Service (HMPPS) Offender Equalities 2018/19 report) this does not allow us to compare the cohort of prisoners who will be affected by this change as we cannot match offenders by these characteristics to specific offence committed. We have not presented data where they are not available at sufficient quality and with sufficient coverage to be meaningful. Data is presented where known, therefore where sex, ethnicity or age are not stated or unknown they are omitted from analysis.

Summary of Equalities Impacts

24. On the basis of the data and evidence currently available, the following impacts in relation to protected characteristics have been considered in relation to their relevance to the proposed amendments to criminal damage to memorials legislation and extensions to the position of trust offences.

Affected Groups

25. The proposed changes will have a direct impact on offenders who are convicted of criminal damage, vandalism, or otherwise desecration of memorials. Under the new measure, damage to a memorial of £5,000 or less, will no longer be restricted to summary trial and a maximum 3 months imprisonment. Such cases may be dealt with in the Crown Court and attract a sentence of up to 10 years imprisonment.
26. The proposals will also have a direct impact on individuals who are currently outside the scope of the positions of trust offences but whose behaviour would

become criminal after the proposed changes are introduced. This principally applies to sports coaches and religious/faith leaders, who are aged 18 or over, engaging in sexual activities with 16-17 year olds over whom they hold a “position of trust”.

27. Memorial damage offenders could be affected by longer periods of custody, followed by a corresponding longer period of probation on licence, as well as criminal court proceedings and possible subsequent sentences. Offenders who may have received other disposals such as community sentences or suspended sentences may now receive longer custodial sentences due to the increased perceived seriousness of their crimes. The change will also affect the offenders' families including spouses and civil partners as well as children, but data on the impact on marriage/civil partnership is unavailable.
28. Positions of trust offenders could be affected by criminal court proceedings and possible subsequent sentences. The change will also affect the offenders' families including spouses and civil partners as well as children, but data on the impact on marriage/civil partnership is unavailable.

Offenders

29. For the purposes of this analysis, we assume that the composition of the group of offenders that commit statue vandalism is the same as that for the more general criminal or malicious damage offence, and that the composition of the group of offenders. In respect of positions of trust, the proposed changes that would apply to certain activities within the field of sports or religion is the same as that for the existing abuse of positions of trust offences by the protected characteristics of ethnicity, sex, and age. We have compared the group of offenders committing criminal or malicious damage offences and the group of offenders committing abuse of positions of trust offences with the composition of the general population of England and Wales to identify any particular protected characteristics that may be disproportionately affected by the proposed changes. We have also compiled statistics on the conviction rate and custody rate by characteristic, which can be compared with the overall statistic to identify disproportionality. All statistics are reported in Annex A.

30. The offender data used for this exercise is from 2019. The statistics on the general population of England and Wales are from 2018.
31. The data suggests that some characteristics may be overrepresented in the offender population affected by this change, while other characteristics are represented in similar proportions in the affected group and in the comparison group (the general population of England and Wales). Specifically:

Gender/Sex

Memorial Damage

32. Men represent around 50% of the adult population in England and Wales. However, males compose 89.4% of those convicted of criminal or malicious damage and 94.6% of those sentenced for the offence.

Positions of Trust

33. Males compose 86.2% of those convicted of abuses of positions of trust and 90% of those sentenced for the offence. These overrepresentations are consistent with trends observed at various points of the criminal justice system.

Race and Ethnicity

Positions of Trust

34. Where ethnicity was known, the proportion of White offenders in the group of those convicted (87.1%) and sentenced (85.5%) for positions of trust abuses is similar with the proportion in the general population of England and Wales (86.0%). This is contrasted to an overrepresentation of Black offenders as a proportion of those convicted (5.0%) and of those sentenced (5.9%) relative to the adult population (3.3%). It was not possible to draw inference for other ethnic groups (Asian, Mixed, Chinese and Other) because sample size was too small (fewer than 10 cases cumulatively between 2009 and 2019).
35. The latest ethnicity data about the general population produced by the Office for National Statistics is the 2011 United Kingdom Census, which could be outdated and no longer representative of the population in 2020. Therefore, the comparisons between the offender population and the general population could draw inaccurate conclusions.

Memorial Damage

36. The offender data from the published Criminal Justice System statistics does not record the ethnicity of offenders for the statue vandalism offence. We are therefore unable to identify the cohort of offenders affected by the proposed changes by this protected characteristic.

Age

37. There are different sentencing regimes in place for adults and children and this change will not affect children as the policy will only apply to adult offenders (those aged 18+). This reflects the different purpose and focus of the youth justice system which is more on reparation and rehabilitation than on punishment.
38. For statue vandalism offences, offenders aged 21-24, 25-29, and 30-39 appear to be overrepresented with respect to the general population. These three cohorts compose on average around 10 percentage points more in the offender group than in the general population This is matched by an underrepresentation of the older cohorts (50-59, 60-69, and 70+), whilst offenders aged 18-20 and 40-49 are proportionally represented.
39. For positions of trust offences, offenders aged 18-20, 50-59, 60-69, and 70+ appear to be underrepresented with respect to the general population. Offenders aged 21-24 appear to be highly overrepresented as they comprise 35.7% of those convicted and 28.9% of those sentenced but only 6.5% of the general population. Offenders aged 30-39 or 40-49 are also overrepresented but to a lesser degree. However, it's important to caveat these figures because the sample size was again relatively small so inference must be interpreted with caution. We may also see an increase in younger positions of trust offenders due to the changes to the provisions.

Gender Reassignment

40. The numbers available for this protected characteristic are too small for a reasonable assessment to be made on disproportionality in regard to both criminal damage to monuments and positions of trust offences.

Religion or belief

Memorial Damage

41. We are unable to identify, by this protected characteristic, those affected by both criminal damage to monuments.

Positions of Trust

42. We do not expect any particular religion to be disproportionately affected over another by the inclusion of religious settings to the positions of trust offences in the Sexual Offences Act 2003. These provisions will add religious settings to many others already included within the definitions of positions of trust; they do not particularly focus on or single out religious or faith groups. Our provisions are designed to protect young people under the age of 18 from those who would use their position in certain faith and religious settings to sexually manipulate and abuse them. Our provisions do not target one area of faith over another but reflect the unique position of power these roles hold, and we have been guided by the very real concerns of those who work within those sensitive fields. The positions of trust provisions do not prevent or prohibit the following of or involvement in any particular religion or faith.
43. We acknowledge that these provisions have the potential to adversely affect the sexual freedom, albeit in very limited circumstances, of those teaching in a religious setting, but we feel that on evidence and experiences shared by those who work in faith settings that such an extension of the criminal law is necessary to protect the most vulnerable. Alongside advice received during the Ministry of Justice's internal review of the law, there were calls for such reforms from the independent Inquiry into Child Sexual Abuse and the APPG on Safeguarding in Faith Settings. It was suggested that the centrality of trusting relationships within religious communities, and the high level of trust accorded to faith leaders, means that children and young people may be particularly vulnerable in these settings compared with others. We believe that the limited impact that our provisions may have on those who coach, teach, train, supervise or instruct in religion is justifiable in achieving the aim of protecting the young who fall under their power or trust of such people from sexual abuse, manipulation and exploitation.
44. We recognise that there may be a need in future to extend the positions of trust offences further and our provisions will allow such reforms via secondary legislation should it prove necessary to do so.

Disability

45. We are unable to identify by this protected characteristic, those affected by both criminal damage to monuments and positions of trust offences. However, it remains important to continue to make reasonable adjustments for disabled offenders, defendants, victims, witnesses and courts and tribunals users to make sure appropriate support is given to enable rehabilitation and fair access to justice, as well as support for our staff.

Pregnancy/Maternity

46. We are unable to identify by this protected characteristic, those affected by both criminal damage to monuments and positions of trust offences. We will continue to ensure the provision of Mother and Baby Units in prisons, and support within community settings.

Sexual Orientation

47. In 2019, 97.3% of prisoners in England and Wales who declared a sexual orientation reported that they were heterosexual, slightly higher than the UK general population where 94.6% identified as heterosexual in 2018. However, we are unable to identify by this protected characteristic, those affected by both criminal damage to monuments and positions of trust offences.

Marriage/Civil Partnership

48. We are unable to identify by this protected characteristic, those affected by both criminal damage to monuments and positions of trust offences.

Victims

49. Changes to vandalism to memorials will affect the victims, and the families of the victims, of these offenders in particular, and the public in general, in that they may feel protected for longer from the risks presented by the offender and will be more likely to consider that the punishment better reflects the harm they have suffered. It will also increase the confidence of victims and the public in the administration of justice.

50. We are not able to identify by protected characteristics the victims of the specific cohort of offenders affected by this change.
51. The positions of trust changes will also affect the victims, and the families of the victims, of these offenders in particular, and the public in general, in that they will know that sports coaches and religious leaders can now be charged with sexual offences committed by adults in these additional positions of trust. It will also increase the confidence of victims and the public in the administration of justice.
52. The change will limit the freedoms of individuals aged 16 to 17 to consent to engage in consensual sexual activities with those aged 18 or over, within the extended "positions of trust" relationships. Such actions could also potentially make them victims of a crime. We believe this limited impact results from a proportionate means of achieving the legitimate aim of protecting young and vulnerable victims from serious criminal behaviour.
53. With respect to victims, this change only affects a small cohort limited by age (16-17 years of age). However, we do not believe the change amounts to discrimination (direct or indirect) towards this protected characteristic. We are not able to identify by other protected characteristics besides age the victims of the specific cohort of offenders affected by this change.

Equality considerations applicable to all policies

Eliminating Unlawful Discrimination

Direct Discrimination

54. Direct discrimination occurs when a policy would result in people being treated less favourably because of a protected characteristic. Our assessment is that these changes are not directly discriminatory within the meaning of the 2010 Act, as they apply in the same way to all individuals regardless of their protected characteristics. No offender will be treated less favourably in relation to any protected characteristic.

Indirect Discrimination

55. Indirect discrimination occurs when a policy applies equally to all individuals but would put those sharing a protected characteristic at a particular disadvantage compared to those who do not. Our initial assessment is that these changes are

not unlawfully indirectly discriminatory within the meaning of the Equality Act as explained below.

56. By virtue of the overrepresentation of these groups in the cohorts of offender to which these policies apply, taking the policies together we acknowledge that any adverse impacts arising from these changes will be more likely to affect male offenders.
57. Males are substantially overrepresented in the criminal or malicious damage and positions of trust offender groups in relation to the general population.
58. In general, non-White ethnic groups appear to be over-represented at most stages throughout the CJS, compared with the White ethnic group, and among non-White ethnic groups, Black and Mixed individuals are often the most over-represented. This trend is only partially reflected for the abuse of positions of trust offences, and we were unable to identify whether this trend is also manifested in the criminal or malicious damage offence due to unavailable data.
59. We do not, however, consider that these overrepresentations will likely result in any particular disadvantage for offenders with protected characteristics. Our assessment is that the changes described by these policy proposals are a proportionate means of achieving our aim of ensuring that courts are able to sentence appropriately at every level for this particular type of offending. Overall, therefore, we do not consider that these policy changes are likely to result in any unlawful indirect discrimination.
60. HMPPS already has measures in place which will help offenders who will spend longer in prison. Longer periods in custody can be used to work with offenders on strengthening relationships with families or significant others. Following the 2017 publication of Lord Farmer's review into the importance of family ties for male prisoners, £5.5 million has been devolved to Governors of all public-sector prisons to deliver family engagement services. The in-cell Telephony Project has also equipped 30 public-sector prisons with the technology that allows people in custody to make telephone calls from their cell, to allow more frequent family contact for offenders serving longer sentences. A further 21 public-sector prisons are in the process of being fitted with in-cell telephony.
61. In 2018, HMPPS issued a special Model of Operational Delivery for older prisoners, which was developed in recognition of the sizeable and growing proportion of

older prisoners in the prison estate. It addresses how services and interventions may be tailored to enable all older prisoners to maintain their physical and mental wellbeing, and their independence. In addition, prisons are required to agree and sign off a Memorandum of Understanding with their local authority partners, which sets out how services will work locally together. As of August 2020, approximately 90% are in place, either signed or in draft waiting for signature. This work has ensured that HMPPS and local authorities have engaged to ensure capability and capacity to deliver social care as defined in the Care Act 2014 at a local level.

Discrimination arising from disability and duty to make reasonable adjustments

62. In so far as these changes extend to disabled offenders, we believe that the policies are proportionate, having regard to their aims. It would not be reasonable to make an adjustment for disabled offenders so that they are out of scope of the proposals, but it remains important to make reasonable adjustments for disabled offenders to ensure appropriate support is given. We do not consider that any adjustments are required for disabled people over and above the ones already in place in prisons.

Harassment and victimisation

63. We do not consider there to be a risk of harassment or victimisation within the meaning of the Equality Act as a result of these changes.

Advancing Equality of Opportunity

64. We have had regard to this aspect of the equality duty but do not consider that these changes will affect the advancement of equality of opportunity in the case of either criminal or malicious damage or positions of trust offences, although there will be positive impacts for victims which may affect certain groups more.

Fostering Good Relations

65. Our assessment is that these changes are unlikely to impact on fostering good relations between groups with different protected characteristics.

Harassment and Victimisation

66. We do not consider there to be a risk of harassment or victimisation as a result of these proposals.

Monitoring and Evaluation

67. We will continue to pay due regard to the Public-Sector Equality Duty as the proposals are implemented and will consider the most effective ways of monitoring equalities.

Continuing Analysis

68. The equality duty is an ongoing duty and we will draw on any data that could provide evidence on the impact of these changes to inform any future review of how the policies works for all affected offenders, including those with protected characteristics who are currently overrepresented in affected groups.

Policy Paper 5. PCSC Bill 2021: Noise-related provisions factsheet

Note: see Home Office (2022) for full reference.

Retrieved on 28 February 2022 from: https://www.gov.uk/government/publications/police-crime-sentencing-and-courts-bill-2021-factsheets

Police, Crime, Sentencing and Courts Bill 2021: noise-related provisions factsheet

Noise can be an irritant and do damage. We have to consider its effect on people, where it is either so loud or so persistent that it cannot be ignored. If people turn around to the police and say, “What are you going to do about it?” and they say, “Actually, it's not illegal. It is okay and you shouldn't be irritated by it,” that will not work....

I agree that it is hard to imagine a single-person protest of such significance that the police should intervene. However, we have seen it outside this place. Somebody with the right amplification can cause a lot of effect, particularly if it is outside your front door or business. People will ask for help and the police need to know where they stand on that. If Parliament does not want to help them to decide that issue, it is left to the officer on the street to decide. That goes back to the simple advice, at three o'clock in the morning or more likely nine o'clock at night, to make their own decisions. They are pretty good at acute problem-solving, but they deserve the support of Parliament to be clear about what is and is not okay.

Lord Hogan-Howe, Former Commissioner of the Metropolitan Police Service, House of Lords, 24 November 2021

1. What are we going to do?

The Bill widens the range of situations in which police officers can place conditions on protests in England and Wales, allowing officers to set conditions to prevent the noise generated by the protest in question having a significant impact on people or cause serious disruption to the activities of organisations in the vicinity.

This measure has nothing to do with the content of the noise generated by a protest, just the level of the noise. Protests by their nature often raise difficult and

controversial issues faced by our society, and we fully support the right of individuals to express their feelings and concerns about such issues.

2. How are we going to do it?

The Bill will allow police to place conditions on public processions, public assemblies and one-person protests where it is reasonably believed that the noise they generated may result it serious disruption to the activities of an organisation carried on in the vicinity or have a significant impact on people in the vicinity of the protest.

Serious disruption to the activities of an organisation is defined as including where it may result in persons connected with the organisation not being reasonably able, for a prolonged period of time, to carry out their activities within the vicinity of a protest. The Home Secretary will have a delegated power to further define the meaning of serious disruption and provide further clarity to police in the use of these powers.

We will work closely with the National Police Chiefs' Council, the College of Policing and other policing partners to produce guidance on the use of these new measures and other powers included in the Bill.

3. Background

Recent months have shown that certain tactics employed by some protestors have had a hugely detrimental effect on the hardworking majority seeking to go about their daily lives. As a result of the disruption these protests have caused, the National Police Chiefs' Council have expressed concerns that existing public order legislation is outdated and no longer appropriate for responding to the highly disruptive tactics used by some groups today.

These measures will improve the police's ability to manage such protests, enabling them to balance the rights of protestors against the rights of others to go about their daily business, and to dedicate their resources to keeping the public safe.

These powers do not silence protestors or curb freedom of expression. The power to set noise- related conditions will only be used in the most exceptional of circumstances, where police assess the noise from protests to be unjustifiable and damaging to others.

When deciding whether to impose such conditions, police will need to consider a range of factors, including:

- Who is impacted e.g. whether a protest will affect vulnerable groups such as children, or the number of people impacted.
- The duration of the impact e.g. a protest stretching over several days may be more likely to meet the threshold than a short but noisy protest.
- The intensity of the impact e.g. an extremely noisy protest outside a double-glazed office building is unlikely to have the same intensity or cause the same disruption as a similarly noisy protest outside a care-home, small GP surgery or school.
- The rights of protestors and those impacted. In all scenarios the police will need to act in a manner that is compatible with the human rights of protestors (including freedom of expression and freedom of assembly) and those impacted by the protest.

4. Frequently asked questions

4.1 Who can impose noise-related conditions?

For an upcoming protest, the Chief Constable (or Assistant Chief Constable if delegated) of the relevant force will make a decision regarding whether the threshold is likely to be breached.

For a protest already taking place, the most senior officer at the scene will decided on if the threshold has been breached. Depending on the circumstances, the senior officer will typically be an Inspector, Chief Inspector or Superintendent.

4.2 Will these measures ban protests for being too noisy?

No, the police will only be able to impose conditions on unjustifiably noisy protests that may have a significant impact on others or may seriously disrupt the activities of an organisation.

The threshold for being able to impose conditions on noisy protests will be appropriately high. Police will only use it in case where it is deemed necessary and proportionate.

4.3 Will these measures stop protestors from expressing their views?

Absolutely not. This measure has nothing to do with the content of the noise generated by a protest, just the level of the noise. Protests by their nature often raise difficult and controversial issues faced by our society, and we fully support the right of individuals to express their feelings and concerns about such issues.

4.4 Why target one-person protests?

This particular measure only relates to the noise generated from a single-person protest and does not introduce any other situations in which police can place conditions on single-person protests.

However, through the use of affordable amplification equipment, a single protestor is easily capable of generating the same amount of noise as a large protest.

4.5 What kind of scenarios could police impose noise-related conditions in†

Decisions on when to apply these powers will be an operational matter for the police. For example, we have all seen the detrimental and disruptive effects egregious noise generated by the "Freedom Convoy" protests has caused to the residents of Ottawa in Canada. The constant honking of truck horns by protestors has led to a Canadian court imposing a 10-day injunction banning such actions. In circumstances such as these, these new powers would be extremely useful.

Other, hypothetical scenarios include:

- A noisy protest in a town centre may not meet the threshold, but a protest creating the same amount of noise outside a school might, given the age of those likely to be impacted by the protests.
- A noisy protest outside an office with double glazing may not meet the threshold, but a protest creating the same amount of noise outside a care home for elderly people, a small GP surgery, or small street-level businesses might, given the level of disruption likely to be caused by the protests.
- A noisy protest that only lasts a short amount of time may not meet the threshold, but a protest creating the same amount of noise over several days might, given the extended duration of the protest.

4.6 How often do the police impose conditions on protests?

Data from the National Police Chiefs' Council suggests that, out of over 2500 protests between 21 January and 21 April 2021, the police imposed conditions no more than a dozen times.

Additionally, data from the Metropolitan Police provided to Her Majesty's Inspector of Constabulary, Fire and Rescue Services (HMICFRS) shows the force imposed conditions on public assemblies 15 times in 2019 and 6 times in 2020.

4.7 Don't the police already have the power to arrest noisy individuals for a breach of the peace?

Whether a breach of a peace is anticipated or has happened will depend on the situation. Breach of the peace gives police a power of arrest, however such arrests do not lead to punitive action, unlike a conviction for breaching a condition placed on a protest which is a criminal offence. Placing conditions on protest is a much less intrusive way of preventing disruption that arresting people for breaching the peace.

Appendix B. News Stories

News Story 1. Government takes legal action against M25 climate protesters

Note: see Department of Transport, Home Office, Ministry of Justice, The Rt Hon Kit Malthouse MP, The Rt Hon Priti Patel MP & The Rt Hon Grant Shapps MP (2021) for full reference.

Retrieved on 18 May 2022 from: https://www.gov.uk/government/news/

Government takes legal action against M25 climate protesters

Interim injunction won by National Highways to deter demonstrations on the M25.

From: Department for Transport, Home Office, Ministry of Justice, The Rt Hon Kit Malthouse MP, The Rt Hon Priti Patel MP, and The Rt Hon Grant Shapps MP

Published: 22 September 2021

- National Highways wins interim injunction to prevent protesters from occupying the M25
- those who breach the injunction will be in contempt of court and at risk of imprisonment and an unlimited fine
- ministers condemn activists for undermining their own cause and endangering lives

Activists who have been carrying out a string of disruptive demonstrations along the M25, causing travel chaos for tens of thousands of people, will be in contempt of court if they breach the terms of an interim injunction won by National Highways today (22 September 2021).

Breach of the injunction can be punishable by up to 2 years in prison and an unlimited fine, serving as a deterrent for anyone thinking of rejoining the disruptive action.

National Highways intends to return to court to extend the injunction and potentially seek additional powers of arrest.

The government's intervention will help dissuade activists from carrying out any further disruption.

Transport Secretary Grant Shapps said:

> We will not let these demonstrators wreak havoc on our roads, disrupt thousands of people's journeys and put lives in danger. Not only are they creating more traffic and pollution, they are alienating the public from their own cause.
>
> Today, we're taking action, bringing in further measures to stop those taking part in these self-defeating protests, while we continue the work we're already carrying out to clean up our air and reach net zero.

Home Secretary Priti Patel said:

> This injunction is an important step in stopping these activists putting lives needlessly at risk on our busy roads.
>
> Peaceful protest is a cornerstone of our democracy and there will always be space for people to make their voices heard. It cannot be at the expense of public safety.
>
> The police have our full support in cracking down on this reckless behaviour.

Policing Minister Kit Malthouse said:

> These protests have endangered the lives of road users and the police officers who have responded quickly and responsibly.
>
> The police should be fighting crime in our neighbourhoods, not chasing activists across busy motorways. This is why we are taking this action now and we'll be working with National Highways on a full injunction.

The government is already ending the sale of new petrol and diesel cars in the UK by 2030, investing billions of pounds to help industry and drivers make the switch to cleaner vehicles, and will continue its work to install thousands of chargepoints and boost the development of new technologies to meet ambitious net zero goals.

Campaign group Insulate Britain's recent demonstrations have led to considerable disruption on one of the UK's busiest motorways – creating a backlog of traffic and more pollution – as well as blocking the emergency services from reaching those whose lives are in danger.

Over 200 people involved with the demonstrations have already been arrested and

previous actions of Extinction Rebellion – of which Insulate Britain is an offshoot – have cost the UK taxpayer £50 million.

News Story 2. Government extends legal action against protesters obstructing the A20 and strategic routes to the Port of Dover

Note: see Department of Transport, Home Office, The Rt Hon Priti Patel MP & The Rt Hon Grant Shapps MP (2021) for full reference.

Retrieved on 18 May 2022 from: https://www.gov.uk/government/news/

Government extends legal action against protesters obstructing the A20 and strategic routes to the Port of Dover

National Highways secures a further interim injunction to deter demonstrations on the A20 and main roads linked to the Port of Dover.

From: Department for Transport, Home Office, The Rt Hon Priti Patel MP, and The Rt Hon Grant Shapps MP

Published: 24 September 2021

- National Highways has secured a further interim injunction to prevent protesters from occupying the A20 and strategic roads linked to the Port of Dover
- those who breach the injunction will be in contempt of court and at risk of imprisonment and an unlimited fine
- ministers condemn activists for undermining their own cause, endangering lives and taking emergency services away from communities

A further injunction has been approved today (24 September 2021) by the High Court against climate activists who have been carrying out a string of disruptive demonstrations along major roads and at the vital Port of Dover, attempting to cause blockages and travel chaos for tens of thousands of people.

With immediate effect, protesters will be in contempt of court if they breach the terms of an interim injunction won by National Highways today.

Breach of the injunction can be punishable by up to 2 years in prison and an unlimited fine, serving as a deterrent for anyone thinking of rejoining the disruptive action.

National Highways previously secured an injunction against the protesters for the guerrilla tactics used by activists on the M25 and intends to return to court to extend

the injunction and potentially seek additional powers of arrest.

The government's intervention will help dissuade activists from carrying out any further disruption.

Transport Secretary Grant Shapps said:

> We are absolutely committed to protecting the right to peaceful protest, but it is unacceptable that people cannot go about their day-to-day businesses and that businesses or critical supplies should be put on a knife's edge because of the reckless actions of a few protesters.
>
> I commend the work of Kent Police and the Port of Dover authorities today to quickly resolve the issue and keep our critical supplies moving and I will do everything to prevent these sorts of guerrilla tactics from putting people's lives at risk and keeping our emergency services away from the communities that need them.

Home Secretary Priti Patel said:

> The British public are rightly furious that the behaviours of a selfish minority have been putting lives at risk and causing untold disruption on our roads and now at Dover. We will not tolerate the recklessness of these few activists and the police continue to have our full support in cracking down on their dangerous behaviour.
>
> The public and the police want officers back serving their communities and cutting crime, not dealing with people happy to put the safety and needs of others at risk.

The government is already ending the sale of new petrol and diesel cars in the UK by 2030, investing billions of pounds to help industry and drivers make the switch to cleaner vehicles, and will continue its work to install thousands of chargepoints and boost the development of new technologies to meet ambitious net zero goals.

Campaign group Insulate Britain's recent demonstrations have led to considerable disruption on one of the UK's busiest motorways – creating a backlog of traffic and more pollution – as well as blocking the emergency services from reaching those whose lives are in danger.

Over 200 people involved with the demonstrations have already been arrested and previous actions of Extinction Rebellion – of which Insulate Britain is an offshoot – have cost the UK taxpayer £50 million.

News Story 3. Tougher penalties for protests causing disruption on motorways

Note: see Home Office (2021e) for full reference.

Retrieved on 18 May 2022 from: https://www.gov.uk/government/news/

Tougher penalties for protests causing disruption on motorways

The measures include a new offence of interfering with the operation of key infrastructure – including motorways, railways, and airports.

From: Home Office

Published: 5 October 2021

The government will bring forward tougher penalties and new police powers to crack down on disruption caused on motorways and other key transport infrastructure.

Home Secretary Priti Patel announced that a suite of amendments will be introduced to the Police, Crime, Sentencing and Courts (PCSC) Bill in the House of Lords.

The announcement follows the dangerous behaviour of Insulate Britain members, who have caused significant disruption and misery to millions of people in recent weeks.

The measures include a new offence of interfering with the operation of key infrastructure – including motorways, railways, and airports – where the impact will affect the distribution of essential goods, such as fuel and medicine. The new offence would carry a maximum sentence of an unlimited fine, a year imprisonment, or both.

It will also cover media printing premises, in light of the significant disruption caused by Extinction Rebellion protesters to newspaper deliveries last year.

Other measures include:

1. Tougher sentences for obstructing highways – the government proposes to amend existing legislation so that those guilty of obstructing a highway face an unlimited fine, six months' imprisonment, or both. Currently, the offence of obstructing a highway carries a maximum fine of £1,000 and does not reflect the serious disruption caused by these dangerous actions. We will also close a loophole which allows protesters to cause further disruption on a road when it has been closed by the police for the purposes of clearing demonstrations and

moving people on.

2. Criminal Disruption Prevention Orders – this measure will enable courts to impose restrictions upon the activities of individuals who repeatedly cause serious disruption or engage in criminal activity at a protest. These orders will give the courts the power to prevent an individual with a history of disruption or where there is intelligence suggesting they are likely to commit a criminal offence from attending particular protests
3. Penalties for blocking construction – a new offence of obstructing the construction of authorised infrastructure will be introduced, carrying a maximum penalty of an unlimited fine, six months' imprisonment, or both.

The government will also propose amendments to deal with the lock-on tactics used by groups including Extinction Rebellion and Insulate Britain.

Members of these groups have repeatedly physically attached themselves to roads, trains, planes, and other objects in order to frustrate the police, who are seeking to minimise disruption. The groups have also used increasingly sophisticated devices that are designed with the sole purpose of increasing the length and severity of disruption caused.

A new offence will be introduced to criminalise the act of locking-on and going equipped to lock-on, whereby it causes or is likely to cause serious disruption. The maximum penalties will be set at an unlimited fine, six months' imprisonment, or both.

In response to feedback from police, we will also introduce new stop and search powers to allow officers to search individuals and seize items that are likely to be used for lock-ons.

The new powers will:

1. Allow police to stop and search an individual, where the officer has a reasonable suspicion that the individual is carrying items, they intend to use to cause serious disruption by locking-on.
2. Separately, enable police to stop and search any individual within a tightly-defined area – in which a protest is taking place – for items that could be used to cause serious disruption. The use of this power would be authorised by a senior police officer and safeguards will be in place to ensure its use is

compliant with the European Convention on Human Rights.

News Story 4. Government cracking down on highly disruptive protest tactics

Note: see Home Office (2021a) for full reference.

Retrieved on 7 February 2022 from: https://www.gov.uk/government/news/

Government cracking down on highly disruptive protest tactics

An amendment to the PCSC Bill would give the police the power to stop and search people to seize items intended to cause serious disruption by 'locking-on'.

From: Home Office

Published: 2 December 2021

[*Protester's arm taped to floor being carefully removed by police.*]

Crucial new powers to prevent the significant disruption caused by protesters determined to lock or glue themselves onto structures will be brought back to Parliament this week.

An amendment to the Police, Crime, Sentencing and Courts Bill will be re-tabled on Wednesday 1 December which would give the police the power to stop and search people in order to seize items intended to cause serious disruption by 'locking-on' – where there is reasonable suspicion. This could include equipment such as chains, glue and bamboo scaffolding structures.

The measure has been informed by the experiences of policing in response to the deployment of lock-ons in protest. Use of this disruptive and dangerous tactic has risen in recent years – including on some of the UK's busiest and most dangerous motorways.

It has led to massive disruption on major roads in and around the capital, preventing people from getting to work or crucial hospital appointments, also resulting in a significant drain on police resources, due to the time it takes to remove complex lock-ons safely.

In support of the government's proposals to stop and search for lock-on equipment

where there is reasonable suspicion, Metropolitan Police Service Deputy Commissioner, Sir Steve House, said:

> Public Order policing is one of the most challenging aspects of modern-day policing. Public order events often present unique challenges and complexity. Officers and command teams have to balance the rights of everyone involved, including local communities, when considering how to respond.
>
> The government's proposed amendments to the Police, Crime, Sentencing and Courts Bill will support the policing response to the deployment of lock-ons in protests. The increased use of lock-ons by certain protest groups has added to the challenging nature of public order policing and created significant disruption to the public over recent years.
>
> We have seen individuals lock themselves to the drive shafts of vehicles, locked together in tubes encased in concrete, locked onto structures at height, and glued to roads. Removing these lock-ons safely requires specialist policing teams to be deployed to what can be high risk environments, taking time and significant resources. This is time that our officers are taken away from policing their local communities and local policing priorities.
>
> It is ultimately for Parliament to decide whether the new powers proposed by the Home Office should be enacted and we know that these decisions are rightly ones where the challenges facing policing are just one of many considerations which politicians need to consider.

Home Secretary Priti Patel said:

> The police have our full support to maintain the pace at which they deal with difficult protests and public order matters. We have seen some of the most self-defeating and dangerous protests ever seen in recent years with people gluing themselves to roads and locking themselves to vehicles and buildings, causing serious disruption to the law-abiding majority across the country.
>
> These are selfish actions which drain the police of resources which should be used in our communities, protecting the vulnerable people who need them most. This government will always back the police. That's why our Police,

> Crime, Sentencing and Courts Bill is so necessary, and the public expects everyone in Parliament to deter this kind of disruption by supporting this Bill.

The government also intends to make the act of locking-on to cause serious disruption a criminal offence, which could see someone jailed for up to six months and faced with an unlimited fine.

Another government amendment will mean that blocking a motorway would meet the same punishment. The current law for this offence sets the penalty at a maximum fine of just £1,000 and is not an adequate deterrent for organisations determined to cause widespread disruption and break the law.

And Serious Disruption Prevention Orders will be brought in to tackle protesters who are determined to repeatedly cause disruption to the public. These will give the courts the power to impose orders on those with protest related convictions or a history of causing serious disruptions at protests in order to prevent them from continuing to commit such acts.

Appendix C. Transcript of Second Reading of the PCSC Bill 2021 in the House of Commons

Note: The full transcripts of the Second Reading debate on the Police, Crime, Sentencing and Courts Bill 2021 in the House of Commons on the 15 and 16 of March 2021 were retrieved from *Hansard*, the official online record of all UK Parliamentary debates, on 14 February 2022. The Second Reading Debate of the PCSC Bill 2021 in the House of Commons was recorded in *Hansard* in volume 691 (cols. 59-132) for the first allocated day (*Hansard*, 2021a), and volume 691 (cols. 198-277) for the second allocated day (*Hansard*, 2021b).

[1st Allocated Day] – 15 March 2021

[Note: see *Hansard* (2021a) for full reference.]

Madam Deputy Speaker (Dame Rosie Winterton)
Before I call the Home Secretary, I want to remind the House of what was said earlier regarding the Sarah Everard case. Charges have now been brought in that case. The sub judice resolution does not apply formally when the House is legislating. However, I would urge all Members to exercise caution and not say anything about the detail of the case or the identity of those against whom charges have been brought that might affect any subsequent court case.

The Secretary of State for the Home Department (Priti Patel)
I beg to move, That the Bill be now read a Second time.

Just one week after celebrating the achievement of women around the world on International Women's Day, I would like to open this debate by once again expressing my sadness at the horrific developments in the Sarah Everard case. My heartfelt thoughts and prayers are with Sarah, her family and friends at this unbearable time. This is also a stark moment to reflect on what more we can do to protect women and girls against crime, and the events of the last few days have rightly ignited anger at the danger posed to women by predatory men—an anger I feel as strongly as anyone.

This Government were elected just over a year ago on a clear manifesto commitment to support the police and to keep our country safe. It is vital that we continue to deliver on that promise to the British people, and our commitment to law and order is having a real impact across the country. There are already over 6,600 more police officers in our communities, thanks to the unprecedented campaign to recruit an additional 20,000 more police officers. Our crackdown on county line drug gangs is delivering results, particularly in London, the west midlands and Merseyside. The police have made more than 3,400 arrests, shut down more than 550 deal lines and safeguarded more than 770 vulnerable people. Last year, we saw the UK's biggest ever law enforcement operation strike a blow against organised crime, with over 1,000 arrests, £54

million of criminal cash seized, and 77 firearms and over two tonnes of drugs seized. The Police, Crime, Sentencing and Courts Bill will go further still in our mission to back the police, to make our communities safe and to restore confidence in the criminal justice system.

We ask our brave police officers to do the most difficult of jobs—they run towards danger to keep us all safe—and that is why I have worked closely with the Police Federation in developing this Bill. I would like to pay tribute to the chair of the Police Federation, John Apter, for his constructive way of working since I became Home Secretary, admirably fighting for his members every single day. He has voiced his members' concerns to me directly, and I have acted upon them.

This Bill will enshrine in law a requirement to report annually to Parliament on the police covenant, which sets out our commitment to enhance support and protection for those working within or retired from policing roles, whether paid or as volunteers, and their families. The covenant will initially focus on physical protection and support for families, officers and staff, and their health and wellbeing, with a duty to report in place to ensure parliamentary scrutiny.

Despite all that they do, emergency workers are still subject to violence and abuse. The statistics paint an alarming picture. There were more than 30,000 assaults on police officers in the year to March 2020, and over the past year we have all seen the reports of people deliberately coughing at our emergency workers, claiming to have coronavirus and threatening to infect them. There have been too many disgusting examples of police officers and ambulance drivers being spat at and violently attacked as they go out to work day after day to make sure that the rest of us are safe and cared for.

Gareth Johnson (Dartford) (Con)
This Bill doubles the maximum sentence for an assault on emergency workers. Does the Home Secretary therefore share my astonishment at the irony that the Labour party will now be voting against that provision?

Priti Patel
My hon. Friend is absolutely right. Having personally spent much time with our frontline officers, the very people who put themselves in harm's way to keep us safe, I think that is a really stark point, and a reminder of which party is backing the police and which party simply is not.

Chris Bryant (Rhondda) (Lab)
Will the Home Secretary give way?

Priti Patel
I will in just a second.

Having personally spent time with those on the frontline, I have also seen the impact of these incidents on officers and on their families. We cannot tolerate such acts, which is why the punishment must fit the crime, and the Bill will double the maximum penalty for assaults on emergency workers from 12 months' to two years' imprisonment.

Chris Bryant

I urge the Home Secretary not to play party politics with this particular bit. I introduced, as a private Member's Bill, the legislation that she is acting on, and at the time I argued very strongly in favour of two years being the maximum sentence. I was dissuaded by the right hon. Member for Esher and Walton (Dominic Raab), who is now the Foreign Secretary; by the right hon. Member for Maidenhead (Mrs May), the former Home Secretary; and by a lot of Conservative MPs, who did not want to support the legislation at all.

I need to be persuaded that the Government have used the legislation that is on the statute book at present. For instance, the Home Secretary refers, quite rightly, to people spitting at police officers. It is disgusting and it is a form of assault, but unfortunately the sentencing guidelines still have not been updated since the introduction of my legislation to make sure that spitting is an aggravating factor and will be treated as an offence.

Priti Patel

There are many important points that I would be happy to debate about the police covenant and giving our police officers—the frontline men and women who keep us safe day in, day out—the protection that they and their family members deserve. The hon. Gentleman is right about the sentencing structure and guidance, but we have had support from the Crown Prosecution Service regarding the assaults that I have referred to, particularly over the last few months in relation to coronavirus, when we have seen spitting and assaults on officers.

This Bill is a criminal justice Bill as much as a policing Bill. It is an end-to-end Bill to ensure that the sentence fits the assault and the crime. The Bill will double the maximum penalty for assaults on emergency workers from 12 months' to two years' imprisonment, recognising that our officers and emergency workers should rightly be protected. Having spent much time with those on the frontline and seen the impact and the sheer volume of these incidents, I think it is right that we have that provision in this Bill.

The Government fully recognise the professionalism and skills of our highly trained police officers, and that includes the specialism of police drivers. Too often, they are driving in high-pressure situations pursuing suspects on the road while responding urgently to incidents. Through this Bill, we will introduce a new test to assess a police officer's standard of driving. Should an officer be involved in a road traffic incident, this new test will allow the courts to judge their standard of driving against that of a competent and careful police constable with the same level of training, rather than that of a member of the public, which is how it stands at present.

The Government back the police and will never allow those with an extreme political agenda, such as those calling for the defunding or abolition of the police, to weaken our resolve when it comes to protecting the police. We back the police and will do everything we possibly can to make our community safer.

I have heard the call of the British public for safer communities, and that means cracking down on violent crime, which has a corrosive impact on towns and cities across the country. That includes gangs peddling drugs, as a result of which law-abiding citizens live in fear and, tragically, teenage children are stabbed to death. This senseless violence has absolutely no place in our society.

Mr Toby Perkins (Chesterfield) (Lab)
I support entirely the need to make sure that sentences fit the crime, but is not the reality that courts have huge backlogs and are reluctant to jail people who should be in jail, because they know that our prisons are overcrowded? Does not this Government's failure on courts and prisons massively undermine what the right hon. Lady says about sentencing?

Priti Patel
Absolutely not. The Government are determined in their resolve—through this legislation, and delivering on our manifesto commitments—to bring in sentences that fit the crime. This is an end-to-end criminal justice Bill. If the hon. Gentleman and hon. Members listen to this afternoon's debate, they will hear about the measures that are being introduced, and about the Government's longer-term response. That includes the wider work that the Government are undertaking with the courts and the CPS; the changes that we need to make not just to sentencing, but to our laws; and the support that we are giving to our police.

Sir Edward Leigh (Gainsborough) (Con)
We do not want to waste police time. Over the years I have formed an unlikely alliance with people such as Peter Tatchell, particularly with the Anti-social Behaviour, Crime and Policing Act 2014, to ensure that we enshrine in law your ability, Madam Deputy Speaker, my ability, or anybody's ability to insult people and cause offence. Thinking particularly of clause 59, will my right hon. Friend assure me that nothing in the Bill will have a chilling effect on the right to debate and, if necessary, cause offence?

Priti Patel
When it comes to freedom of expression, my right hon. Friend knows my views and those of this Government. Prior to taking interventions I spoke about the corrosive impact of violent crime across our towns and cities. Tragically, too many young children—teenagers—have been stabbed to death in towns and cities of the UK. Such senseless violence has no place in our society. I have met too many mothers whose children have been murdered on the streets of our city, and I have seen the raw pain and distress of parents grieving for their child, and the utter devastation they are forced to endure.

We are proud that this Government have put more police officers on the beat, but tough law enforcement can be only part of the solution. We must do much more to understand and address the factors that drive serious violence, so that we can prevent it from happening in the first place. Through the Bill, we will introduce a serious violence duty, which will work to bring public bodies, including the police and local authorities, to work together as one, to share data and information across our communities, and work together to save lives. I thank many of my predecessors for their work on that, particularly my right hon. Friend the Member for Bromsgrove (Sajid Javid).

I make no apology for finding new ways to protect our communities and save the lives of our young people. Whenever lives are tragically lost as the result of serious violence, we must do everything we can to learn from what has happened. Homicides involving offensive weapons such as knives make up a large and growing proportion of all homicides, yet no legal requirement is currently placed on local agencies to understand what has happened after each incident. We are therefore introducing the requirement for a formal review to be considered, where a victim

was aged 18 or over and the events surrounding their death involved the use of an offensive weapon. The new reviews will ensure that we learn lessons from such cases, and produce recommendations to improve our response to serious violence.

Every time someone carries a blade or a weapon, they risk ruining their own lives and those of others. Every stabbing leaves a trail of misery and devastation in its wake. Our new serious violence reduction orders will help the police to protect our communities better, by giving officers the power to stop and search those already convicted of crimes involving knives and offensive weapons. The orders will help to tackle prolific and higher-risk offenders, and help to protect individuals from exploitation by criminal gangs. That is exactly what I mean when I say that we are making our communities safer.

There will be concerns about disproportionality, but our aim is for these orders to enable the police to take a more targeted approach, specifically in relation to known knife carriers. Unfortunately, data from 2018-19 indicate that the homicide risk for young black people is 24 times higher than that for young white people. That is appalling. As long as young black men are dying and their families are disproportionately suffering, we cannot stand back, and I cannot apologise for backing the police when it comes to stop and search. The Government will work with the police to gather data on the impact of the orders to deliver real and lasting results.

Victims and witnesses must have the full protection of the law while the police conduct their investigations. We will reform the pre-charge bail regime to encourage the police to impose pre-charge bail, with appropriate conditions where it is necessary and proportionate to do so, including where there is a real risk to victims, witnesses and the public. We hope that that will provide reassurance and additional protection for alleged victims, for example in high-harm cases such as domestic abuse.

Peter Kyle (Hove) (Lab)
Since the Home Secretary's Government first promised a victims Bill, there have been 1 million sexual offences and 350,000 rapes. This Bill is 300 pages long and barely mentions women or children. The explanatory notes do not mention women or girls once. Will she get to her feet and apologise finally for missing this fantastic opportunity to put victims at the heart of our criminal justice system?

Priti Patel
I will take no lectures from the hon. Gentleman or the Opposition when it comes to supporting victims. As the former chair of the all-party parliamentary group on victims, I and this Government have absolutely put victims at the heart of all our work, as have my predecessors in all their work.

Peter Kyle
Asleep on the job.

Priti Patel
The hon. Gentleman can yell from the Back Benches, but it is important to remember that when it comes to protecting victims, there are many victims of different offences and different crimes. I think he and all Members of this House should recognise that this Bill will absolutely provide

additional protections for victims in high-harm cases such as domestic abuse and many other cases.

These reforms will be named Kay's law in memory of Kay Richardson, who was tragically killed following the release of her husband under investigation, rather than on pre-charge bail, despite evidence of previous domestic abuse. It is impossible to imagine the impact of such an horrific crime on the victim's loved ones, and we all have a responsibility to do all we can to prevent more victims and more families from suffering as they have. That is the point and the purpose of this Bill—it is an end-to-end Bill.

Before Opposition Members start to prejudge any aspect of this Bill and this Government's work on victims, there will be plenty of time to debate this Bill. There will also be plenty of time to debate the role of victims and how the Government are absolutely supporting victims.

An essential responsibility and a duty on us all is protecting our children. I am truly appalled and shocked by each crime and every case of hurt and harm against young people from sexual abuse and exploitation. It is impossible to comprehend the motivation of those who perpetrate offences against children, and we have been reviewing the law in this area carefully to ensure that any changes we make are the right ones. Through this Bill, I intend to extend the scope of the current legislation that criminalises sexual activity with a child under the age of 18 by people who hold defined positions of trust to include faith leaders, sports coaches and others who similarly coach, teach, train, supervise or instruct a sport or religion on a regular basis.

This issue has some brilliant and long-standing champions. I thank my hon. Friend the Member for Chatham and Aylesford (Tracey Crouch), who even throughout her recent cancer treatment worked with me to ensure that we address this significant issue. I also thank the hon. Member for Rotherham (Sarah Champion), who continues to stand by the many victims who were abused as youngsters and who were failed and ignored by those who should have supported them. I also thank Baroness Grey-Thompson for her tireless work on this issue.

Through this Bill, we will also introduce an important measure to help bring closure to families whose loved ones have gone missing. The House will know the horrific case of Keith Bennett and the struggles his family have gone through to find his body since his murder. In 2017, the police believed they had a further lead when it came to light that Ian Brady had committed papers to secure storage before his death, but a gap in the law meant that the police were unable to get a search warrant to seize those papers.

I know this is an important issue—indeed, it has been raised by the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper) and others. I am therefore introducing new powers enabling officers to seize evidence that they believe may help to locate human remains outside of criminal proceedings, such as in missing persons cases, suicides and homicide cases where a suspect is known but cannot be convicted, such as where the suspect themselves has died. As I said to Keith's brother, Alan, when I met him recently, I am absolutely determined to give the police all the powers they need to access any evidence that could help them to bring some closure in cases such as Keith's. While I cannot guarantee that a loved one will be found, I can make sure that families are provided with every avenue that our legal system will allow in

the pursuit of justice. This is why we emphasise the need to make our communities safer, and that is exactly what the Bill does.

The right to protest peacefully is a cornerstone of our democracy and one that this Government will always defend, but there is, of course, a balance to be struck between the rights of the protester and the rights of individuals to go about their daily lives. The current legislation the police use to manage protests, the Public Order Act 1986, was enacted over 30 years ago. In recent years, we have seen a significant change of protest tactics, with protesters exploiting gaps in the law which have led to disproportionate amounts of disruption. Last year, we saw XR blocking the passage of an ambulance and emergency calls, gluing themselves to a train during rush hour, blocking airport runways, preventing hundreds of hard-working people from going to work. Finally, I would like to gently remind the House that on one day last year many people across the country were prevented from reading their morning newspapers due to the tactics of some groups—a clear attempt to limit a free and fair press, a cornerstone of our democracy and society.

The Bill will give the police the powers to take a more proactive approach in tackling dangerous and disruptive protests. The threshold at which the police can impose conditions on the use of noise at a protest is rightfully high. The majority of protesters will be able to continue to act and make noise as they do now without police intervention, but we are changing it to allow the police to put conditions on noisy protests that cause significant disruption to those in the vicinity. As with all our proposals, the police response will still need to be proportionate. The statutory offence of public nuisance replaces the existing common law offence. Our proposals follow the recommendations made by the Law Commission in 2015. The threshold for committing an offence is high, with any harm needing to affect the public or a cross-section of the public and not just an individual.

We must give the courts the tools to deal effectively with the desecration of war memorials and other statues. Through the Bill, we will toughen the law where there is criminal damage to a memorial by removing the consideration of monetary value of damage. Those changes will allow the court to consider the emotional and sentimental impact, not just financial, so that the sentence can reflect the severity of harm caused. For what it is worth, that does not just mean statues. It will cover a range of memorials with low monetary but high sentimental value, for example gravestones, war memorials, roadside tributes to people killed in car crashes and the memorials to people who have been murdered, such as the Stephen Lawrence memorial. I would like to thank my hon. Friends the Members for Stoke-on-Trent North (Jonathan Gullis) and for Bracknell (James Sunderland) for their important work on this issue.

I am also clear that no one should have to put up with disturbances and disruptions on their doorstep. Unauthorised encampments can create significant challenges for local authorities, and cause distress and misery to those who live nearby. As we pledged in our manifesto, we will make it a criminal offence to live in a vehicle on land without permission and we will give the police the power to seize vehicles if necessary. I can assure the House that the new offence has been framed in such a way to ensure that the rights of ramblers and others to enjoy the countryside are not impacted.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op)

What consideration has the right hon. Lady given to the rights of generations of Travellers and Gypsies, who have often been around longer than some of our property laws, who might want to pull up on a roadside for a night? What consideration of their rights has been given in the Bill, which will automatically criminalise them?

Priti Patel
The hon. Gentleman will be aware that there was an extensive public consultation on this issue and all those points were considered at the time.

Aaron Bell (Newcastle-under-Lyme) (Con)
The Home Secretary may remember coming to visit Wolstanton Marsh in my constituency during the election campaign. Residents around Wolstanton have long suffered as a result of the unauthorised encampments on the marsh. Will she join me in welcoming what the Bill will do for them? This is a manifesto pledge delivered.

Priti Patel
I recall a visit to my hon. Friend's constituency, and he is right. Many colleagues, and many members of the public through the public consultation, made the point that unauthorised encampments cause misery and harm to those in the local communities affected by them. There have been many discussions with colleagues across the House on this point, and with local authorities, which more often than not bear the brunt of the costs and consequences, alongside the police.

In September, my right hon. and learned Friend the Lord Chancellor published a White Paper setting out our vision for a smarter approach to sentencing, and now we are introducing legislation to establish this in law. We need a system that is robust enough to keep the worst offenders behind bars for as long as possible, but agile enough to give offenders a fair start on their road to rehabilitation. Sexual and violent offenders must serve sentences that reflect the severity of their crimes, helping to protect the public and give victims confidence that justice has been served. These offences are committed predominantly against women. Through this Bill, rapists and other serious sexual predators sentenced to a standard determinate sentence of four years or more will henceforth serve at least two thirds of their sentence in custody. Rapists sentenced to life imprisonment will similarly serve longer in custody before they are considered for release on licence. The Bill also strengthens the framework for the management of sex offenders. In particular, we are legislating so that courts can attach positive requirements to a sexual harm prevention order or a sexual risk order so that, for example, a perpetrator can be required to attend a behavioural change programme.

The measures in this Bill build on those in the Domestic Abuse Bill, which will return to this House after Easter. Among the changes we have brought forward in the Lords is a new offence of non-fatal strangulation and the criminalising of threats to disclose intimate images. I know that these additions to the Bill will be welcomed by the right hon. and learned Member for Camberwell and Peckham (Ms Harman) and my right hon. Friend the Member for Romsey and Southampton North (Caroline Nokes). We have had discussions already this afternoon about violence against women and girls and what more we can do; these measures are fundamental to restoring confidence in the criminal justice system.

We also recognise that the reoffending rate for children is high, and that is why we are taking forward measures to provide courts with stronger alternatives to custody. In the Bill, we are providing custodial sentencing options for the most serious crimes, alongside alternatives that will allow youth offenders to be effectively managed and rehabilitated in the community. That will ensure that judges and magistrates are able to make the most appropriate decisions in the best interests of the child and of the public. In recognition of the fact that children now in custody are much more likely to have complex needs, we will introduce measures to enable the trialling of secure schools. They will be schools with security rather than prisons with education, and they will have education, wellbeing and purposeful activity at their heart.

The courts play a fundamental role in our criminal justice system. During the pandemic, we have seen the benefits of enabling participation in proceedings remotely or by live video or audio link. We want to put these temporary provisions on a permanent footing, giving judges better options to support the effective and efficient running of their courts and underpinning the principle of open justice. Our aim is to modernise our courts and tribunals so that there are more opportunities to attend and observe hearings remotely, shorter waiting times and less unnecessary travel. I can assure the House that these advantages will never be taken from the right to a full hearing in court. This will always be available where needed, and where the court considers it to be in the interests of justice. Trials will continue to take place in court. We also want to further improve accessibility to our justice system for people with disabilities.

Peter Kyle
At the moment, if somebody suffers a sexual assault or rape, they will wait two years before they have their moment in court. Will the Home Secretary agree to amend the Bill so that people who are victims of rape or sexual assault will be fast-tracked straight into the court system and will no longer have to wait two years?

Priti Patel
It is absolutely right that we look at every single measure and approach to ensure that victims of rape receive justice. As the hon. Gentleman will know, the rape review is taking place and will soon be published.

We want to improve accessibility to our justice system for people with disabilities. Reasonable adjustments can be made for most people with disabilities to enable them to complete jury service. However, the law has to date prevented deaf people who require the services of a sign language interpreter from having an interpreter in a jury deliberation room with them. We are changing that to ensure that all deaf individuals are able to serve as jurors unless the circumstances of a particular case mean that it would not be in the interests of justice for them to do so.

As I said at the beginning, this Government were elected on a clear manifesto commitment to keep our country safe. That is what the British people rightly expect, and that is what this Bill will deliver, by supporting the police, by preventing and cutting crime and by restoring confidence in the criminal justice system, because giving people the security they need to live their lives as they choose is an essential part of our freedom. As we emerge from the coronavirus pandemic, we will build back safer and increase the safety and security of our citizens. This Bill will enable us to do exactly that, and I commend it to the House.

Madam Deputy Speaker (Dame Rosie Winterton)
I should inform Members that we will start with a time limit of five minutes, but it will go down very quickly to three minutes.

Nick Thomas-Symonds (Torfaen) (Lab)
The House meets today in the shadow of the tragic loss of Sarah Everard, and I know the whole House will be united in sending our thoughts to her loved ones at this time of unimaginable pain. In an incredibly moving tribute, her family said:

"She was strong and principled and a shining example to us all. We are very proud of her and she brought so much joy to our lives."

Sarah was just walking home at night—a freedom that sounds so simple, it should be unquestionable. But in recent days, we have heard extraordinarily powerful testimony yet again from women across the country about the dangers they face all too regularly—women speaking of suffering vile harassment on the streets, being told to walk with keys between their fingers to protect themselves and being told they should stay at home. It is not women and girls who should be changing their behaviour because of danger. We must change as a society, and as men in particular, we must do better by listening and, most importantly, acting.

I want to turn immediately to the distressing scenes we saw at Clapham. I share the anger there is about the policing of this. Deep and profound lessons need to be learned, and there must be change. People should have been able to mark this moment peacefully and safely. We need to find a way for people to show solidarity safely and in a covid-secure way. As I mentioned in response to the statement earlier today, the Mayor of London has shown leadership on this, asking Her Majesty's inspectorate of constabulary to conduct an independent investigation alongside the Independent Office for Police Conduct.

Saturday's event was not a protest; it was a vigil. But there is no doubt that it brings into sharp focus the proposed measures in this Bill about curtailing the right to protest—the right to give public expression to deep feeling and the right to campaign for change. The scenes from Saturday should be a red warning signal to the House that rushing through ill-judged and ill-thought-out restrictions on the right to protest would be a profound mistake that would have long-lasting consequences and do great damage to our democracy. The right to protest is a cornerstone of that democracy.

On our statute book, we already have the Public Order Act 1986, together with other existing powers to police protests. It is of course right that protests should be peaceful and legitimate—nobody would suggest otherwise—but the Bill significantly expands the conditions that can be imposed on protests. Unbelievably, it includes

"the noise generated by persons taking part"

causing people "serious unease" as a reason to warrant police-imposed conditions. I do not know about Government Members, but the protests that I have been to have certainly generated a lot of noise.

There is also a penalty in the Bill for someone who breaches a police-imposed condition on a protest when they "ought to have known" that the condition existed. That would have the effect of criminalising people who unwittingly breach conditions.

Jacob Young (Redcar) (Con)
Does the right hon. Gentleman not agree that no one should be able to block an ambulance from crossing a road or bridge, and that no one should be able to block a printing press from printing newspapers? If he does agree, why will he not vote for the Bill?

Nick Thomas-Symonds
Because the existing laws deal with those issues. The Conservative party is not making the case for the additional powers.

The right to protest to those in power—including the Under-Secretary of State for the Home Department, the hon. Member for Croydon South (Chris Philp), who waves his Order Paper at me—is extremely precious. I declare an interest as a proud trade unionist and refer to my relevant entry in the Register of Members' Financial Interests on support from the Unite union and the GMB. Whether it is our trade unions or another group that wants to make its views known loudly in our streets, we curtail their ability to do so at our peril. The right to protest is one of our proudest democratic traditions, and that this Government seek to attack it is to their great shame. Our existing laws on protest strike a careful balance between legitimate rights and the need to keep order. Our laws on protest do not, and never should, seek to shield those in power from public criticism and public protest. We on the Opposition Benches will oppose a Bill that puts at risk the whole right to protest, hard-won by previous generations, that is part of the fabric of British democracy. In seeking to preserve the right to protest, we on these Benches stand in a long tradition of British democracy. It is this Government who seek to undermine those traditions.

Lloyd Russell-Moyle
Does my right hon. Friend agree that the inclusion of parts 3 and 4 of the Bill undermines victims, the police force and the whole point of what the Government are trying to do to reform our criminal justice system and make it work for the people? The Government should withdraw parts 3 and 4 and get on with deliberating on some of the detail that could be half good.

Nick Thomas-Symonds
My hon. Friend is absolutely right. Parts of the Bill could have been removed and we could have had a cross-party discussion on making the rest of it work. The Government have failed to take that approach.

James Gray (North Wiltshire) (Con)
Does the right hon. Gentleman not agree that for him to vote against the entire Bill, much of which is extremely good and much of which the Labour party has campaigned for for many years, because he believes that there may be some curtailment of free speech—I do not believe that is the case—in one small part of the Bill, would be to throw the baby out with the bath water? Surely that is the wrong thing to do.

Nick Thomas-Symonds
I will come to other concerning aspects of the Bill in a moment, but it says a great deal that when I am talking about the great British tradition of the right to protest, it is a Conservative Member of Parliament who stands up to challenge it. That is quite remarkable.

Let me turn to what is needed to address the appalling issue of violence against women and girls. To our shame as a country, we see unacceptable levels of female homicides at the hands of men every year. Labour is committed to working on a cross-party basis to bring forward additional protections; to deliver on the inadequate sentencing for domestic homicides; and to address unacceptable and intimidating street harassment. Labour is committed on stalking, on improving rights for victims of crime, on better domestic abuse services and on recognising misogyny as a hate crime.

There are wider issues, too. On 29 January, I wrote to the Government, together with the shadow Secretary of State for Justice, my right hon. Friend the Member for Tottenham (Mr Lammy); the shadow Housing Secretary, my hon. Friend the Member for Bristol West (Thangam Debbonaire); the shadow Minister for domestic violence and safeguarding, my hon. Friend the Member for Birmingham, Yardley (Jess Phillips); and the shadow Minister for victims and youth justice, my hon. Friend the Member for Hove (Peter Kyle). We raised the awful practice of sex for rent—people coerced into providing sex in lieu of payment—and put forward proposals. We wrote to the Secretary of State for Justice, the Home Secretary and the Secretary of State for Housing, Communities and Local Government; not one of them has even bothered to reply. That shows that this is a Government who too often like to talk tough but who fail to take the action needed. In its current form, the Bill does not meet the ambition of the time and will be a terrible missed opportunity.

Peter Kyle
As a signatory to that letter, campaigning on this means a great deal to me. Actually, I contacted the two previous Home Secretaries and Amber Rudd, when she was Home Secretary, set a workstream up to tackle this issue. It has been cancelled. We have been trying very long and very hard to give protection to those 30,000 women every year who are propositioned for sex in return for rent. Is it not time that this cross-party offer is taken up?

Nick Thomas-Symonds
Absolutely. The cancellation of that workstream is entirely wrong. I say to the Home Secretary that the offer is open on that. The letter has been sent to the Home Office; reply and engage with us on the Opposition Benches.

Priti Patel
I am actually not aware of that workstream being cancelled or the letter, so I would be more than happy to come back to the House and follow up with the right hon. Gentleman and the hon. Member for Hove (Peter Kyle).

Nick Thomas-Symonds
I am grateful for that, and when the Home Secretary returns to the Home Office, I would be grateful if she could dig out the letter and respond. That would be extremely useful—it was sent on 29 January, for reference.

Chris Bryant
As my right hon. Friend knows, I, and I think we as a party, support clause 2, because we believe that emergency workers should not be subject to the terrible assaults that there have been over the years. But this does pose a problem, because a lot of women who work in shops are subjected to exactly the same problems and are often terrified to go into work. We had a terrible incident in the Co-op in Penygraig less than a year ago. Is there not a job of work that we need to do to make sure that all workers, but in particular women workers working in shops, are also protected?

Nick Thomas-Symonds
My hon. Friend is absolutely right and I will come on to that issue in a moment, when I have some proposals to put forward.

Ministers risk sending out an awful message on the level of importance that they attach to violent crime. The Government want a maximum penalty of 10 years for damage to statues. No Government should ever send out a signal that the safety of a statue carries greater importance in our laws than the safety of women, but, as currently drafted, this Bill would allow someone to receive a sentence of up to 10 years for attacking the statue of a slave trader when rape sentences start at five years. That does not reflect the priorities of the people.

The Parliamentary Under-Secretary of State for the Home Department (Chris Philp)
The shadow Home Secretary should well know and should honestly tell the House that the maximum sentence for rape is life.

Nick Thomas-Symonds
I asked the Home Secretary earlier in the statement to tell me how many people convicted of rape were actually sentenced to life imprisonment, and she could not answer the question. The answer is hardly any. Ninety-nine per cent. of reported rapes do not even get close to a court, and then we hear the Minister trying to come to the Dispatch Box to boast about the rape statistics—absolutely appalling.

Peter Kyle
My right hon. Friend and the whole Labour party and Opposition agree that protecting private and public property is incredibly important, but it is about balance. If an angry mob throws a statue into water and then turns around and throws a woman or a child into water, can he tell us which one, if the Bill passes and goes into statute, gets the longer sentence?

Nick Thomas-Symonds
My hon. Friend is absolutely right about the importance that is being put on statues over women, and the Government should be ashamed. This comes at a time when—

Steve Brine (Winchester) (Con)
Will the right hon. Gentleman give way?

Nick Thomas-Symonds

In one moment, because I need to deal with the issue of the rape statistics that has been raised. We are seeing fewer people being prosecuted and convicted for rape than at any time since records began, and that is at a time when the number of reported rapes is increasing. What message do the Government think that that sends to victims about coming forward? As I said to the Minister—he is a Justice Minister; he really should be concentrating on trying to deal with this problem—99% of reported rapes do not even get near a court. That is absolutely shameful. I say to the Home Secretary: think again about the Government's priorities on this, make changes, such as end-to-end support for victims pre-trial and post-trial, and fast-track these trials through our system, instead of the two years that there have to be at the moment.

Steve Brine
If the desecration of our war memorials does not move the right hon. Gentleman, can I check this one with him? Two of my constituents lost their daughter when somebody impaired by the incorrect use of prescription drugs careered across the carriageway and hit her car head-on at high speed, killing her outright. In part 5 of the Bill, on road traffic, we introduce clause 64, on increased penalties for causing death by dangerous driving. Does the shadow Home Secretary support that and will he vote for it?

Nick Thomas-Symonds
I do absolutely support that and I will come to it in a moment but, to deal with the first part of the hon. Gentleman's question, he seemed to imply that I did not understand the value of war memorials. I absolutely do. The difference is that this Bill has now been extended to every form of memorial, including statues of slave traders. It really sums up the problem with the Government's approach. If they genuinely wanted to introduce proportionate measures to protect war memorials, they could have done so and not introduced the measures that they actually have.

I come to the sentencing elements of the Bill. It is of course right to extend whole-life orders to cover the premeditated murder of a child. The tragic murder of Ellie Gould on 3 May 2019 highlights the failure of the justice system to impose strict enough sentences on those who murder in a domestic setting and the issue of the age of the killer. But this measure is insufficient. The current approach to sentencing seems to forget the context in which many female victims are killed—in the home, with a weapon taken from that location. The minimum tariff in such cases is 15 years, but it is 25 if the weapon is brought to the scene of the crime. That is a systemic problem; violence against women and girls seems to be seen as less serious than other forms of violence. This has to be addressed.

The Opposition also say that tougher sentencing on its own is not enough. We know that wider change across our society is needed, and we know that the Government who have decimated our public services over the past 11 years have totally lost sight of addressing the causes of crime as well, with the sadly predictable consequences of rising violent crime in every single police force area of England and Wales. The Bill is shamefully short of measures to address the unacceptable violence women and girls face. In that, it fails woefully to meet the urgent need for change.

James Gray

The right hon. Gentleman mentioned my constituent, Ellie Gould, and her appalling murder two years ago. He is right to say that we campaigned for the issue of premeditation, as proved by taking a weapon to the scene, to be removed. I hope therefore that he will vote for the Bill this evening. There is one counter-argument to that, however. Abused women at home may well defend themselves with a knife, bottle or other weapon at home, and if that were to happen and it became premeditated, that defence would be lost.

Nick Thomas-Symonds
With great respect, the hon. Gentleman identifies a complexity, but I think he agrees with me that that difference in the law—the 15 and 25-year tariffs—is not justifiable as it stands and needs to be equalised.

The need for overdue action brings me to elements of the Bill that have taken too long to introduce, but which we welcome. My hon. Friends, often working across the parties, have campaigned passionately on important issues and they have secured change. It is welcome that the Government have finally brought before Parliament the long-awaited legislation to increase the maximum sentence for assault on emergency service workers to up to two years in prison. I want to pay special tribute to the tireless work of my hon. Friends the Members for Rhondda (Chris Bryant) and for Halifax (Holly Lynch) in securing this change. They have been campaigning since 2018. Indeed, on 27 April 2018, when the matter of two-year sentences was considered, the then Minister said that

"it would begin to create the kind of situation that exists in Russia, which I hope will never exist in the UK".

He went on to say that such sentences would create

"a category of a superior form of human being with an entitlement to a quite separate form of protection."—[Official Report, 27 April 2018; Vol. 639, c. 1193.]

Those comments were, frankly, deplorable and the Government's conversion to the two-year penalty is to be welcomed.

The pandemic has been a powerful reminder, not that one should be needed, of the extraordinary bravery and commitment that our frontline emergency workers have shown throughout. They have put themselves in harm's way to keep us safe day in, day out, even at the very height of the first wave, when tests and PPE were so shamefully hard to come by. Despite that work, emergency service workers have been subjected to a rising number of attacks in this past year, with a 31% increase in attacks compared with in 2019.

Stuart Anderson (Wolverhampton South West) (Con)
Recently in Wolverhampton, two ambulance staff were stabbed. I am watching you go through this Bill saying that you welcome and agree with so many things, so why on earth have you asked your party to vote against it? It just makes no sense.

Madam Deputy Speaker (Dame Eleanor Laing)

Order. I do not want to stop the debate for this, but you do not call the person who is speaking “you”. “You” means the Chair; the right hon. Gentleman is the right hon. Gentleman. I call the right hon. Gentleman.

Nick Thomas-Symonds
Yes, I was not aware of your position on the Bill, Madam Deputy Speaker. I have not finished my speech yet, so the hon. Member for Wolverhampton South West (Stuart Anderson) will just have to wait for me to complete my argument.

As welcome as this measure is, the Labour party is clear that it does not go far enough. As my hon. Friend the Member for Rhondda said, we need to consider the workers on the frontline of the pandemic who should also be given that level of protection. First, it does not cover the whole of the NHS family, so we are calling for protections to be extended to social care workers as well. Throughout the pandemic, the range of frontline service workers who put themselves at risk to serve our community has been clear.

Mr Perkins
I wonder whether the hon. Member for Wolverhampton South West (Stuart Anderson) has actually hit on something that might be helpful to the House. There are many aspects of the Bill that we all agree on. If only the really divisive aspects that the Home Secretary has put in were removed, could not the whole House get behind supporting our police, rather than going through the mess that we have in front of us today?

Nick Thomas-Symonds
Absolutely. The Government could press pause on the Bill and bring the whole House together.

Research has shown that, during the pandemic alone, one in six of our shop workers have been abused on every shift, with 62% of UK shop workers experiencing verbal abuse and almost being threatened by a customer. There have been awful examples of attacks on other frontline workers, who have been spat at, punched, verbally abused and intimidated. Labour is calling for wider measures to protect the pandemic heroes, extending protections to shop workers as well as other frontline workers. There is widespread support for this, with the additional protection for shop workers supported by organisations such as the Federation of Independent Retailers and chief executive officers from a number of major retailers, including Aldi, the Co-op, Marks & Spencer, McColl’s, Morrisons, Sainsbury’s, Tesco and WHSmith.

I would also like to mention the work of the USDAW—the Union of Shop, Distributive and Allied Workers—which has been passionate in campaigning for its members to receive these vital protections and has generated well over 100,000 signatories on petition. We all owe a huge debt of gratitude to frontline workers for putting themselves at risk to keep our country running. We should repay some of that debt with decent legal protection as well as decent pay.

Sir Iain Duncan Smith (Chingford and Woodford Green) (Con)
The right hon. Gentleman is making, in many parts of his speech, a very strong case for supporting the Bill, but he started by saying that he was not going to support the Bill because of one particular element. The Opposition were going to abstain at the end of last week; then they shifted their position. May I gently suggest to him that a decent way of doing this would be, if

necessary, to abstain today, debate the amendments and decide on Third Reading whether the Government have moved at all? Would that not be more logical?

Nick Thomas-Symonds
I will always bow to the right hon. Gentleman's guidance on parliamentary procedure, but we took a final decision to vote against this Bill. Let me say to Government Members that I will make it clear when I agree with the Government on something, but as I move on to other aspects of my speech, I am sure that the right hon. Gentleman will see that there are other parts of the Bill that also cause deep concern; he need only wait for that.

Chris Bryant
I want to take my right hon. Friend back to the emergency workers legislation. One of the difficulties about the way in which it works is that magistrates courts can only sentence up to six months and the Government have still failed to change the law to allow them to issue longer sentences in certain circumstances. The danger is that increasing the sentence will make absolutely no difference whatever, unless the Government do what they could already have done in the last two years.

Nick Thomas-Symonds
My hon. Friend is absolutely right. Having understood the attitude of the Government in 2018, perhaps it is not surprising how slow this has been.

Rob Butler (Aylesbury) (Con)
Will the right hon. Gentleman give way?

Nick Thomas-Symonds
Let me make some progress; I have taken a number of interventions.

I come to the police covenant and frontline police officers across the country. Like the Home Secretary, I meet the chair of the Police Federation and work with him on a regular basis. Only in recent days, I met my local officers in Gwent—virtually, of course—with hon. Friends and listened to the work that they are doing. It is clear that throughout this pandemic frontline officers are putting themselves at risk to keep us safe, but across the board, frontline workers in the police, fire service, education and so many other areas are facing a pay freeze. Their efforts in this pandemic are being rewarded with a real-terms pay cut.

The police covenant is welcome but overdue—it is in this Bill, some three years after it was promised. It is right that the Home Secretary makes an annual report to Parliament, addressing key issues on physical protection, health and wellbeing, and support for families, but we will study this provision closely, in consultation with representatives from across policing. We will be arguing for protections including support for mental health, which is too often overlooked.

I turn to the toughening of sentences for those who cause death by dangerous driving. My hon. Friend the Member for Barnsley East (Stephanie Peacock) deserves great credit for securing these changes, together with other right hon. and hon. Members who signed the Bill introduced by the former Prime Minister, the right hon. Member for Maidenhead (Mrs May), last year. They included my hon. Friends the Members for Barnsley Central (Dan Jarvis), for St Helens South and

Whiston (Ms Rimmer) and for Bradford South (Judith Cummins), together with MPs from a number of parties. We support those proposals; too many people have taken lives and left families heartbroken, with insufficient punishment—that has to end.

On the extension of laws that prevent adults in positions of trust from engaging in sexual relationships with young people under 18, sports coaches and faith leaders should be included in those safeguards. I give great credit here to my hon. Friend the Member for Rotherham (Sarah Champion), with others, including Baroness Tanni Grey-Thompson and the hon. Member for Chatham and Aylesford (Tracey Crouch). I am sure everyone from across the House would send her our very best wishes.

James Gray
I am sure that the right hon. Gentleman and the whole House will be pleased to hear that my hon. Friend the hon. Member for Chatham and Aylesford was in the Tea Room this afternoon and she tells me that her treatment is fully successful and she will be on her way to a full recovery shortly.

Nick Thomas-Symonds
That is a wonderful intervention to take; I am sure we will all be delighted to hear that.

The Government could do more on the issue I was discussing. For example, tutors and driving instructors are not included, and I hope that the Home Secretary will look at that again.

Another area where some measures are welcome is in parts of the review from my right hon. Friend the Member for Tottenham being implemented, but that review was published in September 2017, nearly four years ago; there are provisions for the pilot of problem solving courts, for recognising the remand of children as a last resort and for reform of the criminal records disclosure regime. On the issue of reform of the Disclosure and Barring Service, I wish to pay tribute to my right hon. Friend the Member for Warley (John Spellar) for his work in securing that change.

All those things are welcome and overdue, but we have heard such powerful testimony of the lived experiences and family legacies of the prejudice that black people have faced. Black people have bravely stepped forward to share their testimony of structural racism and the impact it still has. The Government cannot ignore the disproportionality that exists from start to finish in our criminal justice system and continue to take steps that make it worse. The Bill contains so-called serious violence reduction orders, which raise serious questions about disproportionality and community trust. As a minimum, the whole of the review by my hon. Friend the Member for Tottenham, all 35 recommendations, should be progressed without further delay.

Similarly, the Government must look again at the sections of this Bill on unauthorised encampments. The proposals create a new offence of residing on land without consent in or with a vehicle. The loose way it is drafted seems to capture the intention to do this as well as actually doing this, with penalties of imprisonment of up to three months or a fine of up to £2,500, or both. This is clearly targeted at Gypsy, Roma and Traveller communities, and the criminalisation would potentially breach the Human Rights Act 1998 and the Equality Act 2010.

When Friends, Families and Travellers researched the consultation responses the Government received, they found that 84% of the police responses did not support the criminalisation of unauthorised encampments. Little wonder that senior police officers are telling us that the changes in the Bill would add considerable extra cost to already stretched policing, while making situations worse. I ask Ministers to think of the signal they are sending. We have already had the discussion about how responding to letters to the Home Office quickly is not the Home Secretary's strong point, but she will surely have seen the letter to her in January—possibly not, given her earlier answer—from nine different organisations, ranging from the Ramblers to Cycling UK. That letter sets out that these unclear proposals not only risk discriminating against Gypsy, Roma and Traveller communities, but risk criminalising wild camping and even rough sleepers in makeshift shelters or tents.

Andrew Griffith (Arundel and South Downs) (Con)
The right hon. Gentleman is very generous to take so many interventions. Is it not the case that, notwithstanding the consultation, the Government have listened and have added the requirement to enter with a vehicle? There is no form of rambling I am aware of where one brings a vehicle on to land with the intention of residing there.

Nick Thomas-Symonds
I think the hon. Member needs to reread the Bill on the scope of the provisions, frankly, because it is extraordinarily loosely drafted.

Rights of access to the countryside were hard won through the protests of previous generations. I do realise that there is some ill feeling between this Prime Minister and his predecessor, the right hon. Member for Maidenhead, but I did not realise that it ran so deep that he would be happy to see people locked up for naughtily running through a field of wheat. [Interruption.] If only she had all those years ago as well.

The Bill before the House could be a landmark Bill, and we must seize this opportunity for change. Yes, absolutely, there are measures in this Bill that we welcome—mostly because Labour Members have actually campaigned for them—but addressing violence against women and girls cannot be at the bottom of this Government's list of priorities. If Ministers disagree with my interpretation, they must show it by their actions, and drop the elements of the Bill that suggest that attacking a statue could be a worse crime than rape, drop the elements of the Bill on protests, and revisit the elements that drive up disproportionality and the controls on encampments, which are discriminatory and unworkable. Instead, let this Bill be an opportunity for people to come together and seize the moment to drive through vital changes to address violence against women and girls. Whatever this Government say as the Bill progresses, we on these Benches understand and we hear the call for change. Labour will work to bring about that change, and I would ask all Members to work with us in that endeavour.

Mrs Theresa May (Maidenhead) (Con)
I join the Home Secretary and the shadow Home Secretary in sending my condolences to Sarah Everard's family and friends.

There are elements of this Bill, which is a very large and significant Bill, that I really welcome: the action on unauthorised encampments, on serious violence, on people in positions of trust

and on changes to sentencing. I particularly, of course, welcome the change to sentencing for death by dangerous driving, which reflects the change I proposed in my ten-minute rule Bill. It was supported, as the shadow Home Secretary said, across the whole of the House, because many Members of this House have constituency cases that have been affected by this, as my hon. Friend the Member for Winchester (Steve Brine) indicated in his intervention. My desire to bring this forward was first brought about by the case—the very sad case—of my constituent Bryony Hollands, who was killed by somebody under the influence of drugs and drink, but there have been other constituency cases, such as those of Eddy Lee and Max Simmons. On their behalf, on behalf of their families and on behalf of all those affected by this, I say simply to the Government, thank you.

I would like to focus on a number of areas where I worry that there could be unintended consequences of the measures being brought forward by the Government in this Bill. I absolutely see the reason for bringing forward the serious violence reduction orders, but I welcome the fact that they are being piloted, because I think there could be unintended consequences in two areas. The first is in stop-and-search. Stop-and-search is an important tool, but it must be used lawfully and it must not be used disproportionately against certain communities. My concern is that we do not go backwards on improvements that have been made on stop-and-search, and that we actually ensure that we do not see this being used disproportionately and a disproportionate increase taking place.

The other area is girls in gangs, and I am concerned—I have had a discussion with the Under-Secretary of State for the Home Department, my hon. Friend the Member for Louth and Horncastle (Victoria Atkins), about this—that we could see serious violence reduction orders against male members of gangs leading to their pressurising their girlfriends to be carrying knives, with the impact that would have on those girls. The way in which girlfriends of gang members are used to get at rival gangs is a worry and needs to be given more attention, and I do not want to see the position of girls being further exacerbated, unintentionally, as a result of these orders.

My second concern is about pre-charge bail. I can absolutely see that, as a result of the changes that were brought in previously, we have seen too many cases where people have not been put on bail, particularly where the crime was a serious violent crime against a woman. However, I ask the Home Secretary to look carefully at the nine-month period that is being set before the police have to go to the magistrates court for an extension of bail. Certainly, I would urge her to resist any suggestion that that should be extended, because we cannot go back to a situation where people are effectively left with their lives on hold, possibly for years, as a result of the operation of bail.

Finally, I want to raise one area that has already been raised: I do have some concerns about some of the aspects of the public order provisions in the Bill. I absolutely accept that the police have certain challenges, for example when people glue themselves to vehicles or to the gates of Parliament, but freedom of speech is an important right in our democracy, however annoying or uncomfortable that might sometimes be. I know that there will be people who will have seen scenes of protests and asked, “Why aren’t the Government doing something?” The answer, in many cases, may simply be that we live in a democratic, free society.

I do worry about the potential unintended consequences of some of the measures in the Bill, which have been drawn quite widely. Protests have to be under the rule of law, but the law has to be proportionate. The first area that I will mention is giving police the powers to deal with static protests in the way that they have been able to deal with marches. Those have always been differentiated in the past. The second is around noise and nuisance; some of the definitions do look quite wide, and I would urge the Government to look at those definitions.

The final area I want to mention is the power for the Home Secretary to make regulations about the meaning of

"serious disruption to the activities of an organisation…or…to the life of the community."

It is tempting when Home Secretary to think that giving powers to the Home Secretary is very reasonable, because we all think we are reasonable, but future Home Secretaries may not be so reasonable. I wonder whether the Government will be willing to publish a draft of those regulations during the Bill's passage so that we can see what they are going to be and ensure that they are not also encroaching on the operational decisions of the police.

There are very important elements of this Bill, but I would urge the Government to consider carefully the need to walk a fine line between being popular and populist. Our freedoms depend on it.

Anne McLaughlin (Glasgow North East) (SNP) [V]
I can confirm that the Scottish National party will be voting against this Bill tomorrow. That is not to say that there are not sections of the proposed legislation that we support or are satisfied with, but the Bill as introduced will not achieve what the Government say they want to achieve, will seriously curtail the rights to protest, will criminalise the way of life of Gypsy/Travellers, is likely to have a disproportionate negative impact on ethnic minority communities and women, and will allow the ridiculous and unjust possibility of a tougher jail sentence for someone who topples over a statue than for someone who does the same thing to a living human being.

There is one overarching thing on which I think we can all agree, and it is certainly the view of the Scottish National party: tackling serious crime has to be a priority. But rather than creating policy to elicit macho headlines about tougher sentences and who comes down hardest on crime, the bottom line for us is: what works? What reduces crime? When it comes to reducing reoffending, Scotland's rates are the lowest they have been since comparable records began, because of our focus on community justice.

The Under-Secretary of State, the hon. Member for Croydon South (Chris Philp), knows that this tougher sentencing policy does not work. He once said:

"The evidence is mixed, although harsher sentencing tends to be associated with limited or no general deterrent effect."

So why make that a central plank of the Bill? That is a question the UK Government have to answer. Why do it if it does not work?

Someone we should always listen to is the chief executive of Community Justice Scotland, Karyn McCluskey. She said:

"Community justice allows people who commit a crime to pay back to the community they harmed whilst addressing any underlying causes of crime such as addiction, homelessness and mental health issues."

It is not hard justice, it is not soft justice; it is smart justice that genuinely reduces reoffending. I will say it again: Scotland now has the lowest reconviction rates since comparable records began 21 years ago.

I turn to the right to protest, which is a right. I know the Government have a bit of a disdain for international law, but article 11 of the European convention on human rights is the right to freedom of assembly and association. The Bill directly contradicts the rights of citizens to protest where, when and how they choose. If it goes through, there will be very few rights to protest in England and Wales at all, and that is unacceptable in a democracy—especially one that likes to claim to be the bastion of democracy and has a history of telling the rest of the world how to behave.

Let us not forget the rights of the people of Scotland to protest in England. While decisions about our lives are made in London, we, the people of Scotland, reserve the right to peacefully protest at the seat of power. Let me note some of the things that the people of Scotland have protested about in England: the Iraq war, over which Scotland had no choice; the obscenity of nuclear weapons conveniently stationed in Scotland, over which Scotland has no choice; and the wonderful women and their allies in the Women Against State Pension Inequality Campaign. Allow me to quote Rosie Dickson from WASPI in Scotland, who called this

"truly a step too far for those 1950s-born women who have not only been unfairly denied their pensions by a Westminster Government but now also face having their human right to protest against it, without fear of arrest, removed."

Of course, we in the Scottish National party intend for London not to be the seat of power for much longer. We intend to win our independence so that all the decisions governing the lives of the people of Scotland are made in Scotland, where the right to protest is respected. When the Government of an independent Scotland get it wrong, as all Governments do from time to time, the people will be perfectly entitled to tell them that. However, even if independence were happening next week, I would leave this Parliament still fighting for the right of every citizen to protest.

These draconian powers are wide reaching, We have heard a comprehensive analysis of most of them from the shadow Home Secretary, the right hon. Member for Torfaen (Nick Thomas-Symonds), so I will focus on just a few. First, we as Members of Parliament are accountable to our constituents, but now our constituents are to be told that they can protest and let us know of their disapproval, only we would prefer silent protests so we are introducing noise as a basis on which the police can intervene and impose any type of condition to stop them. Even if they do make noise, it will not matter. We will not hear them because we are putting in an exclusion zone around Parliament so far-reaching that what they have to say—their legitimate protest—

will not fall on deaf ears; they will simply be so far away that it will not be audible. They will effectively be silenced. I want those people to know that I do not want them silenced, even if they are opposed to what I stand for. I want to be a Member of a Parliament that embraces democracy; the Bill is doing the opposite, and it is embarrassing.

Speaking of embarrassing, that word does not cover how the events of Saturday night felt for most of us watching them. I want to say something about what happened at Clapham common in the context of the police using the powers they already have and for us to think about how much worse it will get if the sweeping powers in the Bill are handed over to senior police officers.

First, I want to add my voice to those of the many thousands who are heartbroken for the family and friends of Sarah Everard. The torment that her family must be going through is something that nobody in this House would wish on anyone. I know we all share the despair. I attended an online vigil on Saturday night, but I understood why those women who met in person did so—particularly those who live near to where Sarah was taken. I got it. I know they were breaking regulations, and I would never encourage that, but they were in pain and they wanted to come together to help others also in pain. I do not know any woman who has not got a story to tell. Male violence against women takes such a heavy toll on all of us, and sometimes we need to be with other people.

Given the context of Clapham common on Saturday night, surely sensitivity should have been the watchword. I cannot imagine how frightened some of the women must have been, particularly given the circumstances. They have just had an alarming reminder that the police uniform does not give a cast-iron guarantee of safety and some of them find themselves on the ground, handcuffed, with knees on their back, flowers for Sarah trampled on, legs held down and unable to move at the hands of the police. Sarah Everard was just walking home; those women were just expressing their grief. If the current powers to curb protest can lead to what happened on Saturday night, imagine how much worse it will get if this legislation goes through.

I am deeply concerned about the attacks in the Bill on the way of life of some of our citizens. I am speaking, of course, about the Gypsy/Traveller community, who are among the most persecuted on these islands and among the most misunderstood. This Tory Government want to criminalise their way of life at the same time as the Scottish Government have produced an action plan entitled “Improving the Lives of Scotland’s Gypsy/Travellers”. What a contrast! Why are this Government so intent on cracking down hardest on the most vulnerable in our society?

While we are on the issue of racism in society, let me come to clause 46 on memorials. Is it not interesting that this legislation that comes down hard on anyone damaging a memorial comes about shortly after a group of people in Bristol toppled a statue of someone who made his money from slavery? Would I have toppled the statue? No. But do I think slave owners should have lasting memorials to them? Definitely not. This Bill would increase the maximum jail sentence for someone convicted of this to 10 years: 10 years for damaging an inanimate and, to some, very offensive object, when it is rare to get anything like as much as that for damaging a living, breathing person or animal. It is interesting, isn’t it, that the toppled statue that I believe prompted some of this legislation was toppled as part of a Black Lives Matter demonstration, when black people and their allies finally said, “Enough is enough”? As soon as they organise to have their voices heard, legislation pops up to silence them. I find that very interesting. I have

spoken this weekend to people in the Black Lives Matter movement who believe that this endangers their very existence. They are in no doubt that they will be targeted.

I have had a lot of emails about this in the past two days, and there will be many people watching who—believe it or not—do not normally tune into Parliament, so it is worth mentioning that this is Second Reading and the next stage is Committee, where the Bill will be scrutinised line by line, word for word, by Members from each party, where evidence will be considered, and where amendments may be proposed. One of the things we will want to pay particular attention to is clause 36 on data extraction from mobile devices. I know the Scottish Government have been speaking to the UK Government about safeguarding and some progress has been made. This is certainly something we will want to interrogate. We have to be exceptionally careful about the use of people's personal data.

Let me turn briefly to stop and search. Although this will not impact directly on Scotland, I want to add my voice to those on the Opposition Benches who are saying "Enough is enough." It is not just politicians who are saying that the impact on black communities is disproportionate and it is not just black communities who are saying it. Newly retired chief executive of the College of Policing, Mike Cunningham, has voiced his concern that existing stop-and-search powers are disproportionate to what he calls an "eye-watering" degree. We should be listening to him and to groups like Liberty, Amnesty and Fair Trials who have called for a review of existing powers rather than an extension.

If it is to be fair, the law must be foreseeable. We must be able to foresee, to a degree that is reasonable in the circumstances, the consequences that any given action may entail. This Bill is peppered with ambiguous wording left to be defined by statutory instruments. For example, there are regular references throughout to "serious disruption" as a reason to criminalise somebody, but there is nothing in the Bill to define "serious disruption", leaving it effectively to the Home Secretary to decide. I want to know what the Home Secretary's definition is. I want the right to debate it. The Home Secretary and I interpret things very differently. She thought the Black Lives Matter movement was "dreadful" while I think it is magnificent, so her idea of "serious disruption" will likely be very different from mine. Yet we are signing over to her the right to come up with a definition that will not be debated and we are simply expected to accept that. It is not good enough. The Scottish National party will be voting against this Bill tomorrow and scrutinising it very carefully when it comes to Committee.

Sir Robert Neill (Bromley and Chislehurst) (Con) [V]

This is a significant and large Bill, and it warrants serious scrutiny. It therefore deserves better attention, I submit, than some of the hyperbole that has regrettably been thrown at it in the course of the earlier speeches of this debate. It is reasonable to examine a Bill carefully as it goes through Committee. I have scarcely ever known a Bill that is not improved by careful examination from the time when it is brought in. To vote against the Bill tomorrow does not seem to me to be a mark of a responsible Opposition, and it is regrettable that Labour and the Scottish National party have gone down that route, particularly when they can see that there is much to agree with. Many organisations in the criminal justice sphere including NACRO, the Centre for Justice organisation, the Magistrates Association and others have welcomed measures in the Bill.

We need a sense of proportion about these matters. For example, the reforms to public order legislation certainly need careful consideration, but changes to the law around public nuisance were recommended by the Law Commission as long ago as 2015. This measure puts that law on a statutory basis, as the Law Commission recommended, but uses, perfectly understandably, terms and phrases from the old common law arrangements, which are well understood and well defined by case law in the courts. The idea, therefore, that the Law Commission is somehow part of some authoritarian plot seems to me to be risible, and better arguments can be made than that.

Being near the M25, my constituency has unfortunately had repeated unauthorised incursions into both publicly owned and privately owned playing fields, sports grounds and others. Proportionality and fairness also mean that there should be swifter and better recompense than the current situation permits for those communities that see much-valued community assets put out of use by unauthorised encampments.

On the sentencing elements of the Bill, sentencing is always a difficult matter, both in individual cases and in terms of policy. It requires a careful balance. Overall, the Justice Secretary and his team who worked on this part of the Bill have got it right. It is right that we strengthen provision to protect the public from the most serious criminals, but it is also right that we give greater attention to the need to rehabilitate. Basically, many of those who end up in the criminal justice system and, indeed, in prison have chaotic lifestyles, sometimes mental health issues, educational issues, social problems and, frequently, weakness and stupidity. Getting those people out of a never-ending cycle of reoffending, as the White Paper says, on which this part of the Bill is based, is not just in their interests, but, overwhelmingly, in the interests of the public, too. I welcome the provisions to give a more agile and sophisticated suite of alternatives to custody. It is important that alternatives to custody are credible to the public, because sentencing has to be credible, but also that they do not waste time in comparatively short prison sentences where little rehabilitative work can be done, and which are hugely expensive. They have their place in just limited instances. Those changes, therefore, are very welcome.

Changes to the provisions regarding spent convictions are very important for rehabilitation. The Justice Committee has called for that in previous reports. Recognising a distinct approach to sentencing of younger offenders is, again, something that our Committee has repeatedly called for, and I welcome that, too. Equally, raising the threshold for remanding children into custody is very welcome and I would have thought overwhelmingly supported.

There is much to support in this Bill, including the provision for charities to set up secure schools, a much better improvement on our current provision. I very much hope that this Bill will get its Second Reading and that we can then examine the provisions in detail. The final thing that we have to be honest about is that justice does not come cheap. If we are to make these important and radical changes to sentencing policy, we must invest in them. If we are to have alternatives to custody, we must invest properly in those alternatives. They will bring both a social and an economic benefit in the long run, but we have to be honest and spell that out at the beginning.

Madam Deputy Speaker (Dame Eleanor Laing)
I call the Chair of the Home Affairs Committee, Yvette Cooper.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab)
It is a pleasure to follow the hon. Member for Bromley and Chislehurst (Sir Robert Neill), a fellow Select Committee Chair.

The tragic death of Sarah Everard is obviously on all our minds. It has led women across the country to talk about our shared experiences of threats on the streets of our own towns and cities and also to express the anger that, more than 40 years after the first reclaim the night marches in Leeds, we are having the same debates all over again. In some areas, it feels like things have gone backwards. Five years ago, just 8.5% of reported rapes reached prosecution. In the last five years, that has fallen to just 1.4%. The Government have been reviewing this for two years, but in the meantime prosecution rates have got worse.

That reflects the broader near-collapse in the effectiveness of some parts of the criminal justice system. In the five years before covid hit, recorded crime rose by 40%, but the number of crimes being prosecuted fell by 30%. In just five years, hundreds of thousands fewer charges were brought, and hundreds of thousands more criminals are therefore getting away with their crimes. In West Yorkshire, recorded violent crime has shot up. The Government have passed lots of laws, but the number of people convicted of breaking them has fallen. There have been lots of changes to sentences, but fewer criminals are getting sentenced in the first place, so justice is not being done and victims are being let down. Over the last five years, the shocking truth is that it has got easier to be a criminal and harder to be a victim. We cannot let that stand.

There is an important debate to be had about the measures in the Bill, but I see nothing in them that will turn around those shocking figures, and that is what we should work across the House to do. We need the police covenant and stronger measures to support police officers and emergency workers who face attack. We need stronger sentences for the most serious of crimes, including whole-life sentences for premeditated child murder, which is one of the vilest crimes of all. I support those measures. The same should apply for premeditated kidnap, rape and murder, but that is not currently in the Bill. There should also be stronger penalties for rape and stalking, but those are not currently in the Bill. It would, I think, be wrong if we ended up with higher sentences for peaceful protest and public nuisance than for stalking. That would be to get the balance wrong.

I put forward measures last year based on Home Affairs Committee work to extend the register and monitoring provisions for dealing with sex offenders to cover repeat perpetrators of domestic abuse and stalking, to stop them moving from one victim to the next and destroying people's lives because no one is keeping track or joining the dots. I hope the Government will accept Baroness Royall's amendment in the other place. If they do not, I will table the same measures to this Bill, and I hope that support can be built for them.

There are further measures, which I hope first to discuss with Ministers, that I hope could increase the prosecution rate for assault and domestic abuse, where there have been such problems. The Government are right to place a duty on councils and the police to co-operate in tackling serious violence, but we should be explicit about including the youth service in that; that is not currently part of the Bill.

The Home Secretary will know, even from today's debate, that there is cross-party alarm about some of the measures in the Bill that go against the British tradition of free speech and peaceful protest. In the coalfields, there is strong support for the work of the police, but people have long memories of things such as the policing of the miners' strike, so there is also strong support for proper safeguards to protect peaceful protest.

In the Bill, several powers—the broad wording on noise disruption, even though we know few protests are silent, because people want their voices to be heard; the broad powers given to the Home Secretary on serious disruption; and the statutory public nuisance offences with sentences of up to 10 years for doing things that simply might risk causing serious annoyance—are too broad. Every one of us will have seen protests that we thought were seriously annoying, but we do not believe that they should have been stopped. We know, too, that when people protested outside the Iranian embassy for Nazanin Zaghari-Ratcliffe, the embassy could well have argued that the protests were disruptive to their activities or caused serious annoyance, but none of us would have wanted those protests to be stopped. I urge the Home Secretary to withdraw those measures, to re-consult on them and to try to build consensus not just on them, but on the other, wider, measures in the Bill, so that we can all support taking the action needed to cut crime.

James Gray (North Wiltshire) (Con)
It is a privilege to be called so early in this extremely important debate. As always, it is a pleasure to follow the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper), the Chair of the Home Affairs Committee, although I am a little puzzled, because most of the amendments to the Bill to make it better that she talked about would not be possible if, thanks to the power of her rhetoric, she persuaded the House to vote against Second Reading, since there would be no Committee stage in which to do that. I suspect that, even though she will go through the No Lobby, she actually hopes that the Bill will go into Committee.

I congratulate the Home Secretary and the Lord Chancellor on this outstandingly good Bill designed to make us all safer in so many different ways, but I want to focus on one small aspect of the Bill: the sentencing of minors in clauses 101 to 105. The Home Secretary knows well the case of my constituent Ellie Gould, and she kindly saw the Gould parents on one occasion. Ellie Gould was brutally murdered in her own home by 17-year-old Thomas Griffiths in May 2019. It was the most horrible murder of the worst kind, with a knife found at the scene of the crime.

Griffiths' 12 and a half-year sentence was shorter than it should have been for three reasons: first, because he pled guilty, and I am glad that he did; secondly, because he was a junior at the time of the offence, albeit he was 18 at the time he was convicted; and thirdly, because, rather than taking a knife with him to the murder, he picked one up in the kitchen. He none the less stabbed Ellie multiple times using that knife and then sought to pretend that Ellie had done it to herself. It was very much a premeditated crime—there is no question about it—but because he did not bring a knife to the scene, he only got 12 and a half years, rather than the significantly longer sentence he would have got otherwise.

I pay tribute to Ellie's parents, Matt and Carole Gould, and a group of her school friends, who have been tireless in fighting to change the law in respect of a brutal crime of this kind. I thank the Lord Chancellor and the Home Secretary for having listened carefully to them. Under clause

101, a 17-year-old who turns 18 during the course of the trial, as happened in this case, will now face a similar penalty to the one they would face if they had been 18 at the time of the crime. Until now, a 17-year-old was treated much the same as a 10-year-old, and of course, they are very different people. A sliding scale will now be introduced, so that a 17-year-old will be pretty much treated as an adult. That would have increased Thomas Griffiths' sentence to 14 years. We also welcome the ending of the automatic review halfway through the sentence, which, apart from anything else, causes huge stress and trauma to the victim's family.

However, the Bill does not address the third anomaly, which is that had Griffiths brought the knife to the scene rather than pick it up in the kitchen, his sentence would have more than doubled—he would have got up to 27 years, rather than 12 and a half. Surely a frenzied attack of this kind, whether it is done with the knife that someone brings with them or a knife that they find in the kitchen, deserves the fullest possible sentence in the law.

There is an argument that women who are victims of domestic abuse may carry out a murder in self-defence using a knife at home. Surely the criminal law could find a way of saying that murder in self-defence under those conditions is quite different from a brutal murder such as that of Ellie Gould. The Lord Chancellor has said that he will consider this matter further, probably outside the context of the Bill. None the less, I hope that such a differentiation will be made possible in the near future, because this is a very important matter, and it touches on the tragic case of Sarah Everard.

Nothing can bring Ellie Gould back. Nothing can assuage the grief of her parents. Incidentally, nothing can assuage the grief of Thomas Griffiths' parents, who are also my constituents; they have lost their son in a very real way too. But strengthening the sentencing regime, as the Bill does, will at least mean some lasting legacy. It is, indeed, Ellie's law.

Madam Deputy Speaker (Dame Eleanor Laing)
After the next speaker, the time limit will be reduced to three minutes.

Ms Harriet Harman (Camberwell and Peckham) (Lab)
I very much agree with what the hon. Member for North Wiltshire (James Gray) said. The terrible outcome of the police ban on the Clapham common vigil in the wake of the tragic killing of Sarah Everard shows how wrong the Government are to try in this Bill to curb the right to demonstrate, so I hope they will think again about that. The anger of the vigil was about women demanding to be able to walk the streets without fear, and we must listen to those demands and act on them now in the Bill. This demand is not new. Along with women up and down the country, I joined the "Reclaim the Night" protests in the 1970s, but then women's demands were not listened to by the men in the corridors of power. Now there are women in government, in the Home Office and in the Cabinet. There are women in all parties in Parliament. We are in the corridors of power, so we must use our power to deliver for women.

We all argued it would make a difference if we were here as women in Parliament. Now we had better prove it. We can in this Bill make it a crime to do what men do to women on the street every day and which makes their lives a misery. Kerb crawling is terrifying for a woman or a girl on her own, especially after dark. A man has no right to do it, so let us make it an offence punishable by taking away his driving licence. Following a woman on the street, filming her,

trying to get her number and not taking no for an answer are harassment. Why should women and girls have to put up with it? Let us make that a criminal offence. I have tabled two new clauses, which have the backing of Members from all parties, and not just women, but men, too. I hope that the Government will accept them.

Too often when a woman is the victim of a sexual offence, all her previous sexual history is dragged up in court and it ends up as though she is in the dock, not the man. That is not supposed to happen, but it does, so we need to stop it. I have new clauses with cross-party backing to do that, too, which I hope the Government will back. Women do not want us to sympathise; they want action, and that is what we should do.

Philip Davies (Shipley) (Con) [V]

There is much in the Bill that I agree with, and much of that was set out by the Home Secretary in her opening remarks. I particularly agree with increasing the sentences for assaults on emergency workers to two years, which is an amendment I tabled back when the Assaults on Emergency Workers (Offences) Act 2018 was first debated in 2018. It is always good when the Government come round to my way of thinking, so I hope as a result they will look favourably on my amendments when I table them, and we can save some time.

In the time I have, I will go through some of the things I would like to see in the Bill. As was mentioned earlier, I would like to see a specific offence for assaulting shop workers and other frontline workers. I used to work in retail, but it has been absolutely terrible to see the fact that during the pandemic, when shop workers have been going the extra mile to help us all, the number of assaults on them has doubled. We really need to do something about that, and I hope the Government will look favourably upon that proposal.

I am pleased to see some of the provisions for ending automatic early release for prisoners. I certainly support that, but I would like the Bill to go further. I would like to see the end of all automatic early release for prisoners, particularly those still considered to be a danger to the public. I would particularly like to see an end to all automatic release for those people in prison who assault our prison officers. Again, prison officers face a terrible burden in prison, with far too many assaults. If we were to say to prisoners that anybody convicted of assaulting a prison officer would lose their right to automatic release, that may well help those hard-pressed prison officers.

I would like to see the retirement age for magistrates and judges increased to 75. The Justice Secretary has said that he intends to do that, so this Bill seems a very good vehicle for that. I would like to see a sentencing escalator, whereby if people are convicted of the same offence more than once, they have to get a harsher punishment the second time than they had the first time, and a harsher punishment yet again if they commit the same offence a third time. The Government clearly accept the principle of that, because they have done exactly that with the covid fines. I hope they will allow a sentencing escalator for other criminal offences as well.

I would like to see magistrates' sentencing power increased to 12 months, rather than six months. That needs to be done. I would like to see the word "insulting" removed from section 4 and section 4A of the Public Order Act 1986 so that someone cannot be guilty of something if

they simply insult people. There are many amendments I would like to see to this Bill that time does not allow me to mention this evening. I could do with a whole day on Report all to myself.

Madam Deputy Speaker (Dame Eleanor Laing)
I do not think that is entirely likely to occur.

Andy Slaughter (Hammersmith) (Lab) [V]
Ask almost anyone involved in the criminal justice system for their priorities, and they will not say, "More new offences, types and lengths of sentences, and further layers of complexity masquerading as action"; they will point to the backlog in the courts, the lack of resources for everything from legal aid to prisons, and the systemic failure at every turn from investigation and charge, to trial and disposal. Some measures in the Bill are helpful, but parts are oppressive and downright dangerous. I refer particularly to parts 3 and 4, which amount to a sustained attack on civil liberties, free expression and movement by an intolerant Government who are increasingly careless of the rule of law.

Given the time restraints, I will set up the case against part 4 of the Bill. Gypsies, Travellers and Roma are the most discriminated against and marginalised ethnic minority in UK society—indeed, the action of Pontins management reminded us of that only days ago. The Bill targets those communities, and it criminalises what has hitherto been the civil offence of trespass on land. It makes the direct threat of imprisonment and heavy fines for matters that were previously resolved through negotiation or in the civil courts. The Bill threatens, not just for the act of trespass but for an intention to trespass, to seize and forfeit any vehicle involved in that trespass, which in the case of nomadic people means losing their home and all their possessions.

Only 3% of Gypsy and Traveller caravans are on unauthorised sites. The police response to the proposals was unequivocal:

"trespass is a civil offence and our view is that it should remain so…no new criminal trespass offence is required."

No family willingly stops somewhere they are not welcome, and which has no running water, waste disposal or electricity. They do so for the lack of either permanent or transit sites. Only 29 councils in England provide transit sites—a mere 354 places.

Evictions will run for 12 months, and it is not difficult to imagine a concerted campaign to exclude Travellers from whole areas of the country, contrary to the recent judgment in the London Borough of Bromley v. Persons Unknown. The judge in that case concluded that

"the Gypsy and Traveller community have an enshrined freedom not to stay in one place but to move from one place to another."

Preventing that potentially breaches both equality and human rights law, as the shadow Home Secretary said earlier. The Home Secretary may not care about any of this, but many people do. She would be well advised to drop these racist and draconian proposals from the Bill before it progresses any further.

Alberto Costa (South Leicestershire) (Con) [V]

Unlike the hon. Member for Hammersmith (Andy Slaughter), those of us who represent rural or semi-rural constituencies know only too well the problems caused by unauthorised encampments, and the deeply damaging effects they have on our local communities. The proposed offence refers to those who brazenly travel and set up unauthorised encampments, with total disregard for others. My constituents have often been subject to the disruption and difficulties caused by those in caravans who, without permission, set up on a village green, a playing field or agricultural land. Although I accept that that may not sound particularly troublesome in theory, unfortunately it is the behaviour and activities of those in the caravans that causes disruption, damage, and disquiet in our lovely rural villages and towns.

The Government's proposals on tackling unauthorised encampments is a big step in the right direction, but of course more should be done. It does not discriminate against the vast majority of law-abiding Gypsy and Traveller communities, and neither should it, but it highlights the big issue of those who set up unauthorised encampments, and allows authorities to deal with that in a more effective manner.

I support the proposal in clause 46 to create the offence of desecration of memorials, and I would like the Government to consider creating a new offence of attacking the parliamentary offices of Members of the House. An attack on an MP's office is an attack on the House and on the heart of our democracy. I should declare that I am the victim of such a crime. My office was violently attacked less than two months ago in what appears to have been a premeditated attack designed to intimidate my staff and me. Unfortunately, Leicestershire police, led by Chief Constable Simon Cole, have not been able to identify the assailant. This is the second time in less than 21 months that my office has been attacked. If we are to place value on memorials and statues, as we should, by creating this new offence, how much more important is the symbol of this sovereign body in each constituency—namely, the MP's office bearing the portcullis? These are not inanimate historical objects; they are the living, breathing and supposedly safe workplaces of Members of this House across our country. I ask the Government to confirm that they take seriously these attacks against MPs, their staff and their parliamentary offices—even more seriously than attacks against statues. Accordingly, I invite the Government to consider my reasonable suggestion for a specific offence of attacking an MP, their office or their staff in their constituency.

Stephanie Peacock (Barnsley East) (Lab)

In September 2018, my constituent, Jackie Wileman, was tragically killed by four known criminals who joy-rode a stolen heavy goods vehicle around Barnsley for days before hitting and killing Jackie on her daily walk and crashing into a house in the village of Brierley. The four men had 100 convictions between them, and one had already been convicted of causing death by dangerous driving. At the trial, one man pleaded guilty and the other three were also convicted, but with plea deductions and time on licence, they all served between five and just over six years. The lenient sentences handed down to them following Jackie's death led to her brother, Johnny Wood, bravely and tirelessly campaigning to scrap the maximum sentence for those who cause death by dangerous driving, so that no family would have to go through what they have gone through. Having fought alongside Johnny for this change in the law, and having raised the issue in the Chamber many times and having met the Justice Minister, I am in no doubt that

Johnny's powerful testimony has directly contributed to the sentencing Bill we have before us today.

The Bill, while strong on dangerous driving, also had the opportunity to support victims of other crimes. I met virtually with my constituent Claire Hinchcliffe a few weeks ago. She suffered 13 months of abuse at the hands of her ex-husband, who continued to stalk her after the end of their relationship. He was given a 12-month restraining order. The Bill could have strengthened sentences for crimes such as this, but it does not. It does not mention violence against women once. It fails to address this issue, yet it proposes to give the police extra powers and the right to limit peaceful protest.

The history of Barnsley demonstrates the issues with policing protests and public order. For those who lived through the 1984 miners' strike and experienced abuse at the hands of the police, these new powers will rightly cause alarm. The state already has sweeping powers to police protests; it does not need any more. This is not about protecting the public; it is about getting cheap, easy headlines for a weak Home Secretary. I am pleased to welcome the provisions in the Bill that will finally deliver justice for Jackie, but I am disappointed that I cannot support the Bill in its entirety due to the fact that it threatens our right to peaceful protest and has no provision to protect victims such as Claire and the thousands of other women who are seeking justice.

Sir Iain Duncan Smith (Chingford and Woodford Green) (Con)
In the short time available, I will limit myself slightly. The Opposition's position is somewhat illogical at the moment. Is the Bill perfect? No, it is by no means perfect. I hope that it will be corrected as it goes through. Will that happen? Certainly. I accept that there are issues around freedom of speech and the right to assemble, and I think that these will be dealt with during the course of the debate. Overall, this is a good Bill, but Labour Members are going to vote against the protection of the police, the prevention, investigation and prosecution of crime, and important measures on sentencing and release, on public order, on encampments—which bother a lot of my constituents—on youth justice, on secure children's homes and academies, and on the management and rehabilitation of offenders. They will vote against all of that, yet they agree with much of it. That does not make any sense to me.

Tonight I want to draw the attention of my right hon. and hon. Friends to something very important that is not in the Bill, and I want to make some progress on this. It is to do with the rising theft of pets, including dogs, much of which now includes violence. This is a really big issue; it is not prosaic by any means.

Sir Robert Syms (Poole) (Con)
I agree with my right hon. Friend—it is a big issue for my constituents and I am glad he has brought it up.

Sir Iain Duncan Smith
I am grateful to my hon. Friend.

There have been reports of a huge, 250% increase in dog-theft crimes in a number of counties, particularly Suffolk. The Metropolitan police, who cover my area, report the highest number of

dog thefts in the country. The number of stolen dogs registered on the DogLost website has increased by more than 170% since lockdown, and 2020 was the worst ever year for the theft of dogs.

We are not talking about some inanimate object; this is an animal, a pet who is part of the family like the other pets. Dogs also do hugely important jobs. Who secures this place by ensuring that we do not have bombs? Dogs. Who checks at customs that people are not importing drugs and other things? Dogs. Dogs are being trained to detect covid now, and they should have been brought into airports years ago.

The reality here is that it is very violent. The big point is that gangs are involved now. The prices of these animals have risen—we are talking about £5,000 or £10,000 for a dog—and the gangs are very violent. I have constituents who have been knocked to the ground and beaten and had their hands stamped on. There have been threats made against them, their home and their families. These are serious offences, yet right now it is almost impossible to get more than a slap on the wrist for this stuff—a fine of £250 or perhaps £500.

Dogs are not even listed in the Home Office classification—they are in among theft from the person, bicycle theft, shoplifting and other theft. Pet theft currently sits hidden from view under HOC49, alongside things that do not have a home, such as a wheelbarrow. This is wrong, it diminishes the crime and it means that many people who are devastated by pet theft, and often brutalised, have no recourse. As I said, even the sentencing side of it is very poor. We need to bring in much tougher sentences and it is important that we have a categorisation that includes dogs and other pets. We also need police to take pet theft seriously. One individual told me that when their dog was stolen, a police officer said, “Did you have anything else of value taken?” as though dogs were not of any value.

Microchips have to be put in by law, yet no vet has to scan to see whether or not a dog is stolen. That should change so we should bring that in. Other ideas include a ban on cash sales, as happened with scrap metal, to cut off such sales, and consideration of the reintroduction of licences for pet ownership.

Pet theft is a serious offence and I would like the Government, during deliberations on the Bill, to introduce changes to help people. Violence and the theft of animals are wrong. We should do something about it, and do it now.

Debbie Abrahams (Oldham East and Saddleworth) (Lab) [V]
The Bill is a missed opportunity. I support some measures, such as those on the police covenant, on doubling the sentence for assaulting emergency workers and on toughening sentences for death by dangerous driving, but I have concerns about several others, including the proposed changes to the right to peaceful protest and the measures on unauthorised encampments, which are targeted at Gypsy, Roma and other travelling communities.

The absences in the Bill reveal the Government’s worrying priorities. The lack of the prioritising in the Bill of measures to protect women from violence and support them is a matter of deep regret. That the penalty for defacing a statute has been increased to 10 years—double the minimum tariff for someone convicted of rape—is offensive, and I hope the Government will

think again on that. With that in mind, I send my sincere condolences to Sarah Everard's family and friends—I can only imagine what they will be going through at the moment.

I wish to focus the remainder of my remarks on the absence of any measures in the Bill to repeal the Bail Act 1976, and on its impact on vulnerable women. Under the Act, the courts can remand an adult to prison for their own protection, without that person being convicted or sentenced, and even when a charge cannot result in a prison sentence. Someone's liberty can be removed without expert evidence or any formal investigation into their circumstances, and even without their having legal representation. It is reprehensible to deprive a vulnerable adult or child of their liberty because of shortcomings in social security support or mental health or other local services. The potential for abuse in the use of such arcane and outdated legislation is clear to see. It is a scandal and surely in breach of human rights legislation.

Following our recent inquiry on this issue, the all-party parliamentary group on women in the penal system, which I co-chair with the hon. Member for Thurrock (Jackie Doyle-Price), has recommended that the Bail Act be repealed. At a recent APPG meeting, I was struck by the evidence from a prison governor, who said that prison was the worst possible environment for a vulnerable person and would exacerbate their vulnerability. The shocking thing is that the scale of the scandal is not even known; the Government do not even collect data on the number of people detained under this legislation. After meeting the Minister of State, Ministry of Justice, the hon. and learned Member for South East Cambridgeshire (Lucy Frazer), and the Howard League a few weeks ago, I had hoped that this would be included in the Bill. Perhaps the Home Secretary could indicate whether the Government will be correcting this omission in Committee.

Finally, I want to express my concerns regarding the Government's failure once again to undertake any equality impact assessment on the Bill. Given the Lammy review and the evidenced racial disproportionality in the criminal justice system, the Government's rhetoric about Black Lives Matter rings hollow.

Andrew Selous (South West Bedfordshire) (Con) [V]
I strongly support the points about pet theft made by my right hon. Friend the Member for Chingford and Woodford Green (Sir Iain Duncan Smith). As Second Church Estates Commissioner, I also strongly welcome the addition of faith leaders alongside sports coaches, both of which have been added to the list of professions in the Bill—that also includes teachers, social workers and doctors—for whom it is illegal to have a sexual relationship with a 16 or 17-year-old in their care. This is in line with the recommendations of the independent inquiry into child sexual abuse, and it is absolutely right.

I want to spend the rest of my remarks giving voice to the everyday experiences of one of my female constituents in her early 20s. The cumulative impact of these incidents amounts to very serious and wholly unacceptable antisocial behaviour of the very worst kind, which can lead to a severe lack of self-confidence and wellbeing.

Over the last year or so, my constituent has told me that she has endured: being touched inappropriately and called a prostitute by a strange man on her own doorstep; being continually cat-called while walking down the street; being groped without consent in a nightclub; being cat-called in a seriously offensive manner from the street while fully dressed in her own

property; being harassed by a group of men in a pub; having her bottom commented on by an older man while filling her car up with petrol; having her figure loudly commented on by three boys while on the underground, with no one else in the carriage asking them to stop; being followed by a much older man in an unwanted manner over coffee after a church service; and having a man lie to her about his singleness, when he was married and asking her to meet under false pretences. If a young woman in today's society is not free from sexual harassment in her own home, in public, in a pub, in a nightclub, at a petrol station, on public transport or after a church service, where indeed is she safe?

The tragedy is that these experiences are all too common for many younger women, and it is vital that male Members of Parliament call them out. Although there is so much that we properly expect of the law, the police and the courts, they cannot change a whole culture on their own. That is where our common community life, our families, and indeed every single one of us, has a role. It is up to all of us to set a culture to uphold the values of decency, respect and honouring women that should be commonplace. In particular, it is up to all of us—especially men—to challenge the unacceptable behaviour of other men. The behaviour that I described earlier is not manly anyway; it is cowardly, bullying, pathetic and wrong.

Florence Eshalomi (Vauxhall) (Lab/Co-op) [V]
I start by offering my deepest condolences to the friends and family of Sarah Everard. May her soul rest in peace.

Parts of Clapham Common fall within my constituency, and having lived in Brixton all my life, I have walked the same streets that Sarah did. My first job was at the Sainsbury's supermarket on Clapham High Street and my sixth-form college, St Francis Xavier Catholic Sixth Form College, is located at the southern tip of Clapham Common at Clapham South. I have felt afraid, and I do not want my daughter growing up and making the same adjustments that I did—that all women do. In the past few days, I have been contacted by hundreds of women and men—young and old, grandmothers, mothers, sisters, fathers, brothers—who live in Clapham and across my constituency of Vauxhall. Now they no longer feel safe.

Our streets and our public spaces should not be places of fear for women. We need to listen to women's voices and we must believe what they are telling us. That includes making sure we listen to all women, including the voices of black women and trans women. Far too often, we do not hear the names of black women and minority ethnic women in the news or on social media, but sadly, many of them have been failed by the police and the criminal justice system. So I say the names of Blessing Olusegun, Joy Morgan, Bibaa Henry, Nicole Smallman and many others who have died on our streets. Only then can we start to heal the mistrust and put in place long overdue protections to protect all women. We must and we will reclaim the streets.

The Bill is wide-ranging and it contains a number of important measures that I welcome. I pay tribute to my hon. Friends for their tireless campaigning on dangerous driving, protecting our emergency service workers, reforming the Disclosure and Barring Service scheme, and widening the law to prevent adults from abusing their positions of trust and engaging in sexual relationships with young people under 18. These measures will make us feel safer.

However, the Bill is also a missed opportunity for much-needed reforms. It does not do nearly enough to address the urgent issue of racial disproportionality in our criminal justice system. As co-chair of the all-party parliamentary group on knife crime and violence reduction, I am disappointed that the Government have missed an opportunity to focus on prevention by ensuring that the organisations that need the long-term funding to tackle serious violence and build trust with communities that feel they are sometimes viewed as the perpetrators when they are actually victims, are not included. That includes the many girls and young women caught up in violence associated with gang violence.

I want to focus the rest of my remarks on some of the other measures proposed in the Bill. Those who seek to control the expression of the right to protest—

Madam Deputy Speaker (Dame Eleanor Laing)
Order. I am afraid the hon. Lady has significantly exceeded her time limit. She will have another opportunity at the next stage of the Bill.

Laura Farris (Newbury) (Con)
There is much that I welcome in the Bill, in particular that the Government have adopted recommendations made by the independent inquiry on child sexual abuse. I have a direct interest in this because I worked on it before entering Parliament. I think I am right in saying that this is the first time that the inquiry's recommendations have been brought into law. It is a powerful thing for the survivors to see the nightmares of their past informing the laws of the future, first, by extending the definition of "position of trust". When we looked at sports coaches and religious leaders, what they shared was status not just in their sphere but in their community. The children they chose tended to be vulnerable in the first place. They built on the bonds of trust with families to establish extended periods with those children, often overnight, and they were willing to engage in extended patterns of grooming to do so. There are other categories of worker to whom that applies and I hope the Government will keep an open mind on that.

It is also a core finding of the inquiry that we are failing to properly protect children against the worst kinds of abuse because offenders can travel abroad and find impoverished and vulnerable children to seriously sexually exploit. So I welcome the extension of the sexual harm prevention orders to limit their ability to travel and to give the Secretary of State the right to list countries. We know and the National Crime Agency knows what countries that takes place in. However, to be effective we must also take action against social media companies, which all too often are allowing very violent sexual exploitation to be streamed across their platforms. The abuse happens abroad, it is consumed in the United Kingdom and, if we do not take the opportunity to address that in the online harms Bill, I do not know if we ever will.

Similarly, on managing terrorist risk offenders, I particularly welcome the new powers given to the Parole Board under clause 108 to restrict the release of those who may have been radicalised in prison. This goes directly to the lone wolf attack in Forbury Gardens, on the doorstep of my constituency, where the assailant had been released just 17 days before and it might have changed the outcome.

I want to close by saying something about violence against women. I cannot accept that this Government are not doing all they can to protect women in this Bill, but particularly in the context of the Domestic Abuse Bill. It is so rare to have two new sexual offences identified in one piece of legislation, together with the new offence of coercive control.

Andrew Griffith
My hon. Friend speaks very eloquently about sexual violence against women and we would like to hear more from her.

Laura Farris
I am grateful to my hon. Friend.

In the last week, a new conversation has crystallised about the safety and dignity of women and their ability to move around in public, and attention must be paid to their voices. I do not think the Bill is the place to rush through new measures or to bolt on new provisions, but I think the Government have an opportunity to begin an important conversation through their VAWG strategy, and I think there is a place for focused legislation on the issue at the end of the year.

Wera Hobhouse (Bath) (LD) [V]
Saturday night saw a peaceful vigil highlighting violence against women ending in scenes of women being forcibly restricted by men. It should have been a moment for women collectively to grieve the tragic loss of a life and publicly express their solidarity, but instead of a moment for reflection on the daily injustices faced by women, this weekend was a powerful reminder of the importance of our civil liberties and the right to protest.

Elements of the Bill are good. The Liberal Democrats support trauma-informed services and strengthening rehabilitation with the aim of reducing reoffending. We also support the police covenant, a measure that helps our police to be a better workforce. The Bill could be made even better by explicitly making misogyny a hate crime. We need to recognise the root causes of violence against women. In the same way that we recognise racial or religious discrimination and homophobia, we can recognise that hatred of women causes harm.

All that important debate is undermined by the part of the Bill on the policing of protests, which is an assault on our civil liberties and our democracy. The Government say they want to clamp down on the most destructive protests, but let us be clear that they aim quite literally to silence protest. The measure is a thinly veiled reaction to the climate protests that have taken place over the past couple of years around Parliament and in cities and towns across the country. The climate emergency has evoked strong feelings, particularly among young people, and it would be quite wrong to curtail their voices.

The whole purpose of demonstrations is to have one’s voice heard, to make an argument, to get the attention of those who make the law and to encourage change. Peaceful protest is at the heart of a liberal democracy. We have taken democracy for granted for a long time. Each generation has to fight for its freedoms. Each generation faces different challenges, but the diverse voices from all sections of our society should never be stifled or suppressed.

Liberalism exists to protect our freedoms, our democracy and our right to protest. If the Government were really serious about protecting women from violence, they would never attempt to silence their protests. That part of the Bill must go.

Mr Mark Francois (Rayleigh and Wickford) (Con)
I want to concentrate on the provisions of part 4 of the Bill, which deal with the long-standing problem of unauthorised encampments. Part 4 effectively upgrades acts of deliberate trespass from a civil to a criminal offence. The campaign of those of us who have argued for that change for a number of years now was based on a similar change in the law in the Republic of Ireland several years ago; hence it has often been referred to succinctly as the Irish option. The move has become necessary because of persistent illegal incursions by some individuals, including some members of the travelling community, that have become an increasing problem in many parts of the country, including my home county of Essex, in recent years.

For the record, many Travellers are perfectly law-abiding and have good relations with the settled community. Unfortunately, however, some others are not, and there have been repeated examples of antisocial behaviour and even criminal damage resulting from illegal encampments in recent years in places as varied as village greens, sports grounds and industrial estates. As a civil offence, it has often necessitated local authorities having to go to court, at public expense, to have such incursions moved on, as well as sometimes being involved in the further expense of clean-up operations once illegal sites have been vacated.

Under this Bill, which I am proud to say fulfils a 2019 Conservative manifesto commitment, police officers will be given powers to challenge illegal encampments of one vehicle or more. If people wilfully refuse to move on, they can be arrested with a maximum sentence of three months' imprisonment or a fine of up to £2,500, or both. Crucially, offenders can also have their property, including their vehicle or vehicles, impounded by the police.

I can assure the House that this important change in the law has proved very popular with my constituents, and I have received many messages of support since it was confirmed last week. In addition, it has also proved popular with the Essex farming community. The county adviser of the National Farmers Union, Dr Jake Richards, sent me this brief message:

"Dear Mr Francois, I am writing to thank you on behalf of the NFU and the farmers in your constituency for your support and for the Commitment from fellow Essex MP, Rt Hon Priti Patel, on Monday when she announced that changes to the law were being brought forward as part of a new major criminal justice bill to be introduced to Parliament imminently. The changes proposed will be most welcome by our Members."

Our industrious Essex police, fire and crime commissioner, Mr Roger Hirst, also warmly welcomed adding these powers to the statute book.

In summary, I hope and believe that these tough new powers will act as a genuine deterrent to illegal encampments in future and should thus lead to improved relations between the travelling and settled communities. I congratulate Ministers, and the Home Secretary in particular, on having the courage to introduce them and, in so doing, fulfilling part of the manifesto on which we were elected in the first place.

Sir Robert Syms (Poole) (Con)
I am particularly pleased to follow my right hon. Friend the Member for Rayleigh and Wickford (Mr Francois), because I intend to address virtually the same subject. Poole is a beautiful place. We attract people, and, unfortunately, we attract people with unauthorised encampments. Last summer, in Poole Park, the cricket pitch was camped on. There was Whitecliff, Sandbanks car park—there are many areas in Poole that face unauthorised encampments, which take away well-used local resources from children and grandchildren, and my constituents.

Part 4 of the Bill was in the 2019 manifesto. I am particularly pleased that the Government have grasped this issue and brought forward this legislation. My constituents could never understand how they had to have licences, obey the law and pay their council tax, but if they stepped on any area that was illegal, they would get arrested by the police, when there are people—

Sir Iain Duncan Smith
Will my hon. Friend give way?

Sir Robert Syms
I will.

Sir Iain Duncan Smith
Does my hon. Friend not agree that this is the age-old clash between rights and responsibilities? In this case, they have responsibilities but they see others who simply claim they have rights.

Sir Robert Syms
My right hon. Friend makes a very good point. What used to happen until recently was that people would turn up, and others would phone the local council, which would say that it could not do much about it. They would then phone the local police, who would say that they could not do much about it—indeed, there have been occasions when the local police have watched people go and set up unauthorised encampments—and then they would phone the Member of Parliament and let him know what they think about him, saying that the Government must do something. It is true that the local authority and the police have had more powers than they have been willing to use, but this is in the "too difficult to deal with" box, so people have just kept their heads down and hoped that, after a week or two, people would move on.

However, this does increase real costs to local authorities, which, apart from cleaning up sites, sometimes have to put special measures in to try to protect sites. Year after year, this costs council tax payers quite a lot of money, so I am very pleased that the Government have put these powers in the Bill. I hope that they survive their passage through the House. They will make a material difference to the quality of life of many of my constituents.

There are issues to do with Travellers that we need to address apart from unauthorised encampments. One of those is the poor educational qualifications that many of their children have—the Government need to pay attention to that to see what more we can do—and another is the health standards of many of these people, who do not access hospitals as easily as the rest of us.

Overall, what the Government are doing is very sensible. This is the sort of Bill that a confident right-of-centre Government should bring in to deal with law and order— not only with Travellers but with many other areas. Personally, I am becoming a great fan of the Home Secretary and the Lord Chancellor, who instead of talking a good game are actually producing things in legislation that will make a great difference to people's lives.

Sarah Champion (Rotherham) (Lab) [V]

I welcome parts of this Bill, but there are glaring omissions, especially around violence against women and children. In Rotherham, and across the country, all too often victims and survivors of crime, especially sexual violence, lack confidence in the system, and this Bill was the opportunity to change that. There are far too many instances where sentencing is too lenient, or indeed where predatory or violent behaviours are not even criminalised.

I am relieved that the Government are finally reintroducing pre-charge bail conditions. Removing them in 2017 led to survivors living in fear of reprisals from their abusers. I also very much welcome the fact that the Government are finally bringing forward the "positions of trust" provisions that make it illegal for faith leaders and sports coaches to have sex with 16 and 17-year-olds in their care. However, the Government need to extend this law to cover the likes of driving instructors, youth workers, police officers and private tutors.

I am pleased about the progress on extending the offence of arranging or facilitating the commission of a child sex offence to include the rape and abuse of a child, and on stronger sentences for commensurate harm. However, the Bill must be strengthened to address online sexual exploitation. Aggravating factors must be included, as has been done in Australia, when it comes to sentencing. The Bill should be amended to state that approaching a person with regard to child sexual offences also specifically includes doing so online or via other telecommunications.

The provisions on the establishment of a list of countries considered to be at high risk of child sexual exploitation or abuse by UK nationals need to include countries that are at risk from UK citizens who commit abhorrent crimes online. Too often, I hear of UK nationals remotely directing abuse of, often, Filipino children from their own homes. Currently, there is a loophole in the law whereby a registered sex offender can change their name through deed poll and then go under the radar of the authorities. Alarmingly, I recently uncovered the fact that over 16,000 sex offenders breached their notification requirements in the past five years, which means that they disappeared from the system set up to monitor them.

Finally, I am astounded that while the Bill makes several changes to procedures in courts and tribunals, the Government have not used it as an opportunity to further improve support for victims and witnesses of sexual abuse.

Tragic events of the past week have shown just how important this Bill is. For too long, abuse, and particularly violence against women and girls, has gone on unchecked and survivors have been left to deal with a system that is not only not working but often making their situation worse. Crimes against women often specifically occur because they are women. These crimes are not gender neutral, so the law should not be either. We must consider a definition in terms of making misogyny a hate crime.

Andrea Leadsom (South Northamptonshire) (Con)
The appalling events of recent days have caused great anger and anxiety. My inbox has many emails calling for curfews on men and many others calling for greater understanding that not all men are perpetrators. At such a difficult time, we must find the right balance between personal freedom and state intervention, but also recognise how vital it is that we teach our boys and our girls the profound importance of mutual respect.

In speaking in this Second Reading debate, I want to focus on a measure in the Bill that I think everyone can get behind—giving the police new powers to tackle unauthorised encampments. For my constituents, that cannot come soon enough. In late 2019, a plot of floodplain near Northampton was sold privately, and then, in the middle of 2020, it was auctioned off to potential developers. The sales were under false pretences because planning consent would never be granted on a floodplain. Then in August 2020, as local residents had feared, a large number of vehicles entered the site and set up an unauthorised encampment. From August to October, the local community was witness to huge piles of commercial waste entering the site and being dumped on the floodplain and in the River Nene, and multiple vehicles with no tax or MOT, some with false plates, entering and leaving the site. There were regular bonfires with acrid black smoke, and visible payment being taken for third parties entering the site to dispose of builders' waste.

Local residents suffered verbal and racial abuse and antisocial behaviour, including rocks being thrown at passing cars, air rifles being shot, quad bikes being ridden at all hours and dogs running loose around the streets. Residents endured months of real fear and did everything they could to provide evidence to their parish and borough council and the local police. Finally, in October last year, the combined efforts of Northants police and the borough council got the Travellers off the land.

A political philosophy that has always chimed with me is that of John Stuart Mill. In setting out to describe the parameters of individual freedom, he said that we should all be free to do exactly as we like, provided that we are not impeding someone else's freedom to do exactly as they like. That is a difficult balance to achieve in real life, but where the rights of communities versus the rights of Travellers are concerned, there can be no doubt that facilitating a Traveller's way of life must not necessitate the misery and fear that was caused for my constituents. Many will be heartily delighted with this new measure, and I am grateful to my right hon. Friend the Home Secretary for listening to the huge majority across the country who want to see greater protections from unauthorised encampments.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op)
This is a Trojan horse Bill, and the Home Secretary is Sinon at the gates of Troy saying, "I'm the only one left! Please let me in with this fantastic Bill that's going to do all the things that you Opposition Back Benchers have been asking me to do." Well, we see that hidden in the Bill, there are some nasty and pernicious laws. Many of the good things in the Bill could be achieved by either amending or bringing forward separate Bills, such as the Death by Dangerous Driving (Sentencing) Bill, promoted by the right hon. Member for Maidenhead (Mrs May).

Instead, the Government have put forward a Bill that is so big, so expansive and so diverse that it covers two Departments, so that they can squeeze the good things in as well as those that deny the rights of people. If we allowed this to stand, every Government would do it, would they not? They would put pernicious rules into what, in public speaking, we call a "something sandwich", where you put the bad in the middle and sandwich it with the good. That is what the Bill is. I will come on to what the particularly bad things are, but there are also great missed opportunities. I sat on the upskirting Bill Committee. We pushed amendments, and the Government accepted that they would explore bringing forward misogyny as a hate crime. Where is that in this Bill? That could have been included, and it is so disappointing that it is not. There are clearly missed opportunities.

Part 3 of the Bill is particularly problematic, and notably the use of the phrase "serious unease". To tell the truth, I find myself feeling serious unease when certain Government Members speak and I disagree with them, but in a democracy, I can feel unease, disagree and even think that they are saying things that are offensive, but they are not criminalised. During the Brexit debates, in the main, the protests outside this place by UKIP and Brexit party supporters and by the remainers were eccentric and annoying to many of us at the time, but to me, it summarised the beauty of British democracy when those peaceful protesters, sometimes of opposing forces, were ringing bells and shouting into horns. Now there is the idea that the police could say, "You've gone a decibel over—you're a criminal." Many of the people on protests will not even know that the police have laid orders down, because it will not be widely known, so we will be criminalising people without them even knowing it.

I have not even got on to some of the really pernicious measures in the Bill, such as those on Traveller communities. If we had decent move-on sites and decent support from local authorities and made sure that we worked with the community, we could resolve the problems. Surrey has no move-on sites whatsoever—no wonder there are problems in that county. Those are the things we need to deal with rather than criminalising. The idea that someone in a layby over one night could be considered a criminal—

Madam Deputy Speaker (Dame Eleanor Laing)
Order. I was so carried away with the hon. Gentleman's rhetoric that I did not notice he had exceeded his three minutes. I apologise to everybody else.

Gareth Johnson (Dartford) (Con)
I welcome the Bill, which seeks to inject fairness into the criminal justice system and rights many wrongs currently in existence. The protection that clause 46 gives to war memorials and wreaths laid on them is admirable, and I am glad that the provision is being introduced. To desecrate a memorial is a particularly low thing to do and the law should reflect that.

May I also welcome the changes to sentencing powers to allow for life imprisonment for death by dangerous driving? In too many cases, the courts have been unable to deal with these matters effectively and consequently they have given inadequate sentences for even the worst incidents. That will stop, and we will all be safer as a consequence. I have to say, it would have helped if the Crown Prosecution Service had been more minded to lay manslaughter charges in many such instances. It seems to be only on the road that an offence can happen in which someone carries out a deliberate action that creates an obvious risk that is against the law, and yet the

CPS is reluctant to lay manslaughter charges. That will change because of these proposals, which I welcome with open arms.

The serious violence reduction orders to be brought in by the Bill are truly groundbreaking. Knife crime is an evil that destroys lives and terrifies communities, but the Bill gives the police powers to make a difference. However, we do not want knives simply to be replaced as the weapon of choice by acid, so I ask the Minister to consider including the possession of noxious liquids in the provisions. That would build on the massive improvements that both the Ministry of Justice and the Home Office have achieved in reducing the number of such attacks.

Finally, we need to counter the serious misinformation that has been spread about proposals in the Bill to place conditions on demonstrations. The proposed extra powers are not a ban on protests—far from it. There must always be a right to protest, but there must always be rights for those going about their business, too. The Bill seeks to balance those competing rights. It will allow protests, vigils, demonstrations and marches, but not the blocking of bridges or stopping traffic and bringing cities to a standstill. Protests, yes; causing serious disruption to others, no. The Labour party's voting against the Bill is totally wrong. The message needs to go out loud and clear that Labour Members are voting against provisions to extend sentences for death by dangerous driving, child killers, and serious violence and knife crime. They should vote for the Bill.

Alex Davies-Jones (Pontypridd) (Lab)
The last few weeks have been incredibly difficult for women across the country. Sarah Everard's death is utterly tragic. My thoughts are with her family and friends, as well as with all those who have lost a loved one to male violence.

It is clear to me that Saturday evening in Clapham was supposed to be a peaceful vigil, not a protest. I have spent the last few weeks speaking to women overwhelmed by their feelings of grief and anger. I have spoken to those who feel a little less safe on our streets, those who worry about the world in which their daughters will grow up, and those for whom recent events have brought back their own experiences of trauma, harassment and violence. Campaigns such as the #MeToo movement have ensured that conversations on abuse and violence are finally reaching the mainstream discourse, yet women are not under any illusions. We have spoken out against male violence in all its forms for decades, and I am frustrated and appalled that only now are we being listened to. What is in the Bill for us? How does it protect us? How does it address the scandalous prosecution rates for rape and sexual assault? How does it make women safer on the streets? The simple answer is: it does nothing. Increasing sentences for serious crimes is important, but there is little point if criminals never get to court to be sentenced, as is the case in 99% of rapes. Instead of prioritising victims, the Bill curbs our rights. It makes it harder for us to protest when the Government get things wrong and put the protection of statues above the protection of women.

While I welcome the measures in clause 45 that will extend the existing positions of trust offences, some alarming gaps remain. I am hugely concerned that those provisions will not be applicable in all the circumstances in which they have the power to make a difference. As co-chair of the all-party parliamentary group on wrestling, I am hugely disturbed that the provisions set out in clause 45 will not protect those in the wrestling industry. Colleagues may not be aware

that wrestling was devastated by the #SpeakingOut movement, which documented horrific tales throughout the industry, including threats of rape and sexual abuse. Some of the victims facing abhorrent abuse have been children as young as 13.

I am sure that the Minister agrees that we do not want perpetrators of sexual offences to fall through a loophole in this legislation, yet because professional wrestling is not classed as a sport and as such does not have a governing body, it is at risk of doing just that. I urge the Minister to commit to meeting me and my colleagues in the APPG on wrestling to talk about the potential avenues to include appropriate protections for young wrestlers in this Bill.

Actions speak louder than words. To quote a heroine of mine, Justice Ruth Bader Ginsburg, on what would have been her 88th birthday:

"Real change, enduring change, happens one step at a time."

The Government need to recognise that we need to take that step, and that we are at a crossroads with a real opportunity to change the lived reality for women and girls in this country. I plead with the Minister to work with the Labour party to ensure that women and girls are safer on our streets and in their homes, to work with us to ensure that the right to protest is not reduced and that voices across the country are not silenced—to work with us to finally do the right thing.

Lee Anderson (Ashfield) (Con) [V]
Now then, no one should feel unsafe in our country, and this Bill will be of great comfort to law-abiding British people who want to see greater powers for our police and tougher sentences for child murderers, sex offenders, killer drivers and anyone else who thinks they are above the law. If you cannot live by the rules of our society, then you should live in a place that has a different set of rules, and that place is prison. The good news is that we are recruiting 10,000 extra prison officers and 20,000 new police officers, and we are building more prisons.

Post covid, people want to return to safe streets and safer neighbourhoods. This Bill does that. This Bill ensures that the victims of crime are put first. I find it strange that Labour is talking about tougher sentences for crimes against women, yet in December it tried to stop us deporting foreign rapists. One Labour MP said we should not deport those criminals in December as it was too close to Christmas. I disagree; I thought it was a great Christmas present.

Labour says that this Bill will remove the right to protest. Rubbish. This Bill will protect peaceful protests from being hijacked by trouble-causing agitators. Labour's idea of peaceful protests are the ones we saw in Whitehall last year, where police were attacked, our flag was burned and memorials were damaged, while its own MPs looked on and said nothing. That was disgraceful.

We have a Home Secretary who is brave enough to tackle the issue of illegal camps. Those camps have made the lives of Ashfield residents a misery. When they are set up, crime rises, locals feel intimidated and the council is left with a massive clean-up bill. This Bill puts a stop to that nonsense. Police in Ashfield are doing a great job, but I know they are frustrated by short sentences and weak bail conditions. This Bill will give our police extra powers and the extra confidence they need.

I am confused that the shadow Home Secretary said tonight that he agrees with lots of things in the Bill, yet he will vote against it, proving once again that Labour is on the side of the criminals. Before lockdown, residents would often see me sat in the front of a police car going out on patrol and supporting our police, which is in sharp contrast to some Labour politicians, who have been seen in the back of police cars on the way to the station. It comes as no surprise to me that Labour will not support this Bill, after reading this week that there are 14 leading Labour politicians who have been arrested, imprisoned or under investigation in the past six months. There is no wonder we need more prisons.

Mr Toby Perkins (Chesterfield) (Lab)
We will try to get back to some sense of reality after the nonsense we have just heard.

This is a really important and wide-ranging Bill, and there are many aspects that I and my colleagues welcome. I start by paying tribute to my hon. Friends the Members for Halifax (Holly Lynch) and for Rhondda (Chris Bryant) for their success in securing the "protect the protectors" aspects of this Bill; my right hon. Friend the Member for Warley (John Spellar) for securing reform of the Disclosure and Barring Service; and my hon. Friend the Member for Barnsley East (Stephanie Peacock) for her work that has led to the dangerous driving reforms. All those things and more deserve support. It is a testament to the Home Secretary's insatiable desire for conflict that a Bill that contains so many measures campaigned for and fought for by Labour MPs should still be impossible to support.

What a missed opportunity this Bill is. There is nothing that will make a significant difference on the issue of violence against women and nothing on victim support, despite what we have just heard from the hon. Member for Ashfield (Lee Anderson) about the Tories being a party that supports victims. Indeed, it considers protecting statues a greater priority than protecting rape victims. The events of this weekend have brought into sharp relief where a civilised society must allow protest and support our police to keep our streets safe from criminals, not instruct them to arrest peaceful and grieving women.

We can easily see why this division is a political strategy of Conservative Members. Listening to speeches like that of the hon. Gentleman, it is very clear that they want to introduce elements that we will all agree with, and then introduce one or two elements that we cannot possibly agree with in order to say that we are preventing the good parts of this Bill. It is absolute cheap politics, and it is the politics of division. This is a Government who have frozen police pay, cut police numbers, and let criminals off the hook due to backlogs in the courts and overcrowding in our prisons. There can be no doubt but that they are no friends of the police.

Before I finish, I want to take a moment on someone who is a friend of the police—the police and crime commissioner for Derbyshire, Hardyal Dhindsa. I was extremely proud that my county, Derbyshire, where less than 5% of residents are BAME, was the first area to elect a BAME police and crime commissioner. Five years on, we are even prouder. Hardyal promised he would set up a programme in every village and town in the county. Not only has he done that, but he has met residents right across our county, while fiercely fighting the corner of our dedicated police both in Government and in the media. He has never forgotten who he is there to represent, and if the police get it wrong, as they did when Derbyshire police published pictures of dog walkers

in the Peak or fined people walking five miles from home, he has been quick to be the voice of the people, not hidden away from a difficult situation. I hope he gets people's support on 6 May.

Tim Loughton (East Worthing and Shoreham) (Con) [V]
This is a substantial and impressive Bill. Many of the policies in it predate the 2019 general election and some featured in the September 2020 White Paper, so they are certainly not measures that are being rushed through. It is difficult, in the space of three minutes, to do justice to the 296 pages, 176 clauses and 20 schedules, so let me just name check a few of the parts I particularly support.

I support putting the police covenant into law at last and the increase in penalties for assaults on emergency workers. It is incredible that we are having to contemplate that. I support the allowance for police officers faced with dangerous high-speed car chases in pursuit of dangerous criminals who are done themselves for dangerous driving; they are just doing their job. I am pleased we are toughening provisions on criminal damage to memorials, especially military memorials. I support tougher penalties for causing serious injury by careless or inconsiderate driving and tougher sentencing of child murderers. I support scrapping the early release of terrorist offenders, innovation in probation with the use of curfews and community sentencing, and clamping down on sex tourism.

There are lots of sensible, practical and much-awaited measures in this Bill that the vast majority of our law-abiding constituents will certainly welcome, but of course Labour is voting against all of these tonight. It has not even bothered to table a reasoned amendment to let the Bill proceed and then scrutinise it in Committee. Apparently, it is just a blanket vote against the whole of the Bill and all the measures in it. Labour Members may try to claim that they have objections to the new public demonstration conditions proposed for preventing serious disruption to the life of the community or recklessly causing public nuisance, and they may claim that in some way it suppresses free speech, but if they really do have such concerns, they should support the Bill and argue for improvements in Committee. However, people gluing themselves to tubes to disrupt the whole London underground system, clambering on to planes to shut down airports, preventing an ambulance reaching an emergency department through protesters, preventing the distribution of a free press, or assaulting police officers to get to, violate and vandalise war memorials does nothing to further free speech, free association or any democratic process. Ordinary law-abiding people should not have to put up with it, and there are many thresholds and conditions in this Bill.

I specifically welcome measures to extend the definitions in relation to those who abuse positions of trust by engaging in sexual activity with minors. The Bill specifically references sports coaches and faith leaders. However, private tutors, including music teachers, are exempt from many of the safeguarding checks that we rightly expect of mainstream employed teachers. Can we consider including them, as I tried to do many years ago as Children's Minister?

I warmly welcome the measures to criminalise trespass when it results in unauthorised encampments, causing damage in order to access private and community property, trashes the cricket pitch or village green when it happens, and prevents local people using the amenities that they pay for. To add insult to injury, these unauthorised encampments eventually leave the site scarred with fly-tipping, everything from building waste to human waste, and then they

come back and repeat it all over again in a few years' time. It is not acceptable. This Bill will clamp down on it at last, and I support it.

Apsana Begum (Poplar and Limehouse) (Lab)
Thank you, Mr Deputy Speaker, for calling me to speak in this incredible important and timely debate.

Those of us who continuously rejected the recent Covert Human Intelligence Sources Bill did so partly because of the impact that it would have on the freedom to protest. That freedom is being challenged yet again today, through the authoritarian measures proposed in this Bill.

This weekend, people across the country watched in horror the visual evidence of the disgraceful police action towards peaceful attendees of a vigil to mourn the murder of Sarah Everard and to express a collective anger and despair that so many women still suffer violence at the hands of men as part of their everyday life. Despite the Government's attempt to conjure up smoke and mirrors earlier today, a spot of damage control if you like, this incident exactly demonstrates that there are still serious questions about the powers that our police forces have, the way that these powers are executed, towards whom they are targeted, how they are scrutinised, and how those with such powers are held to account.

The Government regularly express their concern about human rights in other countries. If enacted, however, the Bill before the House today would

"expose already marginalised communities to profiling and disproportionate police powers through the expansion of stop and search, and Gypsy, Roma and Traveller communities may face increased police enforcement through the criminalisation of trespass."

Those are not my words, but the words of the director of the well-respected human rights organisation, Liberty.

Protests are often a space for the most marginalised to make their voices heard. In the past year, we have seen that in the Black Lives Matter protests and we have seen it over this past weekend. Just as police rode into protesters on horses last year, so, too, did they violently grab women on Saturday night.

Freedom of speech intrinsically linked to the freedom of protest should be enshrined in our legislation so that it is available to all. The Bill, however, would give the Government even more power to decide whether a protest should be allowed to go ahead. Given that our current Home Secretary refers to anti-racist Black Lives Matter protesters as "thugs", it is no wonder that people up and down the country are alarmed. The crux of the matter goes beyond that. The right to protest must be protected or else we find ourselves on an extremely worrying path, with a totalitarian Government able to silence whoever they choose.

Despite the rhetoric, all evidence indicates that this Bill is unlikely even to cut crime and to make those whom it intends to protect safer. Successive Governments have brought in longer sentences and created even more prison places, and that has not reduced crime or slowed the rate of offending.

The impact of this Bill will be felt by marginalised communities more than any other. It will be felt by women, unable to protest at the everyday violence they face. It will be felt by ethnic minority communities, Gypsy, Roma and Traveller communities, trade unions, anti-racist campaigners and climate emergency campaigners—

Mr Deputy Speaker (Mr Nigel Evans)
Order. I am afraid we must leave it there.

Miss Sarah Dines (Derbyshire Dales) (Con)
I welcome the Bill and the extensive improvements that it will make to the justice and policing systems. I will mention just a few of the many new provisions that have been the subject of much correspondence to me as the Member of Parliament for Derbyshire Dales.

I am pleased that the Government have been prepared to deliver on their manifesto commitments as opposed to changing them as they go along, as those on the Opposition Benches often do. This is what the majority of my constituents voted for. I was pleased to hear from a fellow MP for Derbyshire, the hon. Member for Chesterfield (Mr Perkins). I am disappointed that he will not be supporting the Bill, because I fear that he may well be out of tune with his constituents.

Over decades, the people of Derbyshire Dales have been plagued by illegal encampments. The disruption and damage caused by these illegal encampments have hugely distressed my constituents who have often taken months to resolve these issues only for them literally to appear again up the road. There have been substantial issues in Ashbourne, Matlock and Bakewell, which have caused huge upset, mess, and expense to Derbyshire Dales District Council and its good residents.

The Bill criminalises trespass and strengthens police powers to tackle unauthorised encampments. Under the new legislation, the police will have the power to seize vehicles, at last and to arrest or fine trespassers who intend to reside on public and private land without permission, while ensuring that they are not able to return for at least 12 months. The new criminal offence is much to be welcomed—up to three months in prison or £2,500. That is what my constituents, and people across most of the country, have been demanding.

I support the provisions to double the maximum sentence for assaulting an emergency worker from 12 months to two years. It is ironic that Labour Members wish to increase sentences for offences such as rape, but are intent on voting against those provisions. It makes no sense whatsoever. I fully support the extension of the law on positions of trust. As a mother of four young men who were once young teenagers, I am reassured that the Government are at last prepared to do something regarding sports coaches and religious leaders, and ensure that our children are safe. It is a landmark step forward and I am grateful for it.

On war memorials, I felt sick to the pit of my stomach to see Churchill's statue jeered at and sprayed with cans of paint, and I take my hat off to my hon. Friends, some of whom are in the Chamber, who cleared it up. I am surprised that Labour Members will oppose some of these common-sense measures, and it is a testament to just how out of touch they are, and how

difficult it will be for them to win the trust of voters. Conservative Members will fulfil our promises, and ensure that the manifesto pledges are kept.

Chris Bryant (Rhondda) (Lab)
I confess that I feel saddened and ashamed nearly every year when we come to International Women's Day, because we have to listen, again, to a litany of the number of women who have been killed by their partner, nearly always in cases of domestic abuse, and sometimes with their child. That has been my experience as an MP in the Rhondda, as nearly all the murders that have happened in my patch over 20 years have been of that exact same situation. What makes me ashamed is that the situation does not seem to improve year on year.

Perhaps three or four times in my life have I worried for my safety on my way home, and last week I felt ashamed to know so many female friends and constituents who say that that is their experience every time they go home. The Rhondda is remarkably safe. We have a very low level of crime. It is a safe place, yet a poll—not a scientific poll but one done by a local firm—showed that 84% of women in the Rhondda felt that they had been sexually harassed or been in danger on their way home. We must do a lot more, and we men must walk in women's shoes—if you don't mind the pun—a few more times. If that is uncomfortable, all the better. We need to learn the discomfort that many women go through.

I am delighted that the Bill changes the legislation on emergency workers, which I introduced as a private Member's Bill. We had to fight tooth and nail against the Conservative Government of the day to get it in place, but

"more joy shall be in heaven over one sinner that repenteth"—

and all the rest, and I am delighted that the sinner repenteth and is now sitting on the Front Bench. Of course it is right to have tough laws against an assault on emergency workers, because an assault on an emergency worker is an attack on us all. However, we cannot just change the law; we have to ensure that the police implement that law, that the Crown Prosecution Service pursues it, and that magistrates feel it is important. I am afraid the Government have done nothing on that front since 2018.

Section 25 is about religion and sport and people in a position of trust, and of course we must deal with that. From my experience, I think we must also consider those who coach people in the arts. My worry is about personal freedom, because this is a woolly jumper that snags easily, and once snagged can readily unravel. We must be very careful about the noise provision. I have been on miners' marches where we sang so loudly that the walls rocked. I have often been on Pride marches, when I wondered who on earth gave a gay man a whistle in the first place. Noise is part of a protest and part of our freedom.

James Sunderland (Bracknell) (Con)
I was discussing the Bill with a constituent over the weekend, when, bizarrely, she asked me whether I would be disloyal to my party. Loyalty is clearly an underrated concept, but this is much less about party loyalty and much more about doing the right thing. Those who claim that this Bill is anti-conservative, anti-libertarian, anti-democracy or even that it seeks to ban peaceful protest are wrong; it is actually about the silent majority, promises made in our

manifesto, law and order, and the need to take this country to where it needs to be. I will be voting it through.

To me, this is one of the most pro-law and order Bills passed in recent decades. It gives police authorities much more confidence in the job that they have been trusted to do. It enshrines the police covenant into law, increases the maximum penalty from 12 months to two years in prison for assaults or battery against emergency workers, ensures that criminal courts have sufficient sentencing powers and, as we have heard, strengthens police powers to tackle unauthorised encampments. It also strengthens the management of sex offenders, and of terrorist risk offenders on licence.

I want to focus briefly on one particular aspect of the Bill—namely, the desecration of war memorials. Alongside my hon. Friend the Member for Stoke-on-Trent North (Jonathan Gullis), who is my very good friend, I was one of the signatories to the Desecration of War Memorials Bill, which will now been subsumed into law. I thank the Home Secretary, the Lord Chancellor, the Under-Secretary of State for Justice, my hon. Friend the Member for Cheltenham (Alex Chalk), and many others for all their support.

Every single war memorial, irrespective of nation, faith or location, serves as a visual reminder of the horrors of war and the appalling conditions that people face when fighting for their country. These names are not just an inscription on stone, but actual human beings who lived, loved and were loved. These heroes had friends and families, and were in the prime of their life when they were taken, so each memorial bears testimony to lives cut short, the anguish suffered by families, the potential that was never fulfilled, the children that were never born and the guilt suffered by those who did come home. That is why we must ensure that all war memorials are sufficiently protected in law, and that those who seek to damage them through wilful ignorance or stupidity are brought to justice. This Bill is excellent, and I will not hesitate to vote it through the House.

Charlotte Nichols (Warrington North) (Lab)
The Government published this blockbuster omnibus Bill last week and rushed it through to the Commons, hoping to swell a law and order narrative ahead of the local elections to distract from the Government's widespread failings. Along with many sensible and necessary changes to the law that Labour MPs have called for—on child protection, dangerous driving, protecting frontline workers and supporting deaf people to act as jurors—the Bill acts as a Trojan horse to push through divisive culture war issues, including specific offences on damaging statues and cracking down on the public's right to protest.

Ministers somehow did not foresee that law and order means more than the elements that they have chosen for this Bill. It means keeping women safe. It means supporting women who have suffered violence or sexual violence to come forward, prosecuting the offenders and achieving convictions. It means ensuring that the police and others in authority are held accountable to the public needs, and, yes, it means that the rights to protest, and to express grief and anger, are protected. Is it not a remarkably sad irony that this Bill claims to protect memorials, but could be used to criminalise vigils?

Of course, Ministers should have been able to foresee that violence against women could return to the top of the public's priorities. Sarah Everard's tragic death has resonated so viscerally with women not because it was unique, but because, sadly, it was all too typical; she could have been any of us. Last week in the International Women's Day debate, my hon. Friend the Member for Birmingham, Yardley (Jess Phillips) read out the list of 118 women and girls, aside from Sarah, who were killed by men in the past year—one every three days. The real question is how women's safety ever dropped from the top of the agenda, and yet this Bill never once mentions women.

According to recent figures, 97% of women aged 18 to 24 have experienced sexual harassment, yet the Bill does nothing to address that scourge. Even fly-tipping could get a longer sentence than stalking. As others have pointed out—irrefutably, at a time when less than 3% of rapes even reported to the police lead to charges, let alone convictions—rape has effectively been decriminalised. Last year, rape prosecutions fell to the lowest level on record. Even when a conviction is achieved, sentences can be as short as five years—half of what the Government think is appropriate for despoiling a statue. Addressing this horrifying situation in line with the demands made today by my hon. Friend the Member for Lewisham West and Penge (Ellie Reeves) should surely be the centrepiece of legislation that is called the Police, Crime, Sentencing and Courts Bill, but the measures she has called for are not even a consideration. I cannot support a Bill that puts protecting monuments ahead of protecting women. Women need concrete action from this Government, not action on concrete.

Jonathan Gullis (Stoke-on-Trent North) (Con)
This Bill delivers on the manifesto commitments on which the people of Stoke-on-Trent North, Kidsgrove and Talke elected me. I am particularly pleased that the Government have adopted proposals from the private Member's Bill that my hon. Friend the Member for Bracknell (James Sunderland) and I worked on together, to ensure that in every town, village or city across our United Kingdom, thugs who desecrate war memorials will feel the full force of the law. Judges will now be able to consider more than just the monetary value of damage to these sacred memorials to our glorious dead when they pass a sentence—which may be a maximum of 10 years, but that will not be the case in every instance, as some Opposition Members are trying to make out.

I want personally to thank the Home Secretary and Lord Chancellor for our meetings and close work on this aspect of the legislation. I am troubled to see some Labour Members deriding and demeaning this important work. That conflicts directly with the advice given to the Labour party from a leaked sensitive internal strategy document, which said that Labour Members should make "use" of the Union flag and veterans. The fact that the Labour party want to make use of such things, rather than being proud enough to believe and willing to fight for them, is embarrassing.

I have been fortunate to see the incredible work undertaken by Staffordshire police locally, whether that is by meeting PC Karl Mander and his police dog Audi, who was stabbed in service, leading to the first conviction under Finn's law, or walking the beat with PCSO Matthew Hough-Clewes last week in a local anti-social behaviour hotspot. This legislation is important in giving our police and our courts the powers and guidance they need to keep us safe, so I am left baffled by Labour's position.

Desperately scrambling for a reason to vote against, Labour Members claim the new law will silence lawful protests. This is simply not the case. In fact, the Bill simply clarifies the existing common law offence of public nuisance. As a constituent who emailed me today said,

“if you are not breaking the law you have nothing to worry about.”

However, if someone wants to block roads and stop ambulances getting sick people into hospital, or glue themselves to a train so people miss a day’s work, the police will now be able to take action, preventing eye-watering costs like the £37 million that Extinction Rebellion’s 2019 protests cost the UK taxpayer.

To sum up, when I vote for this Bill, I will be voting for tougher sentences for child murderers and sex offenders, life sentences for killer drivers, ending the automatic early release of the most dangerous criminals, greater protections for our emergency service workers and delivering Kay’s law, which will help to protect women from their abusers. Those are the sorts of things that people in Stoke-on-Trent North, Kidsgrove and Talke expect to get done, and I will proudly do so.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC) [V]
I have looked at what this rushed and punitive Bill will do for Wales, and I have found it wanting. It will infringe our right to protest, worsen inequality and lead to a yet more unjust society. This Government are not interested in seriously tackling the underlying causes of crime. They would rather overlook the cycle of offending while clamping down on dissent. The Labour party’s U-turn from abject abstention to principled opposition within the space of one hour yesterday showed that its leaders also have scant regard for the consequences of the Bill.

The Government display yet again a wilful ignorance of devolution, and the Bill’s “designed by England, for England” approach will further aggravate the damage caused by the jagged edge of justice policy in Wales. It shows that Wales needs control over justice now more than ever, so that we can develop a holistic approach that interconnects with our health, education and social policies.

The Bill’s erosion of the right to protest is antithetical to Wales’s values. We have a proud history of protesting against injustice, from non-conformism to Chartism, the miners’ strike, Welsh language rights protests and the present-day independence movement marches. The right to make peaceful protest against iniquity is something that lies deep within our culture. The Bill will also entrench Wales’s status as a nation of incarceration. Wales has a higher imprisonment rate even than England, and one that disproportionately affects black people, who are imprisoned at six times the rate of white people in Wales. The Bill will criminalise more young people and increase the number of vulnerable women entering prison, yet still tolerate the circumstances in which women such as Wenjing Lin and Sarah Everard were killed, all the while doing nothing to address the structural problems of the justice system in Wales, faced with disproportionate cuts to court numbers and support services.

The current system is failing. We could do so much better in Wales if we had proper control over policing and criminal justice. We could deliver a more humane justice system—one that enables

equality, dignity and social justice, and that would allow us to tackle the root causes of crime, promote community support, tackle gender-based violence, root out structural racism, give victims a fair voice and protect our communities by prioritising the complex task of rehabilitation over the tabloid policing Acts of punishment—and a fair and just Wales for all. This is the nation we can be not if, but when we give ourselves the chance.

Kate Osborne (Jarrow) (Lab) [V]
During this pandemic, the Government have handed enormous powers to the police to enforce lockdown restrictions, leading to a situation where the police are now policing the coronavirus regulations as a public order problem, rather than a public health matter. It has led to dangerous lines being crossed. We must not forget that while this type of state violence was made visible at the weekend, it is the case that these tactics have been used to protect powerful interests throughout our history. It was seen during the miners' strike, and it was seen last year as a response to the Black Lives Matter protests.

In a democratic society, policing requires consent and understanding of the public mood. We are seeing a huge overreach and a situation where women have been criminalised while attending a peaceful vigil. Recent events have left women feeling even less empowered in our society. For the police to say to women, "The way you can protect yourself is to stay at home", is just not good enough.

It comes as no surprise that within this Bill there is no mention of women, whereas the word "memorial" appears eight times. The Bill seeks to ensure that attacking a statue carries a longer sentence than attacking a woman. What kind of message does that send about this Government's attitude to tackling the endemic issue of violence against women and girls?

The Bill disproportionately impacts Gypsy, Roma and Traveller communities by criminalising trespass and increasing police powers of eviction. It will increase the inequalities experienced by Gypsy, Roma and Traveller communities and ensure that discrimination against those communities is still alive and well as an acceptable form of racism in this country. The Bill also extends the definition of "unauthorised encampment", which in effect criminalises the increasing numbers of rough sleepers.

I believe the right to protest is sacred in any democracy, so I will be voting against this Bill, because it is an assault on our civil liberties, threatens what remains of our rights to protest, expands stop and search powers and further criminalises Traveller communities. The Government must think again and listen to the vast public anger regarding this Bill. I reject the politics of division laid out by the Government in this Bill, and I ask Members across the House to do the same.

Mr Deputy Speaker (Mr Nigel Evans)
Kate was dead on time, and I will now be strict as far as the time limit is concerned. Please do not exceed it.

Dehenna Davison (Bishop Auckland) (Con) [V]
Three minutes is limited, so I will focus on one core aspect of the Bill. I got my first taste of the criminal justice system when I was 13. My dad went to the pub and never came home after

receiving a single blow to the head that killed him instantly. From never really having dealings with the criminal justice system, my family was thrust into a whirlwind of police meetings, lawyers' appointments and court dates, all while trying to deal with the suffocating grief of losing my dad, and that has given me a deep desire to ensure that the criminal justice system works for the victims of crime.

I recently launched an all-party parliamentary group to investigate the rare but damaging phenomenon of one-punch assaults, with an emphasis on sentencing. I wish now that I had been able to get started earlier to feed in some meaningful and evidence-backed proposals to this Bill, but I am grateful to the Justice Secretary none the less for agreeing to meet next week to discuss the APPG's work. I hope that together we can make some progress in delivering a fairer sense of justice for the left-behind families of one-punch assault victims.

The events that followed losing my dad were the darkest times I have ever known, but in those dark times were points of light in the incredible police officers who helped to support our family. I particularly pay tribute once again to Karen Cocker and Sue Best, our family liaison officers, without whom we would not have been able to navigate the court process with our sanity intact.

After scenes such as those we saw reported at the weekend, it becomes somewhat trendy to turn against our police and denigrate those who devote their lives to keeping us safe. The unfairness of all police being tarred with the same brush based on the actions of a tiny minority is surely something with which we can empathise in this place, given the unfairness of all politicians being held to account for the actions of the worst of us.

Since I was 13, I have had the utmost respect for our police. They run into the face of danger while we run away, stand face to face with armed criminals to keep us safe and are at the frontline of major national crises. The national policing wellbeing survey revealed that a shocking 67% of police officers report post-traumatic stress symptoms and that the average officer shows moderately high symptoms of anxiety. That is why I wholeheartedly supported the Conservative party manifesto commitment to deliver the police covenant—the people of Bishop Auckland elected me on that commitment, which we will deliver through this Bill.

It is our duty to protect the mental health and wellbeing of the police, just as it is their duty to protect us. The Bill will make it a legal requirement for the Home Secretary to report to Parliament each year on what steps they are taking on the physical and mental health and wellbeing of police personnel and their families. Through the Bill, we are also ensuring that our incredible police officers have the powers they need to keep us safe and to secure prosecutions. We are seeking to protect the public and to protect our protectors, both police officers and emergency service workers. I finish with a question. What message does it send that the Labour party is voting against this?

Rachael Maskell (York Central) (Lab/Co-op) [V]
Tonight, I pay my respects to the life of Sarah Everard. As she grew up in York, her loss is deeply felt by me and my community.

Extraordinary liberties have been relinquished to ensure that we kept safe during this last year, but when our liberties are stolen—and, I say this as a woman, at the very time we need them

most—the measures in the Bill can only be described as repressive. We have a justice system that is institutionally discriminatory against women; that does not secure high-quality representation for them, that fails to prosecute the most heinous of crimes, that delays cases for years without survivors being able to access vital and necessary trauma services, and that completely fails to keep women safe. The Home Secretary was remiss in her opening speech, since the Bill fails women, fails society and fails to advance our justice. Now is the time when we need to take to the streets and reclaim them, yet the Bill threatens to criminalise us for using our power to force Government and their institutions to change. With economic, social and environmental failure, it is our duty to enable people to exercise their rights, but part 3 of the Bill restrains them.

Let me move on to part 4. I shudder at how the Government are drawing on the darkest periods of history by criminalising Gypsy, Roma and Traveller communities. This demonstrates that the hostile environment continues to fester in the Home Office, and it must be called out.

Before I close, I want to focus on clause 45. I have made a number of representations to Justice and Home Office Ministers, so they will know what I am about to say. It is not just in sport and religious settings where young people have been groomed and abused. My constituent received private tuition—music coaching—and was groomed for two years before being raped. Her case was one of the 99% of rape cases reported, but not prosecuted. Her perpetrator, now known for sexual impropriety, had no DBS check. If he had, she would have been safe. She was failed, and the Bill fails her and many more. All private tuition settings need full safeguarding checks and measures to be introduced. Secondly, host families of international students accommodate young people of different cultures and language. They need the protections covered by clause 45 too. I trust that the Minister will support such amendments.

The Bill is woefully insufficient when it comes to protection yet overtly hostile in disallowing people their rights and their voice. I came to this Parliament to fight for equality, protect the rights of my constituents and advance justice. It is unconscionable not to stand in the way of the repressive ideology advanced in the Bill. I call on the Government to think again and I will vote against the Bill.

Rachel Hopkins (Luton South) (Lab) [V]

The right to take non-violent individual and collective action is fundamental to the functioning of our democracy. The Police, Crime, Sentencing and Courts Bill is being rushed through, and it is ill thought out, with glaring failures, including authoritarian provisions such as those in part 3 that threaten our right to protest. Restricting the freedom of assembly and association contravenes article 11 of the Human Rights Act 1998, and significant concerns have been raised by trade unions, human rights groups, lawyers, activists and even the ex-chief constable of Greater Manchester.

The imposition of additional conditions on protests, such as being too noisy, simply look like an anti-democratic direct attack on particular social movements at odds with the Government's agenda. This Bill represents an attack on the public's freedom of speech, impacting on our fight for race and gender equality, against the climate emergency and for improved workers' rights. Our country has a proud history of collective action, and I want to express my solidarity with those who attended Clapham common on Saturday to remember Sarah Everard and who were

treated disgracefully. What we saw contradicts any notion that there needs to be an extension to the powers to oversee protests. Indeed, the former Home Secretary, the right hon. Member for Bromsgrove (Sajid Javid), has previously stated that

"legislation already exists to restrict protest activities that cause harm to others."

Instead of ever more draconian powers, effective policing requires community consent, and to achieve that, there needs to be greater transparency and accountability for the way that protests are policed. I am pleased that David Michael, the Labour Bedfordshire police and crime commissioner candidate, who grew up in Luton, recognises that and is committed to using his experience in the police, together with his understanding of our community, to ensure trust between Bedfordshire police and the community it serves.

Placing more restrictions on people's ability to gather and protest will not make the public safer. In fact, it is the opposite. It will trample on our ability to stand up for our human rights and against injustice. The Home Secretary focused her remarks on wanting to support women to feel safe while walking down the street, but heaven forbid we do so a bit too noisily, a bit too annoyingly or a bit too near our elected representatives in order to stand up for our human rights.

Individual and collective action is something to be celebrated and encouraged in a functioning democracy. I owe it to the women role models who stood up for what they believed in and shaped my political awareness as a teenager—be it those at the Greenham common women's peace camp, the Women Against Pit Closures or those marching against apartheid in South Africa—as much as I owe it to those women now or who will come after me, to not let our right to protest, be it noisy or annoying, be slowly eroded.

Stuart Anderson (Wolverhampton South West) (Con)
I am glad to be speaking about this eagerly awaited Bill because of its importance for the residents of Wolverhampton. I have campaigned and will continue to do so for a safer and cleaner Wolverhampton. I want the residents to be able to walk clean streets day or night and feel safe.

I fully support the Bill and know that it will be welcomed by many of my constituents. I believe in tougher sentencing for child murderers and sex offenders. I approve of the crackdown on knife crime and violent crime, especially to protect emergency workers. Last year, I conducted a community survey. One of the top areas of concern for my residents—even in a pandemic—was crime. Residents are always getting in touch with me about different issues that the Bill addresses. They do not want to see thefts, fly-tipping and unauthorised encampments, and that last point has probably caused me more work than anything as an MP.

Wolverhampton has beautiful parks such as Bantock and West Park, and over the years, these have been home to unauthorised encampments. I want to make it clear that the majority of the Traveller community are law-abiding citizens who cause no trouble in the local community. We in Wolverhampton did see that, but we have also experienced major problems. To deal with that, Wolverhampton Council took out an injunction, giving it extra powers to move unauthorised encampments. Part of the injunction was to build a transit site. I have no problem

with that, and I understand that there needs to be a place for the Traveller community to visit. The site chosen was Gorsebrook Road in Dunstall, which is still one of the most deprived areas in Wolverhampton. It was not welcomed by the residents or by the Traveller community. The cost to build the transit site, in an area that I have championed as a nature trail for local schools and residents, is £1 million. The Bill will negate the need for an injunction at the transit site in its current form. I know that work is under way, but I will continue to ask City of Wolverhampton Council, as I do again now, to pause the work, wait for the legislation to be passed, save money, develop the nature trail and build a legacy for generations to come.

Kim Johnson (Liverpool, Riverside) (Lab) [V]

The scenes at Clapham common this weekend exposed a disgraceful abuse of power by the Metropolitan police. However, for too many of us, the scenes did not shock; they have become worryingly familiar. From the miners protesting at Orgreave and elsewhere in the 1980s to the climate change and Black Lives Matter protests last year, the violent crackdown by police on peaceful demonstrators exercising their right to protest has been routine, systematic and deliberate. Such actions raise the fundamental questions: who do the police protect and who do they serve? This weekend, it was abundantly clear that the answer to both questions was not women.

By making it an offence to cause serious annoyance or inconvenience, the Bill restricts our fundamental rights to freedom of assembly and expression and effectively removes our collective ability to fight back against state abuses of power. The proposals for a new serious violence reduction order will provide greater power to stop and search a person at any time, in any place and completely free of suspicion. There are major criticisms of current stop-and-search powers, which impact disproportionately on black people, particularly in my city of Liverpool. A recent Home Office report identified that black people are 2.7 times more likely to be victims of stop and search and three times more likely to have force used against them. The police do not need more of these powers, which will not protect us.

Some of the Bill's most disturbing clauses attack the nomadic lives of Gypsy, Roma and Traveller communities by criminalising unauthorised encampments and establishing trespass as a criminal offence. The proposals are discriminatory and potentially unlawful. The Government's own consultation on extending the powers showed that even the majority of the police respondents to the consultation think the crackdown is the wrong approach. GRT communities are among the most persecuted and marginalised. In Liverpool, we have a large permanent settlement of GRT families living in my constituency. They face systemic discrimination and routine violence. Instead of supporting these communities, who already face some of the starkest inequalities, the Government seem hellbent on introducing tougher powers to act against them.

The Government's approach to public safety is fundamentally flawed: it is rooted in discrimination against communities and restrictions to our freedoms rather than a serious attempt to tackle the problems that we face. I appeal to Members from all parties in the House to ensure that this weekend's horrific scenes mark a serious turning point. The draconian powers in the Bill must be torn up and a new approach to public safety must be pursued—one that puts safety, welfare, justice and accountability at its heart.

Jane Hunt (Loughborough) (Con) [V]

The first duty of any Government must be to protect the public and keep local communities safe. I know that that belief is shared by many in my constituency, so I welcome this important Bill, which introduces a comprehensive package of measures to achieve just that. Every day, police officers and those in the emergency services put themselves in dangerous situations to keep us safe. Although legislation is in place for the most serious of crimes in this policy area, the sentencing for assaults is too weak. We have a responsibility to ensure that the police and emergency services can carry out their day-to-day duties as safely as possible. The Bill will help to achieve that.

There are many facets to the Bill, but I wish to focus on two particular aspects: bringing people to justice and reducing reoffending. I have been pursuing these issues on behalf of Loughborough since I became an MP and I did so some years ago when I was fortunate enough to chair a panel on reducing reoffending on behalf of Charnwood Borough Council. I refer the House to my entry in the Register of Members' Financial Interests.

Let me turn first to the removal of the presumption of release pending investigation and the presumption in favour of pre-charge bail conditions, otherwise known as Kay's law. The change will provide a duty to protect victims and will enable the setting of conditions while further investigations are undertaken. This is vital both to the safety of the victim and to encourage the reporting of crimes with the knowledge that bail conditions can be imposed to help to safeguard the victim.

I received a number of emails from my constituents who are very concerned about sentencing and I have to agree with them that more needs to be done to ensure that those convicted of the most serious crimes receive appropriate sentences and spend more of their sentences actually in prison. That will not only restore public confidence in the justice system, but crucially ensure that victims, who sadly often bear physical and mental scars of their experience, receive the justice they deserve.

Sentencing, however, is only one side of the coin. I welcome that the Bill also places a strong emphasis on action to reduce reoffending. If we are to break the cycle of reoffending, we must ensure that offenders have every opportunity to break the vicious circle of repeat crime, giving them the chance to get their lives back on track and so reducing the social and economic cost to our communities. The £3 million Newham pilot for youth offenders, set to start in July, is one good example of work to reduce reoffending. The curfew orders set out in the Bill, and the ability to vary those orders, are another excellent example, ensuring people have a role in, and can contribute positively to, society. Work is one of the best ways to draw them away from a life of crime.

I strongly believe that, taken together, the measures in the Bill will have a significant impact on reducing crime and protecting not only the public, but our fantastic emergency workers. I will therefore be supporting the Bill.

Wendy Chamberlain (North East Fife) (LD)

Like so many others, I was shocked and appalled by the events on Clapham common on Saturday night. It is an outrage that a peaceful vigil in memory of Sarah Everard was shut down because the Met determined not to engage with organisers to ensure that the vigil could pass off safely.

It is very difficult to see how the Met could have got it more wrong, and I say that, as many in this House will know, as a former police officer. The leadership have let down rank and file officers and, despite what those on the Government Benches might say, it is right that Cressida Dick should consider her position.

However, there has also been a failure of Government. For the past year, the Government have sustained legislation which prevents people from exercising their fundamental right to protest. That is why my Liberal Democrat colleagues and I will vote against the renewal of the Coronavirus Act 2020 when it comes back before the House, just as we did in September. Our rights matter and the right to protest matters, too. This is a Bill which, just when we should be considering how we dismantle restrictions on the right to protest in the name of public health, instead doubles down on them. The Home Secretary had strong words about the scenes on Saturday, but the reality is that this hastily pulled together legislation will make such scenes more common. The challenge to some of those on the Government Benches who have claimed to be acting in the name of liberty over the last few months is this: will you oppose the Bill, or does liberty only matter to you when it is your liberty and not the liberty of those you disagree with?

Moving on, I want to use my brief time to speak to part 1 of the Bill and its measures concerning the police service. Enshrining the duty of the Home Secretary to produce a police covenant report in law is a very important step for police officers around the country. It is about recognising the realities of policing and the impact it can have on those who undertake those duties. As someone who comes from a policing family, I have seen that first-hand. My father, husband and I were all assaulted in the course of our duties. This year's Armed Forces Bill legislates for a duty for public bodies to have due regard to the principles of that covenant. That is not something that this Bill is introducing for the police covenant and I would be grateful for further clarification on whether the Government might look to do similar in relation to the covenant in future.

There are other positive steps in the Bill, such as legislating to allow special constables to join the Police Federation. The work of special constables is vital, both as volunteers and in giving back to local communities. In carrying out frontline duties, they face the same dangers and experiences that appointed police officers face. I also support the introduction of road traffic fixed penalty notices in Scotland, as it is good to have UK-wide alignment.

Finally, I turn to the Government's proposal to double the maximum sentence for assaulting emergency workers. Is an increased penalty for that actually going to reduce assaults on the police? Is somebody in the heat of the moment going to think, "I'm going to get two years for this, as opposed to 12 months?" I doubt that it will. Instead, I worry that there is a risk of getting into a competition, whereby assaulting someone in a particular role means a higher penalty. The fundamental aspect is policing by consent. If we create the right community culture, it should not matter what the penalty is, because the incidence of such crimes should reduce regardless. Our policies on crimes should not be dictated by what plays well to the gallery—they should be evidence-based.

Saqib Bhatti (Meriden) (Con) [V]

I would like to start by paying tribute to Sarah Everard, and my thoughts are with her loved ones and her family. For too long we have seen women live in fear, and this Bill is one way in which we can start to make our streets and our society safer. It does feel, after last week, that there has been a renewed conversation about the safety of woman, and I hope that Sarah's death has not been in vain.

This Bill, along with the Domestic Abuse Bill, ought to go a long way in making the world a safer place for women, but we must not be complacent and we must be resolute in this journey. On the latter Bill, I particularly welcome the amendment about threatening revenge porn, and I hope social media companies and other platforms will play their part in ensuring that revenge porn and non-consensual content are banned.

I must commend the Government for bringing forward this legislation and delivering on a manifesto commitment. As I talk to local residents across my constituency, there is one thing in common that they expect. It is that our justice system should be made fair—fair to the victims of crime, fair to the local community and offering fair justice to offenders. In particular, I applaud the removal of the automatic halfway release. This Bill ensures that those who commit the most heinous of crimes will spend more time in prison, so that their victims do not feel short-changed. That is the right thing to do.

I welcome the focus on rehabilitation in this Bill, as in my view society should always be conscious of why we choose to imprison people in the way we do. I am a big believer in global Britain and our place in the world. It was Winston Churchill, the then Home Secretary, who said that a society's attitude towards its prisoners, its "criminals", is the measure of

"the stored-up strength of a nation".—[Official Report, 20 July 1910; Vol. 19, c. 1356.]

But this is also an act of common and economic sense. There is little point in ensuring that sentences are fully served at the taxpayer's expense if, on release, a person is likely to reoffend. A jail sentence should not be a gateway to reoffending or graduating to a more serious crime. This conveyor belt to crime costs almost £18 billion to the taxpayer, which is why I am also pleased to see a greater emphasis on rehabilitation through greater support for the probation service and targeted measures such as curfews, community sentencing and better technology to ensure sustained rehabilitation.

Of course, prisons must serve their purpose for society in full—the delivery of justice must be fair, and it must be equitable—but we as legislators should not forget our duty in supporting offenders in turning their lives around. Once the victims of crime receive justice, to show compassion through rehabilitation speaks to our strength as a society—the very same strength that Winston Churchill once spoke of.

Jack Brereton (Stoke-on-Trent South) (Con)

I pay tribute to Staffordshire police for their hard work and professionalism throughout covid. Local emergency services have given their all, often at high personal risk, particularly paramedics in responding to medical needs. I am truly grateful for their work, and their dedication brings us ever closer to a safe lifting of lockdown. Our policing is by consent, and I know that officers in Staffordshire hold this in great importance. In Stoke-on-Trent, officers have taken a measured

approach based on the four Es—engage, explain, encourage and enforce. The comparatively low covid fines in Staffordshire demonstrate that enforcement is a last resort.

The images we saw over the weekend at Clapham common were disturbing for us all, and this should be thoroughly investigated, but I do not think it right to impede the progress of this important Bill. Our freedom-loving democratic values enshrine rights to peaceful protest, and this Bill does not curtail that. Many constituents have contacted me over the last year after seeing the wanton vandalism and obstruction of ambulances. This totally reckless behaviour of a minority demonstrates the need to update measures, such as putting static protests on the same footing as moving demonstrations. Emergency service workers frequently put themselves in harm's way in protecting and saving lives of others, and we must give them the protections they need, such as doubling maximum sentences for assaults. How could anyone not support these measures, given that they frequently put themselves at great risk to keep us safe?

I fully support the new police covenant, which ensures that serving and retired officers and their families are properly supported. I know my constituents in Stoke-on-Trent are extremely concerned about more serious criminals. Although crime is generally down, it is worrying that crimes committed in Stoke-on-Trent are becoming more serious. Especially concerning are the repeat offenders, and I welcome serious violence reduction orders to target persistent offenders. The Government's safer streets initiative in Fenton is particularly important locally, improving household security so that people feel safe in their own homes.

No one should ever feel unsafe, not least women and children. It is totally unacceptable that any woman should be too scared of going out at night or should expect to be regularly harassed. I very much welcome the Home Secretary reopening the survey on tackling violence against women and girls. It is most worrying that Opposition Members do not support measures targeting the most serious offenders, including those committing serious violence and sexual offences. This Bill ends automatic early releases, keeping dangerous criminals off our streets. It also encourages stricter conditions on bail in high-harm cases and extends protections against sexual conduct by those in positions of authority. Figures of authority must not abuse positions of trust through such despicable behaviour. A lack of trusted positive role models often drives young people into gangs, drugs and violence because they believe that they will be somehow more secure. That cycle must be broken down in Stoke-on-Trent and across the country.

Sara Britcliffe (Hyndburn) (Con)

Can I first say, on using women as a reason to vote against the Bill, that I spoke about my own personal experiences last week? I remind those on the Opposition Benches that women and men are equal in law, so it all applies to women.

I want to raise the concerns of my constituents about the fundamental right to peaceful protest. It is important to make one thing clear: the Bill includes nothing that will threaten the genuine rights of people to engage in protests. What it does is address all those people who glue themselves to trains and buses, and block access to hospitals when somebody could need life-saving treatment. Those protests are not simply inconvenient; they make life intolerable for people living or working around them. This is about balancing the genuine and fundamental right that we shall have to protest. In short, the checks and balances remain firmly in place. I hope that the Minister in summing up will confirm that that is correct.

Like women and men up and down this country, my colleagues on the Government Benches believe in law and order and giving our police the tools that they have asked for—the right tools for the job. The Bill delivers on that pledge. I will briefly touch on some of its key points.

The Bill extends whole-life orders for the premeditated murder of a child and ends the automatic early release of dangerous criminals. It introduces life sentences for killer drivers—those who cause fatal accidents while speeding and racing. It doubles the maximum sentence for assaulting emergency workers. It protects communities from illegal Traveller sites being set up. It introduces tougher community sentences, and it brings in Kay's law to better protect victims and witnesses in cases of violent and sexual offences. It also ensures that those who desecrate our war memorials face the full force of law after what we witnessed with the Churchill monument and others last year.

I want to tackle those issues and bring in measures that protect my constituents and make our streets safer. That is why I will support the Bill's Second Reading, to allow it to move to Committee where it will be fully scrutinised. It appals me that the Labour party will vote against a Bill that will bring tougher sentences and protect people such as my constituents in Hyndburn and Haslingden. That once again highlights why so many turned their backs on Labour as it continues to turn its back on the wants and needs of constituents such as mine. I will support the Bill, as I wholeheartedly believe that we should punish criminals.

Mark Fletcher (Bolsover) (Con)
It is a pleasure to follow my hon. Friend the Member for Hyndburn (Sara Britcliffe).

In the winter of 2019, through the wonderful weather we had—the snow and the rain—as I knocked on doors across Bolsover and in South Normanton and Clowne, there were three common refrains. The first was: get Brexit done. The second was the remarkable leadership of the Labour party under the right hon. Member for Islington North (Jeremy Corbyn). The third was crime and the sense of unfairness. There was a sense that those who do not live by the rules seemed to get away with it; they were not properly punished. The Bill is a tremendous step in the right direction, delivering on the manifesto commitments that we stood on and making sure that those who commit some of the worst crimes are properly punished.

I welcome the fact that we are enshrining the police covenant in law. It must be an absolutely monstrous time to be a police officer, trying to uphold the law in such difficult circumstances throughout the covid period. I have spoken regularly to police officers and the leadership in Derbyshire, and they have done a remarkable job. I am delighted that we have their backs and are enshrining the police covenant in law.

We are doubling the maximum sentence for assaults on emergency workers. Those who serve our communities with such distinction and such honour should not be the victims of assault full stop, but those who commit such crimes should be punished. That is absolutely the right thing to do.

We are introducing criminal penalties for unauthorised Traveller encampments—that will be welcomed across Derbyshire—and whole-life orders for premeditated murders of children. That is exactly what residents in Bolsover want to see.

We have not had a lot of cross-party love today, so I must confess, I am the co-chairman of the all-party group on wrestling along with my friend the hon. Member for Pontypridd (Alex Davies-Jones). In her remarks, she mentioned that she welcomes the scope of offences in the Sexual Offences Act in relation to the abuse of positions of trust. We are particularly concerned about this in the wrestling industry, and she and I have spent many hours discussing it. In her remarks, she asked for a meeting with the Minister on some of the specifics around that, and I echo that call.

This is a brilliant step in the right direction. It is the kind of legislation that the people in Bolsover voted for, and I look forward to supporting the Bill.

Elliot Colburn (Carshalton and Wallington) (Con) [V]
I join the Home Secretary and colleagues in sending my condolences to the friends and family of Sarah Everard. This Bill delivers on our manifesto commitment—the one that I stood on in Carshalton and Wallington, and so did many others—to toughen up sentences for the most dangerous criminals and reform the criminal justice system.

Of the many welcome measures contained in the Bill, I particularly welcome measures such as extending whole-life orders for the premeditated murder of a child and ending the early automatic release of dangerous criminals, which will keep the perpetrators of the most heinous crimes off our streets. I know, from the countless times that I have been told that the criminal justice system is too lenient, that my constituents will also welcome the tougher sentences for the most dangerous criminals, the introduction of life sentences for killer drivers, the doubling of the maximum sentence for assaulting an emergency worker and the introduction of Kay's law to better protect victims and witnesses in cases of violent and sexual offences. It is because of the campaigning efforts of those victims and their families that I will support the Bill.

Like me, many colleagues will have met and heard stories of grieving families from their own constituencies, angry at what they have seen as a lenient sentence. I remember reading one story just last year of a young man who tragically lost his life in Carshalton after being hit by a driver who was later arrested on suspicion of being drunk behind the wheel. This Bill will ensure that in cases such as this, the punishment fits the crime. Additionally, I know that residents across the London borough of Sutton will particularly welcome criminalising trespass and strengthening powers to tackle unauthorised encampments. Only recently, Carshalton and Wallington residents were incredibly frustrated when an encampment jumped from local park to local park, causing harm, disruption and distress as it went, yet progress on removing this encampment was incredibly slow because of the limitations around the existing law. These measures will make it much easier to deal with that.

This Bill does deliver on our manifesto commitment, so I am dismayed that Opposition Members are finding ways to try to oppose these important measures. The wording in the Bill is complemented by case law, and clearly defined principles are being put on to the statute book at the request of the independent Law Commission. The Bill is there to stop scenes like those

we saw last year of protestors blocking ambulances, and not to ban peaceful protests, so it is no good Labour or Lib Dem Members saying that they agree with parts of the Bill if they are not going to support it. We should be unapologetic in standing up for victims of crime and their families, combined with the efforts that the Government are already making to put more police on our streets and work on prevention. For that reason, I will support the Bill tomorrow.

Miriam Cates (Penistone and Stocksbridge) (Con) [V]

The first duty of any Government is to keep people safe. Although recent events have been shocking, we are fortunate to live in a country where citizens are overwhelmingly law-abiding, but as times change, crimes change, and it is important that we continue to update and amend legislation to make sure that our constituents not only are safe, but feel safe.

Any new criminal legislation should do four important things: it should discourage crime, improve detection and prosecution, make punishments effective and reduce the chances of reoffending. I welcome this Bill, as I believe that it will strengthen the law in all those areas. The Bill will certainly act to discourage crime, with the introduction of whole-life orders for child killers and new powers to halt the automatic early release of offenders who pose a danger to the public. Potential offenders can be in no doubt that this Government are committed to making sure that serious crimes will be met with serious sentences. By increasing the efficiency of the courts, the Bill will also reduce delays and improve prosecution rates. I know from the experiences of my constituents this year—both those accused of crime and those who have been victims—how devastating delays to justice can be.

I welcome the Bill's provisions to punish certain crimes, particularly serious driving offences and assaults on our brave police and emergency workers, more robustly. I also believe that the Bill will be effective in reducing the chances of reoffending, with more community orders ensuring that offenders do not lose jobs and family relationships as a result of their punishments, making it more likely that they can rebuild their lives without resorting to further criminal behaviour. However, for some offenders who have served their time, returning to their community and their previous relationships can be a factor that actually increases their chance of reoffending. For those people, escaping that context and getting a fresh start can offer them the best chance of building a crime-free life.

Northern College in my constituency, one of only four residential adult education colleges, specialises in giving vulnerable adults, including those who have served prison sentences, a second chance at education. Set in the stunning and inspiring grounds of Wentworth castle, it offers students high-quality teaching alongside counselling and support. In such a positive and focused environment, the outcomes are incredible, with students achieving GCSEs, A-levels and even higher education qualifications, and going on to gain good jobs and live fulfilling lives.

For many ex-offenders, full rehabilitation requires a second chance at education, which so many of us take for granted, so I wonder whether the Minister would be willing to meet me to discuss the role that Northern College could play. This is an excellent Bill that meets many of our manifesto commitments, and it has my full support.

Stephen Hammond (Wimbledon) (Con) [V]

This is an extremely wide-ranging Bill. I have raised in the House a number of times the reform of rehabilitation. This Bill will give the courts powers to give alternatives to custody for youth offenders, by piloting changes to youth rehabilitation orders. For adult offenders, a "problem-solving court approach" will be piloted for certain community and suspended sentences. This aims to ensure that there is more tailored, intensive and structured support to rehabilitate offenders in the community. Employment opportunities for reformed offenders will also be improved by the Bill.

The Bill outlines several measures that will allow the courts to return to normal as soon as possible and cut into the backlog. Virtual juries were trialled with huge success on four occasions last year by the international fair trials organisation Justice, most notably in Wimbledon. "Wimbledon juries", as they should perhaps become known, were subject to research and authentication by the University of Oxford, and the trials proved that they were, in many ways, as effective in executing their responsibilities as juries in courtrooms. They can be inexpensive and can return juries to their historic origins, based in communities.

The Bill also makes changes to police powers over protests. I have been looking carefully at those parts of the Bill, and I know that they will be examined in greater detail in Committee. However, it is clear, especially with the background of current covid legislation, that those who enforce this legislation need to be clear as to its framework.

The language of clause 59(2) is central. The language of "distress" and "loss of amenity" is familiar to the courts, but "serious annoyance" and "serious inconvenience" are unfamiliar to the courts. I know that "annoyance" has been used in public order Acts in Ireland, I think in Austria and perhaps elsewhere, but I would welcome a very clear definition here. We need to help our police decide what these words mean, and we need to let those that they will cover know what they mean. Similarly, "noise" from a protest that could

"result in serious disruption to the activities of an organisation"

needs to be more clearly defined so that it does not catch the sort of chanting that one would normally expect at a protest.

Finally, I welcome that the Home Secretary has instructed Her Majesty's inspectorate of constabulary to investigate the policing at the Clapham vigil. I welcome confirmation from her that there are aspects to be investigated and that she intends the extended consultation to ensure that the justice system provides confidence for the victims. Therefore, one should look at this Bill in the whole and it should be supported.

Rob Butler (Aylesbury) (Con)

I welcome this Bill, which fulfils manifesto promises on which I was elected and demonstrates this Government's firm commitment to law and order. I declare relevant interests: prior to my election, I spent 12 years as a magistrate, and was a board member of the Youth Justice Board, a member of the Sentencing Council and a non-executive director of Her Majesty's Prison and Probation Service.

There are undoubtedly offenders who pose a clear and present danger, and they must remain in prison for as long as it takes for them to cease being a threat to the public. I therefore welcome moves to lengthen custodial sentences for certain very serious offences and to extend the time that must be served before automatic release applies. This also represents an important step towards increased public confidence in sentencing, which is not always as transparent as it might be.

I want to see fewer victims of crime. Key to achieving that is cutting reoffending, which accounts for some 80% of offences at the moment. Prison is not always the best place to achieve the greatest prospect of rehabilitation, so I am glad to see pilots of problem solving courts, and I hope they will be especially targeted at young adults. I am pleased that community orders will be made more robust, not least by extending the maximum curfew hours to 20 a day. I believe that home detention is a tool we should increasingly look to, as technology continues to develop at a pace that can provide many of the reassurances on security and monitoring behaviour that would not have been possible even 10 years ago.

There are welcome changes to the youth justice system here; reducing the use of remand in custody for children is the right thing to do. I am pleased to see changes to the intensive supervision and surveillance programmes, and I support the proposals to make detention and training orders more flexible. The Bill eliminates many anomalies in previous legislation, and I would welcome the Government giving further consideration to one anomaly that I highlighted in my recent ten-minute rule Bill: that children who commit an offence as a child but turn 18 before getting to court are treated as adults at both trial and sentence. The risk of this happening has been exacerbated by delays caused by covid, and those delays vary greatly between different parts of the country, resulting in a postcode lottery that is fundamentally unjust and yet can have lifelong consequences. Although there has not been time to incorporate my proposal into the Bill at this stage, I am grateful to my right hon. and learned Friend the Lord Chancellor for meeting me to discuss how, with appropriate safeguards, some of its aims might be achieved. I hope that the Government might still be persuaded that this Bill provides such an opportunity. I am confident that that could be achieved without conflicting with other very important proposals in this Bill.

Three minutes is a short time in which to discuss a Bill of 300 pages. Of course, I do not claim to have addressed element of it in my remarks, nor do I claim that the Bill is perfect in every way, but I firmly believe it represents a step change to tackle crime more effectively and so make the British public safer.

Tom Randall (Gedling) (Con) [V]

May I, first, associate myself with the sympathy expressed by my right hon. Friend the Home Secretary to Sarah Everard's family at the outset of this debate? When this Bill comes to a vote tomorrow I will be supporting it. I will be supporting a Bill that will ensure stronger sentences for child murderers, rapists, violent offenders, dangerous drivers, child abusers, burglars, drug dealers, knife carriers and those who desecrate our memorials. The Labour party will be voting against those stronger sentences. Labour, having previously said that the legislation does not go far enough, will now vote against all of that, in an astonishing U-turn. It will also be voting against increased sentences for those who assault our emergency service workers.

This is a wide-ranging piece of legislation that will, quite reasonably, update public order legislation that is now 35 years old. In the short time in which I have to speak this evening, I am unable to cover the breadth of this Bill, but I will pick out a couple of points. I am pleased to see that the police covenant is to be enshrined in law, strengthening support for serving and retired officers. I know that unauthorised encampments can cause a great deal of stress and inconvenience, as I saw in my constituency, in Colwick, a little while ago, as well as disruption and damage. The power to seize vehicles and arrest or fine trespassers who attempt to reside on private and public land without permission will, no doubt, be reassuring.

It is also important to state that the Bill will not stop the right to protest. The right to demonstrate is a hard-fought one, and it will continue. A number of constituents have written to me regarding clause 59, but it is important to note that this is a component of the existing common law offence of causing a public nuisance, which is being put on to a statutory footing following recommendations by the Law Commission in its 2016 report on the simplification of criminal law. All in all, this is a Bill that makes good on several commitments made in the manifesto on which I stood for election in 2019. I am pleased to support it and I look forward to its passage in the House.

Fiona Bruce (Congleton) (Con) [V]
Freedom of assembly and of expression are fundamental rights that are hard-fought and hard-won but easily lost or damaged if we legislate in haste. I want to focus on clauses 54 to 56 and 59 to 60, which would make significant changes to police powers to respond to protest. They would, for example, significantly lower the legal test for the police to issue conditions on protest. The term “serious unease” is a significant departure, reducing the test for the threshold of harm so as to potentially capture peaceful protest that a claimant considers objectionable.

Clause 54 would give the Secretary of State powers to further define the meaning of

“serious disruption to the activities of an organisation”,

which could significantly curtail the activities of peaceful pro-life vigils outside abortion centres. Organisations such as the British Pregnancy Advisory Service and MSI complain of harassment or intimidation, but this is rarely, if ever, supported by evidence. The test of “serious disruption” could remove the objectivity normally required for criminal prosecution and place the emphasis instead on the perception of an organisation. This has potentially far-reaching implications for the fundamental rights of those with non-mainstream views to assemble and express their views, and it is incumbent on this House to defend those rights, however much we approve or disapprove of such views.

Clause 59, by abolishing the common law offence of public nuisance and replacing it with a new statutory offence of

“intentionally or recklessly causing public nuisance”,

needs to be carefully scrutinised to ensure that there are clear definitions of terms such as “serious annoyance”, “serious inconvenience” and rights common to the public. The word

"impact" in relation to static protests is ill defined and too open to interpretation, and on-the-spot assessments could increase unjustifiable interference with fundamental rights.

Concerningly, removing intentionality from the offence of failing to comply with a condition issued by the police on a protest means that the police will be able to enforce the law based on their subjective interpretation of what the alleged offender should have known. Allowing the police to issue conditions on one-person protests, rather than the current two, potentially brings into scope street preachers, but it should be recalled that prosecutions against street preachers have invariably failed due to falling foul of freedom of speech rights. Without amendment, the Bill could increase police apprehension of otherwise lawful speech and could have a profoundly chilling effect on free speech more widely. I hope that the Committee and the other place will have sufficient time to carefully scrutinise this significant Bill.

Antony Higginbotham (Burnley) (Con)
I will have no hesitation in supporting the Bill when it comes to a vote tomorrow, because it delivers on so many of the manifesto promises I made to residents across Burnley and Padiham. It starts by toughening up the sentences for drink and drug drivers who kill while under the influence, for criminals who assault our emergency service workers and for those in positions of trust who groom children for exploitation. It does all this while also tackling unauthorised Traveller camps that show no regard for local residents and planning systems, and so much more. What's not to like in this Bill?

There is so much in the Bill, but I will keep my remarks to just a small number of areas. The first is the desecration of war memorials. I have been incredibly disappointed to hear Labour MPs indicate that this provision does not matter, because it does. We have some fantastic memorials in Burnley, not least the cenotaph in Towneley Park and the memorials to so many others in our villages such as Hopton and Worsthorne. The images that we saw last year of our national cenotaph being targeted caused hurt, upset and anger. That is why this matters. I am really pleased that the Government have recognised the strength of feeling on this and introduced tougher sentences as a result.

The Bill also delivers on our promise to bring in a smarter, more credible sentencing system. It is one that deals with the most serious violent offenders by ending the automatic release at the halfway point, that tackles repeat offenders that blight our communities, and that makes youth rehabilitation orders more effective at reducing youth offending.

I spent some time before coming to this place mentoring young offenders when they were in prison, and I have no doubt that this will make a difference. I have, however, received emails from concerned constituents about the protest provisions in the Bill. Let us be clear: nothing in the Bill alters a person's fundamental right to protest and make their voice heard. However, the right to protest does not give anyone the right to block an ambulance going to a hospital; it does not give anyone the right to stop someone going to work to earn a living; and it does not bring with it the right for a person to stop a newspaper being printed just because they disagree with the contents. Just as important as the right to protest is the right to a free press, the right to life, and the right to employment. The Bill just gives equal weight to all those competing rights. The Bill puts the right of the law-abiding majority first. It protects victims, it backs our police and

emergency service workers and, with that in mind, it should command cross-party support tomorrow evening.

Brendan Clarke-Smith (Bassetlaw) (Con) [V]
Many constituents have shared their frustrations with me over the issue of illegal encampments. Although many Travellers are law-abiding citizens, illegal sites can cause distress and misery to those who live nearby. They also play havoc with local sports clubs and businesses and the Bill will put a stop to that. I am pleased that these measures are proportionate and that we have taken steps to ensure that those exercising their rights to enjoy the countryside are not inadvertently impacted.

Some people are claiming that the Bill will somehow stop people's right to protest, and that is simply not true. What makes it worse is that some are trying to link it with temporary covid restrictions, which is a completely separate issue. Whatever the rights and wrongs of recent events, it is abhorrent and totally wrong for groups to try to use a tragic incident as a smokescreen to oppose legislation that they do not like. This legislation means tougher sentences for child murderers, sex offenders, killer drivers and those attacking emergency service workers. By campaigning against this Bill, they are also campaigning against these measures.

The Bill is also designed to stop the behaviour of extremist groups such as Extinction Rebellion or BLM causing serious disruption by stopping trains running or by gluing themselves to buses. Serious disruption is a well-established and defined concept. The changes bring static protests in line with equivalent provisions that apply to marches or processions under section 12 of the Public Order Act 1986. For example, a protest does not cause serious disruption just because it may distract employees in a nearby office, and nor would a peaceful vigil in a park cause serious disruption.

Examples of things that could cause serious disruption might include blocking a bridge or a road to stop pedestrians or traffic getting through. We saw that happen when Extinction Rebellion decided to block Westminster Bridge. While these people were dancing and having fun, ambulances needed to be diverted and cancer patients had to walk to hospital instead. Another example of serious disruption might also include preventing a train from leaving a station. What sort of organisation claims that it wants to stop climate change and then prevents people from using public transport? People from those organisations do not understand the value of a proper day's work.

People physically preventing a printing press from operating because they disagree with the editorial position of that publication is another example of serious disruption. These people talk of freedoms yet attack freedom of speech and the freedom of our press, including titles such as The Sun, The Times, The Daily Telegraph, the Daily Mail and the London Standard. This is not just an attack on them, but on all our media.

Our freedoms are precious and we must do everything we can to ensure that freedom is enjoyed by all and not hijacked by these groups. This Bill, using sensible, fair and proportionate measures, will set us on a course to do just that.

Richard Drax (South Dorset) (Con) [V]
Please may I too send my deepest sympathies to Sarah Everard's family and friends? Also, I refer to my entry in the Register of Members' Financial Interests.

There is much to commend in this Bill, which dots several i's and crosses several t's with regard to our manifesto. We hear a lot about rights; now it is time for responsibilities.

Following the unhappy circumstances surrounding the vigil for Sarah Everard, there is concern over the extension of police powers, and the new laws regarding public order must be scrupulously monitored and sparingly used. I mention this with the vigil in mind, where the police were caught between a rock and a hard place as they attempted to balance laws passed to control a pandemic and an outpouring of grief that those who attended the vigil wanted to share. It highlighted to me what happens when the police lose the consent of the people, which only reinforces how important it is for laws affecting public order to be proportionate, clear and reasonable. To that extent, I was reassured when my right hon. Friend the Home Secretary indicated in her speech that these new powers are aimed at preventing protesters from stopping people going to work or closing a city like London for days on end. This new style of protest appears to be the norm today, and no responsible Government can sit idly by.

Let me move on to other aspects of the Bill. I am 100% in support of doubling the maximum penalty for assaults on emergency workers from 12 months to two years in prison. I sincerely hope that this deterrent also applies to inmates who assault prison officers. For too long, a lack of any real deterrent has seen this forgotten army subjected to acts of violence that are totally unacceptable—and it is not just physical violence. Female prison officers, in particular, are vulnerable to being "potted"—a degrading and revolting assault where human excrement is emptied on their heads.

As a former soldier, I find the damage to and desecration of war memorials a particularly heinous and cowardly crime. Whatever one's view on a particular subject, it does not give the right to tear down statues. I agree that monetary value should not be a factor in sentencing because these memorials are, quite literally, priceless.

I welcome the toughening of the law on trespass. Rural crime is a significant problem, and this promise in our manifesto will help to combat a small and unruly element who think they can operate outside the law.

Finally, I like the idea of secure schools as an alternative to jail for troubled young people—at least, I assume that is the aim. Their success will depend to a large extent on who runs them and how they are operated. I recall the attempt to introduce bootcamps, which fell at the first fence. However, there is no doubt that a period of discipline within a well-organised structure would do no harm.

Tomorrow night I shall be voting for the Bill, which will be welcomed by the law-abiding silent majority.

Suzanne Webb (Stourbridge) (Con)
It is a pleasure to be back here physically to speak.

A Government's first duty is always to protect their people, and this flagship Bill will ensure that our justice system will always serve the law-abiding majority. It is timely after recent events as it emphasises that this Government put women's safety front and centre. The Bill lengthens jail time for serious sexual offenders and prevents their early release. It keeps those most horrific individuals who rape or sexually assault children in jail for longer too.

We should consider this Bill in the context of the second major piece of legislation that will protect women—the landmark Domestic Abuse Bill, which introduces new provisions to ban the rough sex defence and extends the law against revenge pornography, as well as creating the specific new offence of non-fatal strangulation. This is flagship policy making. I am proud of a Government who since 2010 have put women's safety at the heart of their policy making.

The way to test any Bill passed by Government is on whether it changes things for the better for people. This Bill will do just that. It delivers important manifesto commitments, including ensuring that serious violent and sexual offenders spend more of their sentence in prison, increasing to life the maximum sentence for causing death by dangerous driving, increasing sentences for desecrating a war memorial, doubling the sentence for assaulting an emergency worker, and enabling prisoners who become dangerous to spend all their sentence in prison. It also makes sure that more repeat knife offenders and burglars serve the specified minimum jail term. Every stabbing creates a trail of misery, and often devastated families when it ends a life, as in the case of my constituent Ryan Passey.

I welcome the strengthening of police powers to tackle unauthorised encampments. That will be particularly welcome for my residents in Withymoor Village in Amblecote. I fully recognise that everyone has the right to a nomadic life, but this must be balanced against the rights of local communities. For me, the balance has never been quite right, and we needed greater police powers. The Bill delivers just that, for which I thank the Government enormously. It will change things for the better for my constituents. Police will now have the powers to seize vehicles and arrest or fine trespassers who intend to reside on private and public land without permission. Yet Opposition Members attack plans for criminal penalties for those who refuse to leave unauthorised encampments as discriminatory and unworkable. Once again, they show themselves to be on the side of those who break the law rather than the law-abiding.

With this new Bill, we will have more tools at our disposal than ever before to protect our residents. I support it for all that it delivers. It will make my community in Stourbridge safer. After listening to this debate, my concern is that those who vote against the vital measures in the Bill will be putting a day's headline or strapline ahead of the safety of my constituents, particularly that of women.

Bob Stewart (Beckenham) (Con)

Since 2009, the armed forces' next of kin have been given the Elizabeth Cross if a family member has been killed in action as a result of terrorism. The award is obviously named after Her Majesty the Queen. I believe that such an award should now also be made to the police, fire officers and members of the ambulance service. I suppose that it would be appropriate to link them all together as blue-light services.

The national police memorial on the Mall lists almost 5,000 police officers who have been killed while on duty since records began. Most recently, during the troubles in Northern Ireland, 319 Royal Ulster Constabulary officers were killed; and since 2001, 16 Police Service of Northern Ireland officers have been murdered. Since 2010, 11 Metropolitan police officers have also been killed here in London. It is difficult to get consolidated lists of firefighters who have been killed doing their duty, but at least 69 died between 1986 and 2017. Ambulance personnel who have died in the line of duty have normally been hit by vehicles when attending casualties, and figures are difficult to get—yet it happens.

Maybe, with the approval of the Queen, we might be able to call this award the "Charles Cross". After all, His Royal Highness Prince Charles is patron of the National Police Memorial Day. Frankly, I believe it would be a thoroughly appropriate name for such an award. I suppose the scheme might be expanded to include the air ambulance and the Royal National Lifeboat Institution, which are really part of the blue-light fraternity of emergency services. I suggest that the award should go no further than that. I believe such an award to be utterly proper and decent, and it may indeed give close family members of those who have lost their lives protecting the rest of us some solace and perhaps not a little pride when they wear such a decoration.

Richard Fuller (North East Bedfordshire) (Con)
I prepared a one-minute speech, but I will try to stretch it to two minutes. The constituents of North East Bedfordshire will welcome this Bill. They will particularly welcome the fact that it begins with the police covenant, which codifies our responsibility to recognise the obligations and sacrifices of our police officers. They will very much welcome the end of automatic early release, but I must say to the Under-Secretary of State for the Home Department, my hon. Friend the Member for Croydon South (Chris Philp), that I agree with my hon. Friend the Member for Shipley (Philip Davies): he should see this as the start, not the end, of ending automatic release, so that the public understand that sentences mean what they say.

My constituents will particularly welcome the actions on illegal encampments, which are a blight for so many in the countryside and urban areas. On the issue of policing demonstrations, let us listen to what my hon. Friend the Member for Broxbourne (Sir Charles Walker) said and take more responsibility for ourselves in setting the laws, rather than the obligations of the police for policing them. I welcome the sensitivity in the Bill in terms of the interactions of young people with our justice system. If we can get that right, it will preclude many faults later on.

It is welcome that we have clause 164, which at last recognises that deaf people can have access to British Sign Language interpreters. For hundreds of years, we have recognised that every citizen in this country is entitled to a jury of their peers, and now those juries can include our deaf citizens as well as everybody else. Finally, I believe, in all generosity, that Labour Members have made a terrible mistake in opposing the Bill, and neither my constituents nor theirs will ever understand the reasons why.

Ordered, That the debate be now adjourned—(Michael Tomlinson.).

Debate to be resumed tomorrow.

[2nd Allocatted (sic) Day] – 16 March 2021

[Note: see *Hansard* (2021b) for full reference.]

Debate resumed.

Question (15 March) again proposed, That the Bill be now read a Second time.

Mr Deputy Speaker (Mr Nigel Evans)
Before we resume the debate, I want to remind the House of what was said yesterday regarding the Sarah Everard case. Charges have now been brought in that case. The sub judice resolution does not apply formally when the House is legislating. However, I would urge all Members to exercise caution and not say anything about the detail of the case or of the identity of those against whom charges have been brought that might affect any subsequent court case.

I have decided to select the reasoned amendment in the name of the Official Opposition and I will call David Lammy to move their reasoned amendment when he comes to speak later in the debate.

I remind all hon. Members, whether they are participating remotely or otherwise, that there is a three-minute limit on all contributions. For those participating remotely, there is a timer on the bottom righthand corner of the device that you are utilising. If, for whatever reason, you cannot see that, please ensure that you have another timing device because we have to be very strict. Not everyone will get in today, quite clearly, so please do not push the limit beyond three minutes. For those participating physically, the timer will be demonstrated in the usual manner.

Clive Lewis (Norwich South) (Lab) [V]
How often have we heard the notion that somehow liberty is an integral part of the English character, and that we fortunate few in this country are somehow different from the rest of humanity? Not for us authoritarianism, autocracy or, God forbid, the dark slide into fascism. No, no, no—that is for other people and other countries, not us. Yet here we stand, yet again with yet another Bill from this Government stripping the people of this country of yet more liberty and more of their democratic rights.

English exceptionalism is a dangerous fallacy, none more so than when it comes to the constant vigilance required of any democracy. It is hubris of the first order—one I fear has infected those on the Government Benches. The potential for the slide into authoritarianism and worse is, as history has clearly demonstrated, part of the human condition. That is the painful and bloody lesson from the 20th century. Yet here we are, with this Bill before us. It is the tip of an authoritarian iceberg—one that is on a collision course with public defiance.

Democracy is being swept away in a calculated programme to leave the public muted and powerless. We have the demonisation of the Gypsy, Traveller and Roma community, a planned voter suppression Bill to strip the right to vote from black and other disadvantaged communities, and the limiting of judicial review to stop the public challenging the Government's decisions in court and shifting yet more power to the Executive. We have the Overseas Operations (Service Personnel and Veterans) Bill, which creates a two-tier, "them and us" system of human rights.

Now, having passed that, the Government are coming for our rights with a review of UK human rights legislation.

Those on the Government Benches are fast moving from becoming a Government to becoming a regime. They want to stifle dissent, so that they are not accountable to the public. Our country—our economy, our politics and our media—is controlled by a small clique of individuals. Over the past 40 years, they have taken more power for themselves at the expense of our democracy. Now they are not even happy with us clinging on to the scraps we currently have.

I have directed this speech at Government Members, but to those on my own Front Bench who have finally been brought to the right position of opposition, I say this: it should not have taken the police assault on people gathered peacefully in memory of Sarah Everard to see the assault on democracy that this Bill is. It is writ large, so let this be a wake-up call. We have never seen anything like this Government before.

If the Bill goes through, anyone who values their democratic rights must get organised and fight back. I will stand with protesters, irrelevant of the laws passed by this place. I say to anyone in this place and outside who values democracy that we must create a democracy that is fit for purpose for the challenges we face—climate and ecological breakdown, the epidemic of inequality—

Mr Deputy Speaker (Mr Nigel Evans)
Order. We are moving on.

Sajid Javid (Bromsgrove) (Con)
May I start by joining colleagues in expressing my condolences to the friends and family of Sarah Everard?

I rise to support the Second Reading of this Bill. I am particularly pleased that it delivers on three promises that I made in two Departments: stronger police powers and a new criminal offence around unauthorised Traveller camps; putting the police covenant on the statute book and completing the public health approach to serious violence.

Given the short time I have, I will focus my remarks on child sexual abuse and exploitation. I want to leave Members in no doubt that we are facing an epidemic in child sexual abuse, the severity of which has left me crushed at times. Although the Government are doing outstanding work, it is clear that there are still inadequacies and blind spots enabling predators to operate undetected for decades. That is why for the best part of a year, I have been leading an inquiry into child sexual abuse and exploitation with the Centre for Social Justice. Although the findings will not be published until later this month, I am grateful that the Home Secretary and the Justice Secretary have taken an interest in this work and have included some of the initial recommendations in the Bill.

I am particularly pleased that the Bill will close a loophole in the law that allows sports coaches and other people in positions of trust to have sex with 16 and 17-year-olds who are in their care. I congratulate my hon. Friend the Member for Chatham and Aylesford (Tracey Crouch) for the excellent work she did to bring that about.

I also welcome the fact that those serving an SOPC—sentence for offenders of particular concern—for a child sex offence will be made to serve two thirds of their sentence before they are eligible for parole.

These changes will make a difference, but we need to go further. It is difficult to believe that only 4% of child sexual abuse offences result in a charge or summons—to put that another way, when the police record a child sexual abuse offence, more than nine times out of 10, the perpetrator is not brought to justice—or that sentencing guidelines recommend the same punishment for stealing a bicycle worth £500 and viewing the rape of a child.

Lenient sentences make poor deterrents, and they say to victims that society does not take the damage that is done to them seriously enough. That is why I urge the Government to consider three further measures: first, including online offences in the SOPC scheme; secondly, moving to a presumption of cumulative sentencing; and thirdly, asking the Sentencing Council to undertake a full review. It is only when we take the scourge of child sexual abuse seriously that we will start to make sure that the punishment truly fits the crime.

Allan Dorans (Ayr, Carrick and Cumnock) (SNP) [V]
I join others across the House in extending my sincere condolences to the family and friends and all affected by the horrific murder of Sarah Everard last week.

The House has heard many passionate speeches objecting to certain aspects of the Bill that impose disproportionate restrictions on our freedom of expression and right to protest. Those are fundamental human rights and a cornerstone of our democracy, and they must be protected. I totally support those objections to the restriction of our liberties. The right to peacefully protest on any issue must not be interfered with by the Government.

Part 2, chapter 1 of the Bill deals with duties to collaborate and plan to prevent and reduce serious violence. Specifically, it places a legal duty on local authorities, police, criminal justice agencies, health authorities, fire and rescue services and others to collaborate through sharing data and intelligence with one another to prevent and reduce serious violence and a duty to plan together to prevent and reduce such violence. In particular, they must identify the kinds of serious violence that occur, identify the causes of that violence and prepare and implement a strategy to prevent and reduce violence. Without any doubt, it is imperative that the impact of violence by men against women, the prevalence of that violence—particularly domestic violence and sexual violence—controlling and coercive behaviour by men and the impact on the community are included in that strategy to reduce violence against women and girls.

I want to highlight the outstanding work of the Scottish Violence Reduction Unit, funded by the Scottish Government. It has reduced homicides in Scotland from 137 over a number of years to 64 last year, using an innovative, proactive public health partnership approach to violence reduction, driven by the conviction that violence is preventable and not inevitable. A number of police services across England and Wales have sought advice from the Scottish Violence Reduction Unit and are at varying stages of setting up similar schemes.

It is therefore very welcome that the Bill will pave the way for the police service and other agencies to adopt schemes and strategies based on that model, which has proven to be highly successful. That approach must be included in the formal strategy mentioned by the Home Secretary yesterday for the reduction of all forms of violence by men against women and girls. This will, of course, come at a significant cost, but whatever that cost is, we simply cannot afford not to take this action, as by not doing so, we will continue to fail to protect women and girls now and in the future. We must act, and we must act now.

Mr Deputy Speaker (Mr Nigel Evans)
The clock has not been started, because I did not want to eat into your time, Tracey, but I want to say that it is fantastic to see you back in the House of Commons where you belong.

Tracey Crouch (Chatham and Aylesford) (Con)
Thank you for your kind words, Mr Deputy Speaker. Time is exceptionally limited, so I shall keep my remarks short, but like others, I wish to extend my condolences to the family and friends of Sarah Everard.

I welcome this Bill, which draws on our manifesto commitment to make the country safer by equipping the police with the powers needed to protect themselves and the public, while strengthening sentencing laws to keep serious sexual and violent offenders in prison for longer. It is

unfortunate that recent events have overshadowed the good intentions of the copious measures in this Bill, and I share the views of those in the House and outside it that we need to do more to protect women and girls. Why should we be afraid to walk somewhere or even exercise after dark? But, rather than trying to kill off the Bill, we should be working cross-party to strengthen it to that end.

I am a supporter of the police and I am afraid that I do not think we stand up for them often enough in this place. We read about the occasions when they misjudge or mishandle things, but we do not read about the 99% of the time where they silently get on with keeping us safe. Like all other key workers, our police officers have continued to work throughout the pandemic on the frontline, often being spat at and assaulted. I have many police officers living in my constituency and I am a proud aunt of a policeman. The measures in the Bill will better protect them and other emergency workers, not least by doubling the maximum sentence for assault on emergency workers, which is much overdue.

I am delighted that the Bill includes measures to extend the positions of trust provisions to include those who coach, teach, train or supervise in sport or religion. This has been a long process, but I am exceptionally grateful that this Home Secretary and Justice Secretary have listened to me, the hon. Member for Rotherham (Sarah Champion), Baroness Tanni Grey-Thompson, the National Society for the Prevention of Cruelty to Children and, most importantly, the brave victims who spoke out about the abuse that they suffered at the hands of their coach or religious leader. The need for change has finally been accepted.

There is so much that I could speak about in this 296-page Bill, but I just want to mention two things. First, my local council very much welcomes the Bill's provisions that deal with illegal encampments, but Medway Council has requested that an amendment is added that gives local authorities the powers to seek recovery costs for the damage caused. As challenging as this may be in practice, concerting the power that enables them to do so is something that I am willing to table, and I hope that the Government will seek to support it. The second point, which was raised eloquently yesterday by my right hon. Friend the Member for Chingford and Woodford Green (Sir Iain Duncan Smith), is the need for a specific offence and stronger punishment for pet theft. There has been an extraordinary and worrying rise in the theft of dogs, and many of my constituents are fearful for their beloved pets, so using this Bill as an opportunity to strengthen protections is essential.

Given the time, let me conclude by saying that there is so much more that I could add, but this is a good Bill, albeit with plenty of scope for improvement and for new things to be added to it. First and foremost, I look forward to supporting it in the Lobby tonight.

Jon Trickett (Hemsworth) (Lab)
I join others in expressing my condolences. This Bill continues the authoritarian drift of this Government. First, we had the Overseas Operations (Service Personnel and Veterans) Bill, which basically gives immunity to people abroad serving our country who committed torture. Then we had immunity given to state agents breaking the law in our country, including the crime of rape. Now we have clause 59 of the Bill, which proposes a 10-year jail sentence for causing the risk of "serious annoyance"—those are the words in the Bill. Note that is not even for causing "annoyance", but for causing the risk that there may be annoyance. There are many things with which we might risk causing annoyance every day, but it is only in dictatorships or repressive regimes that such actions are subject to drastic sentencing.

This Government claim to have their roots in libertarianism and, of course, they are champions of liberty, but it is liberty only for the powerful and the wealthy, the "get rich quick" merchants and the spivs, those whose freedoms allow them to cause all kinds of annoyance—firing decent, hard-working employees and then rehiring them on worse conditions and paying poverty wages. Now we have a new freedom—the freedom to bung multimillion-pound taxpayer contracts to mates in the private sector. They have set their sights on our tradition of dissent, because their legislation is

designed to crack down on our rights to take action against injustice. Black Lives Matter activists, workers who take industrial action, environmentalists and the women's movement are all in their sights.

Alex Sobel (Leeds North West) (Lab/Co-op)
My hon. Friend and I have organised and been on many peaceful protests together. The measures in this Bill are so regressive that, under them, surely some of those protests that we have been on would have ended up in scenes like those we saw on Clapham common, with us and others being arrested. This shows that peaceful protest is not safe under the remit of the Bill.

Jon Trickett
I have indeed worked many times with my hon. Friend on all kinds of activities. What the Government have in their sights are the ancient rights of assembly and freedom of association, which are now threatened by clause 59. The fundamental right to free speech means nothing if these other freedoms come under attack. We may end up with a situation in which we are free to shout at the telly in the privacy of our own homes but not free to organise ourselves collectively in public.

It is not as if our country has done away with all forms of injustice and inequality, is it? Yet instead of standing against injustice alongside, for example, the women on Clapham common the other night, the Government appear to be more interested in empowering the police force to arrest people who the state judges to have risked causing annoyance. It is interesting that many police officers have said that they do not wish that power to be bestowed upon them.

This House of Commons should be a beacon of liberty—a protector of our rights to speak, associate freely and assemble in public to express our reservations about how the country is going. Repressive legislation will never eliminate the thirst and hunger for justice that remains so powerful in our country today. It is the duty of the Commons to stand up this evening and reject this Bill.

Dr Caroline Johnson (Sleaford and North Hykeham) (Con) [V]
The first duty of any Government is to protect members of the public from harm, and I welcome the swift progress that the Government have made on that. Despite the challenges posed by the pandemic, the Government have beaten the target of recruiting 6,000 extra officers by March 2021 and are ahead of schedule to recruit, as promised, 20,000 more police officers by 2023. With a new cohort of police officers protecting our communities, we should give them the protection that they need to do the job to the best of their ability.

At a time when we are battling an invisible enemy—the coronavirus—our exceptional frontline workers should not be at risk of violence from the very people they are trying to protect. I am glad that the Government have shown that they will not tolerate such attacks and are legislating to double the maximum penalty for assaults on emergency workers from 12 months to two years in prison—the penalty that fits such an abhorrent and selfish crime.

At a time when we have been tragically reminded of the senseless violence perpetrated against women and girls, it is important that our communities are protected from the most serious offenders. A previous Labour Government introduced automatic early release at the halfway point; we are legislating to ensure that that stops and that those convicted of the most serious violent and sexual offences must serve at least two thirds of their sentence before parole is considered.

I welcome the fact that more robust sentences for the worst offenders will be combined with greater efforts to rehabilitate. For offenders stuck in the revolving door of crime there will be things such as electronic monitoring tags to ensure that long and restrictive curfews are adhered to. Sobriety tags, which were first piloted here in Lincolnshire, will ensure that individuals comply with alcohol abstinence orders. Such measures will ensure that once criminals have left custody, robust monitoring is still in place both to stop further harm and to break the cycle of reoffending.

I am pleased to see that those who use their car as a weapon will receive longer sentences, but as we increase sentences for careless driving I look to the Minister for reassurance that we will not criminalise those who have a momentary lapse in concentration—something most of us experience at some point.

Burglary is a particularly invasive crime that many of my constituents fear, and it leaves people feeling unsafe in their home. Will the Minister consider increasing sentences for those who commit this particularly invasive crime?

The Bill represents a significant strengthening of our judicial system, with the flexibility to tackle both serious crime and the causes of crime. I am proud to see this Government delivering on their manifesto commitment to empower our judicial system and make our country safer, and I will support the Bill today.

Dr Rupa Huq (Ealing Central and Acton) (Lab)
This monster of a Bill includes the word "women" zero times in 295 pages, yet statutes, war memorials and monuments are mentioned multiple times.

The Bill is likely to go into Committee, so it is then that I will seek to improve it by tabling an amendment to prohibit the long-standing and continual, daily harassment and intimidation of women at abortion facilities. Every year, 100,000 women across England and Wales who try to exercise their right to a termination are told that they are going to hell, filmed, followed and given propaganda that is inevitably medically wrong and unwanted. That is not healthy, noisy protest but the shaming of individual vulnerable women for decisions taken perhaps as a result of rape or similar. It is gendered harassment, which is not included in the Bill but overlaps with part 3—the explanatory notes talk about

"disruption to the life of the community"

when

"the purpose of the organiser is to intimidate others into doing or not doing something that they have a right to do".

Many women will have recognised what the Home Secretary said yesterday about how we all too often quicken our pace or grab our keys or phone in uncomfortable street encounters. Factor in being booked for a time-sensitive medical operation and there is no easy escape. This intimidatory activity is calculated to make women cancel their appointment or, at the very best, rebook it for when those people are not there. There is unpredictability and inconsistency: only three local authorities have gone down the byelaw route of local public space protection orders. This cannot continue; it is unequal access to justice, if nothing else.

When I asked the Health Secretary in this Chamber for his opinion on anti-vaxxers, he told me that no one's access to legal medicine should be barred or prevented. By lumping such a measure in with prosecuting sports coaches who groom teams, criminalising already-persecuted Traveller lifestyles and introducing excessive sentences for toppling statues, the Government are inevitably going to accuse those who oppose the Bill of being soft on sex offenders, which is really disappointing.

Harassment of women is objectively wrong; it is surely not party political. Indeed, the cross-party will of the House is behind such a measure. The last time my private Member's Bill was put to a vote in June, the House voted for it by 213 to 47. I even had Government Members on the payroll coming up to me all day saying, "Good on you, I wish we could have voted for this too." So it is high time we updated what is being done in common law and put into statute, followed Canada—

Mr Deputy Speaker (Mr Nigel Evans)
Order. I am terribly sorry; we have to move on.

Mrs Pauline Latham (Mid Derbyshire) (Con) [V]
Given the recent focus on violence against women and the fact that the coronavirus pandemic has increased physical and sexual violence, the Bill represents an opportunity to fix oversights in the law regarding child safeguarding. It contains some welcome provisions that will protect women in the UK. However, child marriage remains an oversight, and a new clause criminalising the practice would protect vulnerable girls in this country and around the world.

Under the Sexual Offences Act 2003, adults commit a criminal offence if they have sex with a child—defined as a person under the age of 18—with whom they are in a position of trust. Clause 45 of this Bill would extend the list of positions of trust to include sports coaches and religious figures, thanks to my hon. Friend the Member for Chatham and Aylesford (Tracey Crouch). The explanatory notes state that the logic is that children are susceptible to abuse, exploitation and manipulation. If a child's will can so easily be manipulated by those in a position of trust, with abusive consequences, why does the law allowed them to marry at the age of 16 or 17 with their parents' consent?

In 2018, the Forced Marriage Unit recorded 1,500 cases of suspected forced marriage, 35% of which involved children under the age of 18, and since 2017, Karma Nirvana has responded to 375 calls involving child marriage. However, the true prevalence of child marriage is likely to be much greater as it often occurs in unofficial customary ceremonies. The crime of forced marriage, introduced in 2014, does not adequately protect children. The Forced Marriage Unit reports feeling unable to intervene in cases involving children because coercion is difficult to prove and vulnerable children have been groomed to appear willing. Children being groomed into child marriages often cannot understand what is happening to them and feel unable to challenge their parents. The current law effectively places the reporting obligation of a serious crime on young and vulnerable victims. For that reason, many contact charities such as Karma Nirvana only later in life when the damage has been done, so could Ministers please include a new clause in the Bill to enable us to stop child marriage in this country?

Mr Deputy Speaker (Mr Nigel Evans)
I should just like to remind those who are on the call list but who, for whatever reason, are unable to take part in the debate, please to get in touch with the Speaker's Office as usual. That message will then get through to us. The sooner the better, please.

Dame Diana Johnson (Kingston upon Hull North) (Lab) [V]
This Bill has provisions that I support, including whole-life orders for premeditated child murder and ending automatic early release of dangerous prisoners and sex offenders. However, the Bill also attacks, on a permanent basis, the fundamental human right of peaceful assembly. Banning gatherings, or a single person protest, on the grounds of noise or annoyance is deeply troubling. Noting the disgraceful events at Clapham Common on Saturday, I will vote against the Bill tonight.

The Bill also needs to do much more on tackling violence against all women and girls. The Government's announcement on a council bidding process for lighting and CCTV funding does not cut the mustard. The Opposition's reasoned amendment points out that the Bill fails to introduce a single new measure specifically designed to tackle the epidemic of violence against women. Indeed, anyone damaging a statue would receive a heavier sentence than many rapists.

I want to raise three issues that the Bill should cover. First, if Ministers are serious about protecting women, they must recognise that exchanging money, food and accommodation for sex is a form of violence. Scotland's Government, the Crown Prosecution Service and the London Mayor recognise prostitution as violence against women. Why not this Government? Our current laws on prostitution are unfit for purpose. The UK today is a low-risk, high-profit destination for sex traffickers and pimps. Pimping websites operate openly and legally. Women are subjected to sexual

exploitation by men, who face no criminal sanction. We must bust the business model of this modern slavery, cracking down on online pimping, deterring sex-buyers and supporting victims. I will be tabling cross-party amendments to introduce laws that support women and hold men accountable.

Secondly, pornography websites currently profit from exposing children to misogynistic violent pornography, fostering attitudes that underpin violence against women. We need the Government to take action on that.

Finally, we must join the dots. Individual incidents of violence against women are often not random, one-off or unconnected. Effective prevention of violence requires early intervention. We need a way to flag up where low-level sexual offences are often the gateway to potential serious escalation. Libby Squire was raped and murdered in Hull by a man who had, for 18 months prior to attacking Libby, wandered the streets committing sexual acts of indecent exposure, voyeurism and burglary of underwear and sex toys. Many offences were not reported, but even if they had been, the current law would not have dealt with the underlying problem.

In conclusion, violence against women is endemic, but also preventable. In remembering Libby Squire, Sarah Everard and many others, we need deeds from this Government, not words.

Craig Mackinlay (South Thanet) (Con)
What a rare treat to be able to speak in the Chamber.

One of my colleagues said earlier that the primary role of Government is to keep people safe: to keep those who are the law-abiding majority safe, those who want to do the right thing and those who simply just want to get on with their lives. We made commitments in our 2019 manifesto on law and order. This substantial Bill fills many holes and codifies some loose ends of common law interpretations, but mainly it protects the public whom we are here to serve. There are a number of features in the Bill and I just want to highlight a few in the time available.

Whole-life orders, as the starting point for premeditated child murder, has to be right. The prevention of automatic early release of serious, violent and sexual offenders has to be right. The public, for too many years, have wondered of what madness we have had that that was not so.

The doubling of the maximum sentence to two years for assaulting emergency workers, again, has to be right. These people have worked hard for us over the past year. Too often, we hear stories of them being spat at and abused during the covid period. We have spoken about the protection of victims and witnesses over many years, but finally Kay's law, as it has been called, will mean that victims will be able to play a part in the bail conditions that the police impose.

Strengthening powers to tackle protests that cause significant disruption to the public is the area that seems to have got a lot of people exercised over the past few days. What we saw at Clapham Common was an unedifying scene, but it was not a result of this Bill or where we are at the moment. It was a result of the draconian covid legislation that I have not supported throughout but, strangely, Labour has. This Bill does not attempt to stop protest—far from it, and I would not be supporting it if it were, because I quite enjoy a good protest.

Very importantly, the Bill criminalises trespass to tackle unauthorised encampments. I can imagine that hardly any, if any, hon. Members or right hon. Members in this House have not had communities that have had to bear the cost of such unauthorised damage, cost to the local taxpayer, and often a "couldn't care less" attitude by those who conduct it. The Bill also backs up our significant commitment to deliver 20,000 new police officers, and some of the excellent work in disrupting county lines and action against drugs in general.

I will support the Bill this evening, and I am somewhat intrigued that Her Majesty's Opposition are opposed to it at this stage, but there seem to be more flip-flops than on a summer holiday.

Sir Paul Beresford (Mole Valley) (Con) [V]
This is a broad and significant Bill. There are many areas that I would like to discuss, but I have only three minutes, so I will concentrate on the long overdue changes relating to illegal Traveller camping.

My constituency has a number of legitimate Traveller sites. The relationship between the settled communities and the so-called Travellers on official sites is generally harmonious. Surrey County Council and Surrey District and Borough Councils are in the process of setting up a transit site, with facilities, for Travellers. All this is very different from the frequent illegal Traveller invasions. Surrey has had hundreds of these incidents, and my constituency has more than its fair share. Over recent years, the numbers of these illegal land-squatting camps have increased. If access is inhibited by barriers, gates or any form of obstruction, they are broken down or removed, and generally damaged. The Travellers then squat on-site regardless of the ownership, be it common land, parkland, farmland, private land or even a school playground. I note that a number of Members are opposed to change and would prefer that this remained a civil matter. That approach has been an absolute, abysmal failure, with considerable financial loss to the local community or the landowners. The legislative change criminalising this type of illegal camping is exceptionally welcome and has been long awaited. It is for the protection of local people—my constituents.

I note that in certain circumstances a fine can be imposed. Considering the phenomenal mess of human detritus and general waste, often including hardcore, that is almost without exception left behind when the illegal occupiers are removed, it would be helpful if some form of recompense for the cost of returning the site to its pre-invasion state could be available. I realise that that would be technically possible using the Compensation Act 2006, but this would need civil action requiring identification and service of notice on individuals who will have already moved and be able to claim that the mess was no fault of theirs. Hence, I wonder if it would be possible to require the site that has been occupied illegally to be returned to its previous state or to apply an appropriate cost to those who are abusing the site.

There is much in this Bill that I like, but this particular change will be overwhelmingly welcomed by an enormous number of my constituents who have been abused by these people over many years.

Gavin Robinson (Belfast East) (DUP) [V]
I am grateful to be called in this debate. I wish to place on record my thanks to the Under-Secretary, the hon. Member for Croydon South (Chris Philp), for meeting me to discuss this Bill. The scale of the Bill, the wide-ranging import of its provisions and indeed the two days set aside for the Second Reading debate all indicate the magnitude of what is contained within it.

First, I wish to indicate my support for the provisions that directly apply to Northern Ireland. The ability to access information from encrypted devices, the ability to take samples from human remains, changes to the Sexual Offences Act 2003 and mutual recognition across our United Kingdom are all welcome provisions that will assist in the fight against serious crime. Ministers are aware that I have raised my concern that, although they are not part of this Bill, unexplained wealth orders, provided for in the Criminal Finances Act 2017, have not yet commenced in Northern Ireland, despite our Department of Justice seeking a commencement order.

With paramilitarism and organised crime still having a significant impact in Northern Ireland generally, and in my constituency of East Belfast particularly, we need immediate progress on this issue. I am prepared to table amendments to the Bill if necessary, though I am somewhat assuaged to hear that progress may come in the next week or two. I would therefore be extremely grateful if confirmation of that could be given from the Dispatch Box this evening.

Separately, the House is well aware of the strength of feeling following the abhorrent murder of Sarah Everard so I am pleased that the Bill will increase the time served in prison from half to two-thirds of the sentence as a minimum for the most serious sexual offences. It will bring in provisions

on abuse of positions of trust and enact Kay's law with greater protections linked to pre-charge bail.

Finally, and regretfully, I rail against in the strongest possible terms the overarching sweeping and draconian provisions on protests. I have heard what the Government's intention is, but the loose and lazy way the legislation is drafted would make a dictator blush. Protests will be noisy. Protests will disrupt. No matter how offensive we may find the issue at their heart, the right to protest should be protected.

Unless we wish to proceed with societal constraints that permit only graceful, genteel and humble protest, I urge the Government to indicate that they accept the strength of feeling on this issue, that they will work with colleagues across the House to amend the provisions significantly, and that they will not proceed without publishing guidance underpinned by statute on the operative implications.

I wish you, Madam Deputy Speaker, and all colleagues a happy St Patrick's Day for tomorrow.

Madam Deputy Speaker (Dame Rosie Winterton)
Thank you. We now go by video link to Dame Angela Eagle.

Dame Angela Eagle (Wallasey) (Lab) [V]
Thank you, Madam Deputy Speaker. This is a huge portmanteau Bill. It contains proposals that I would sum up as the good, the bad and the ugly. The good includes measures that give particular protection to emergency service workers from assault, the problem-solving courts pilot, and long overdue reform of the criminal records disclosure regime. The bad is the Government's appalling assault on the right to protest and free assembly, which is causing concern and alarm across the House, including from the former Conservative Prime Minister, the right hon. Member for Maidenhead (Mrs May), who expressed her misgivings about this in no uncertain terms yesterday.

The ugly is the complete absence from the Bill of any coherent attempt to protect the freedom of women and girls to live their lives free of harassment and violence. Clause 46 further criminalises assaults on statues by increasing the maximum penalty for such vandalism to a scarcely believable 10 years in jail. The Government's obsession with using the law to stoke a culture war by giving more protection to inanimate statutes than to living people is an abuse.

Clauses 54 to 60 are a premeditated attack on the right to assemble and protest, which is the cornerstone of our democracy. While Ministers purport to be the defenders of our rights and freedoms, the Bill diminishes both. It extends already wide powers to police demonstrations much further, by creating new offences and new criteria that can be used to close down protest. The Bill seeks to place draconian limits on the method, location and even the noise demonstrators will in future be allowed to make if they are to remain lawful.

Apparently demonstrators are henceforth to be seen but not heard, like children in a particularly reactionary Victorian novel; yet the whole point of demonstrations is precisely to draw attention to injustice and give voice to issues that have been ignored. Democracy can be loud and messy sometimes—that is the point of it—so the Bill must be amended to preserve the freedom of assembly and the right to protest.

The real issue that the Bill should address is the mess that the Government have made of the justice and courts system. There is currently a backlog of 56,000 cases in the Crown courts, which means four years to wait for a trial. Justice delayed is surely justice denied. Since 2015, the percentage of recorded crime that reaches the court has halved. Rape convictions are down to just 2% of cases reported, and while domestic violence has soared in lockdown, convictions have fallen off a cliff. The Government would do better to run the existing court system efficiently and effectively before they come to the House with the new laws contained in the Bill.

Mr Gagan Mohindra (South West Hertfordshire) (Con) [V]
I will be supporting this important piece of legislation, which delivers on our manifesto pledge. It covers many important elements, and during my contribution I will have time to address only some of them. First, may I associate myself with the comments about Sarah Everard? My thoughts are with her loved ones.

I am not a lawyer, but there are many learned hon. Members of this House, and it is worth noting that the Law Society supports the overall ambition of this substantial Bill to tackle crime, support the police and build safer communities. Going into detail, one of the bits I particularly want to highlight is clause 46. Following an excellent campaign by my hon. Friends the Members for Bracknell (James Sunderland) and for Stoke-on-Trent North (Jonathan Gullis), with the private Member's Bill on the desecration of war memorials, it is good to see this measure included in the Bill. It is not just about war memorials; it includes roadside memorials and gravestones as well.

On part 3 on public order and the right to protest, it is worth reiterating that the police response does need to be proportionate. I would cast the House's memory back to six months ago when we all saw images on social media of an ambulance trying to access St Thomas's and not being able to do so. The other theme worth highlighting on this particular issue is that there have been effects on freedom of the press with print media not being able to print.

Part 4 on unauthorised encampments—clause 61 onwards—is a really important piece of legislation. I know of many colleagues who have campaigned on this particular provision for many years. It will make trespass a criminal offence, and it has a significant effect on law-abiding communities. I would echo the comments made by others in the House that civil actions have not been a suitable avenue of discouraging poor behaviour. Clause 62, which changes the period of no return from three months to 12 months, targets the bad apples, and I think it is a welcome addition.

Finally, part 7 on sentencing and release is a really important piece of legislation that gives the law-abiding citizens of our country the confidence that those found guilty of heinous crimes will have a proportionate sentence. Clause 108 on referring to the Parole Board in place of automatic release is another aspect that is well worth mentioning.

In summing up, this Bill will be warmly welcomed by law-abiding citizens. It offers increased protection to those who protect us, it increases the options available to the courts to ensure that sentences are in line with the offence and it ensures that disruptive behaviour is actively discouraged.

Martin Docherty-Hughes (West Dunbartonshire) (SNP) [V]
On the day the Parliament of Scotland seeks to place the United Nations convention on the rights of the child at the heart of our nation's legal system, the British Parliament seeks to criminalise thousands of Gypsy and Traveller children for daring with their families, in the 21st century, to live their traditional and historic way of life. Imprinted on vellum, this archaic legislation will enshrine centuries of resentment, bigotry and racism, entrenching inequalities and proscribing specific ethnic groups, even against the advice of the police forces of England. It is a law that facilitates the narrative of exclusion, well exposed in recent weeks when Dochertys like me, merely for being from the Traveller community, are excluded from the life of the state.

As a Scottish constituency MP, I see this is a direct attack on the Scottish Traveller community, which this Parliament refuses to recognise as a distinct ethnic group—Scots who will be at the mercy of Dickensian attitudes, and exposed to imprisonment and financial ruin by the mother of Parliaments. As the co-chair of the all-party group on Gypsies, Travellers and Roma, I see this as a misguided, reprehensible attack on the ancient and historic rights of the nomadic peoples of these islands. It is clear that England's green and pleasant lands are not for the likes of us, and the Conservative and Unionist party does not give a damn who knows it.

Mr Simon Clarke (Middlesbrough South and East Cleveland) (Con)
It is a pleasure to speak in this important debate and to support this vital legislation. At the outset of my remarks, I too would like to set on record my deep sympathy for the family and friends of Sarah Everard—what happened last week was the most appalling story, and it will cast a lasting shadow for many of us as we reflect on these issues today and, indeed, in the years ahead.

This legislation matters because it is about the Conservative party delivering on our promise to the public to cut crime and ensure that we have tougher sentencing for some of the most violent criminals in our society, and I find myself genuinely astonished at the attitude of Opposition parties in opposing it.

I want to address the two main grounds being relied on by the official Opposition to justify its stance. First, there are the provisions to stop some of the most extreme tactics of protest groups such as Extinction Rebellion, which go too far. I well remember the tactics of Extinction Rebellion and the misery they brought to hundreds of thousands of people across the capital and elsewhere. Blocking roads so that ambulances cannot pass, because people are glued to the ground, is not a legitimate tactic for protest. The right to protest is fundamental, but it is not unqualified. We have to balance all rights and responsibilities in our society against the rights and liberties of our fellow citizens, and the tactics that have been deployed have clearly gone too far.

The second ground that Labour relies on is that the Bill is not ambitious enough in its protection of women and girls, and some of the remarks by the hon. Member for Wallasey (Dame Angela Eagle) sum up the damaging things that are being said about this legislation, which will undermine public confidence and are, in fact, simply wrong. She spoke about statutes being attacked, as though they were some kind of worthless thing to defend. I would defend our heritage on its own terms, but, of course, the relevant provision is also about protecting gravestones, for example, from being desecrated; it is not just about statues.

The hon. Lady also said that we had not taken action on protecting people from harassment. Well, the Government have taken action on stalking, and they introduced a 10-year sentence for it recently. That is something I am very proud of, and it should not be forgotten. It has added to a very strong record on the protection of women's rights, on issues from forced marriage to strangulation to coercive control. We should be proud of all of that, because this Government care deeply. The Bill strengthens those provisions further, from ending early release for serious sex offenders, to stricter pre-charge bail conditions, to measures on the abuse of positions of trust and on arranging or facilitating child sex abuse. This is really important legislation, and that should not be forgotten.

That all goes to show how far the Labour party has drifted from the values of its traditional heartlands. In places such as Middlesbrough and Hartlepool, it is not just that local people feel ignored and taken for granted by the Opposition, but that they now feel actively betrayed by them. This legislation is a litmus test about values, and it deserves the full support of the House today.

Stella Creasy (Walthamstow) (Lab/Co-op) [V]
In any legislation, any of us on any of these Benches can always find some good, and this legislation is no different. For example, there are the measures on providing protection from being abused by adults in positions of trust and the measures on dangerous driving, as well as the increase in sentences for those who assault our emergency workers. However, this legislation is a curate's egg, and what little good there is in it is overwhelmed and infected by the bad. It breaches the covenant between us in Parliament and the public about the consent that is part of a free, fair and equal society.

All of us recognise that it is time for some reform of how public order is managed in this country. The scenes of chaos that we saw on Saturday are a clear embodiment of that. The trust between the police and women, particularly in London, has been broken—trust that many communities

have not had in the police for some time—but this legislation will do little to heal those relationships.

I will be honest: I have a long list of things that cause me "severe annoyance". Some, Members may agree with; many, they probably would not. However, I pity the commanding officer trying to enforce this legislation if it becomes law and trying to explain decisions around severe annoyance. The legislation is simply unworkable. I am also ashamed to be part of a Parliament that is seeking to demonise a minority community in the measures being brought forward around Gypsy and Traveller communities—measures, indeed, that the police themselves have said they do not wish to see.

The public have to be able to tell us when we are getting something wrong. Sometimes that message is noisy and messy, but it is important that we do not seek to silence it no matter how uncomfortable it might make us feel. This legislation seeks to do that.

The Bill also breaches that covenant between us and the public by what it does not contain. The hon. Member for Middlesbrough South and East Cleveland (Mr Clarke) does not quite understand the concern that there is no mention of women, but plenty of mention of statues. At a time when we are all concerned about the lack of action over tackling violence against women, this legislation could have been the perfect vehicle for the Government to implement the Law Commission's recommendations on making misogyny a hate crime, but those are measures are absent. It could also have been an opportunity for the Government to recognise when they are at fault in the courts. Let me give just two examples. For the past three years, the Government have been found at fault by the courts on how they treat bereaved parents in this country and on how they treat victims of domestic violence who have a sanctuary room—they charge them the bedroom tax—but no measures have been brought forward. What respect for the courts does that show from a Government who are now seeking to reform those areas?

Human rights mean little if they cannot be actioned and if they are not upheld, even when it goes against what appears to be the Government's interests. I urge the Government to use this legislative time for something more constructive, to work across the House, to recognise the concerns over violence against women and to uphold all our rights. We shall all regret it if they do not.

Cherilyn Mackrory (Truro and Falmouth) (Con) [V]
There is so much to say in such a short time. First and foremost, I wish to thank the brilliant officers of Devon and Cornwall police for their unshakeable commitment, as well as our fantastic police and crime commissioner, Alison Hernandez, who has done a huge amount of work, particularly around combating domestic violence and modern slavery in our region.

I am afraid that I have to take issue with some Opposition voices that have described the new measures around policing protests as dangerous and draconian. Ensuring that a protest cannot prevent an ambulance from reaching a hospital in an emergency is the exact opposite of dangerous. Ensuring that police can impose conditions on protests that are noisy enough to cause intimidation, alarm and distress to innocent bystanders is the exact opposite of draconian. As the Home Secretary said yesterday, the right to peaceful protest is the cornerstone of our democracy, and all of us in this Chamber understand and cherish that fundamental right. It does not, however, extend to causing damage to property or injury to others.

I am pleased that the Bill introduces maximum life sentences for drivers who cause death by dangerous driving or by driving under the influence of drink and drugs. I want to thank my constituents in Truro and Falmouth who, throughout my time as their Member of Parliament, have consistently highlighted the need for proper punishment of hit-and-run drivers. Unfortunately, they will be familiar with the tragic death of Ryan Saltern, a postman from Probus, a husband and a dad of young children. The man responsible for Ryan's death left the scene and was sentenced to just four months, which was suspended for a year. He was disqualified from driving for just 12 months.

Needless to say, Ryan's family have been left devastated. My hon. Friend the Member for North Cornwall (Scott Mann) has been working closely with Ryan's parents, and I join him in asking Ministers to consider a new criminal offence of leaving the scene of an accident that later resulted in death. We would welcome further meetings with Ministers about this matter.

Finally, I pay tribute to the Bill for the changes that will bring about better protection for women. I am proud to sit on the Benches of a Government who have already introduced, or who are progressing the introduction of, the following measures specifically aimed at the protection of women: outlawing upskirting; creating an offence of coercive control; strengthening the ban on a rough sex defence; outlawing non-fatal strangulation; creating the offence of stalking and then doubling the maximum sentence; criminalising the sending of revenge porn images or threats to do so; introducing measures to make it easier for victims to give evidence in court; the passing of the Modern Slavery Act 2015; the increased funding for rape support centres by 50%—the list goes on. In addition, Cornwall Council is receiving £1.1 million of funding, which was announced last month, to ensure that domestic abuse victims and their children are able to access life-saving support.

As always, I welcome the Prime Minister's further announcements this week of the doubling of the investment for our safer streets. There is more to do, but the Bill is a great start, and I will happily back it this evening.

Maria Eagle (Garston and Halewood) (Lab) [V]
This 300-page incoherent mish-mash of a Bill contains some truly odious measures, and I have time to deal with only one of them: the dangerous and unjustifiable crackdown on the freedom to protest in clauses 54 to 60. Those clauses alone are enough for me to vote against Second Reading tonight, despite the Bill containing some good measures.

This populist Government have swiftly developed a penchant for authoritarianism, born of their approach to getting the vast amount of Brexit legislation necessary through Parliament. They have got into the habit of writing framework Bills with extensive Henry VIII powers, leaving vast scope for Ministers to change primary legislation by personal fiat, without adequate parliamentary scrutiny. This trend has been made worse by the necessity to legislate swiftly for public health reasons because of covid, again with no scrutiny ahead of laws being brought into force. The coronavirus crisis has led to a draconian removal of basic liberties that is necessary temporarily for health reasons, but not for a minute to be thought of as desirable. The Government now want to make this emergency way of doing things the norm, to enable police officers to have far too much power effectively to silence any protest.

We have a Government who attack judges who decide cases in ways they do not approve of; some Law Officers who will not defend the independence of the judiciary; a Government who legislate to enable themselves to break a treaty that they have only just signed; Ministers, including the Home Secretary, who break the ministerial code with impunity, while senior civil servants they disagree with are hounded out of their jobs; and a Government who now want to take the power to ban demonstrations or vigils if they are too noisy—they are literally silencing any protest they do not like.

This legislation allows for convictions for breach of conditions that the police have imposed, even where the person on trial has no knowledge of what that condition was; it increases the punishment for such a breach from 12 weeks to 51 weeks in prison. The Home Secretary seems to have hijacked what was a worthy enough sentencing Bill to insert her divisive and polarising measures on protests. The original timetable for the Bill gave the game away. It was due to be completed in time for the police and crime commissioner elections in May. This is being done to enable the Government to claim that their political opponents are not supporting the police enough—indeed, we have already heard speeches from some Government Back Benchers claiming just that.

There has been no real focus on how the law should be changed for the good of society. For example, we have just seen how much it fails to meet the needs of women, who just want to be safe. This Bill just does not tackle any of those issues. Clauses 54 to 60 are intended to destroy the fundamental rights of citizens in our democracy to protest, and just for some cheap headlines ahead of an election. The Bill is draconian and undesirable, and the Government should not get away with enacting it.

Laura Trott (Sevenoaks) (Con) [V]
First, I want to join in the sympathies and prayers expressed by Members from across the House to the family and friends of Sarah Everard.

I rise, virtually, to support this welcome Bill, and in the limited time I have I wish to focus on the aspects that concern violence against women, girls and children. I have been disappointed by the approach that Opposition Members have taken to this Bill, which stands in marked contrast to the constructive tone taken to the Domestic Abuse Bill. It is clear that today's Bill takes a stride forward in protecting women and girls. The hon. Member for Walthamstow (Stella Creasy) describes the "little good" the Bill is doing. I would not describe ending the automatic halfway release of those convicted of offences such as rape, extending the law on abusing positions of trust to better protect children, better protecting victims of domestic violence and introducing tougher sentences for sex offenders as "little good". Indeed, when this is paired with the Domestic Abuse Bill and the upcoming violence against women strategy, we see that the Government are taking concrete steps to address the many challenges we still face to make women safe in their homes and on the streets.

I also take serious issue with the conflation of maximum and minimum sentences that we have heard in the course of this debate. The maximum sentence for rape is life. That message should ring out from this Chamber. The conflation of the minimum and maximum sentences is simply a demonstration of the Opposition playing party politics on an issue that goes far beyond any point scoring in this Chamber today.

However, it is always important to look at what more we can do. I have spoken before about my long-standing concerns about the use of standard determinate sentences, particularly for rape. I welcome the action that the Government are taking to end the use of standard determinate sentences for terrorist offenders, and the power to refer high-risk offenders to the Parole Board in place of automatic release. However, the reoffending rate for sexual offenders is 14%, and we know that 84% of rape convictions are dealt with by standard determinate sentences. That means that the Parole Board is not involved at all in the release of those criminals. I think we should look at that further, to add to the already significantly increased protections that we are giving women and children as a result of this Bill—and any accusation that we are doing otherwise is false.

Richard Burgon (Leeds East) (Lab) [V]
This is a dangerous Bill in many ways, both in what it contains and in what it omits, including in its stark failure to really tackle violence against women. I want to concentrate, in my three minutes, on the draconian threat to the right to protest.

Under this Government's plans, protests will still be allowed, just as long as the police say so, just as long as the protests are not too noisy, just as long as they do not cause too much of a nuisance, just as long as they do not seriously annoy anyone, and just as long as they are not too near Parliament. So protests can go ahead, just as long as they do not do what protests are meant to do. And those who do not abide by the new rules could get 10 years in prison—longer than the sentences most men convicted of rape ever get.

Let us be clear: this is a political attack—an attack on people's ability to exercise of one of their key democratic rights, an attack on one of the ways people have to speak out against Government policies they oppose, an attack on free speech. The Government have already made it much more

difficult for people to go on strike, and now they want the police to make it much harder for people to protest.

Even without this new law, we have seen the state, under this Government, clamping down on democratic rights: last week, a nurse fined £10,000 after protesting against pay cuts; women at the Clapham common vigil attacked. And it goes way back: students kettled for opposing higher tuition fees; fracking activists jailed.

This Bill, written in direct response to the growth of Black Lives Matter and Extinction Rebellion, is aimed at suppressing further political opposition and dissent. Instead of tackling the underlying grievances, the state is responding by attacking those challenging injustice. It is a form of state intimidation, designed to stop people organising and attending protests, but people will not be stopped.

Throughout our history, significant gains have been won through demonstrations: eight-hour days won by the trade unions; votes for women won by the suffragettes. Such movements were always denounced at the time as violent by politicians standing on the wrong side of history. If the Government proceed, this law will be broken repeatedly, and trust between the state and its citizens further shattered.

Edward Timpson (Eddisbury) (Con) [V]
On a sunny spring morning early on a Saturday in 2017, weeks away from the general election, I was at home, where I am now, with my then nine-year-old daughter, my wife having just left to go out with my then 11-year-old and three-month-old daughters. I looked out of the window and saw a car parked outside, with a man holding a ladder walking towards the house. We were not expecting anyone, so I went out to ask if I could help.

Things then took a sinister turn. What unfolded was an orchestrated, organised mass takeover around and on our private home, with two men forcing their way up on to our roof while others appeared with camera phones and a loudhailer as they circled our house, taking photos and video footage through the windows and broadcasting unsavoury and baseless claims about me. My nine-year-old hid upstairs while I called the police for help.

The guise of this protest was to rail against cases of children being taken into care and adopted. As the then Minister for Children, I knew that strong views on this sensitive subject came with the territory, but never in my wildest dreams believed this would ever be literal. We were forced to vacate our family home under police escort and were unable to return for three days as our roof remained occupied, save for my wife recovering some personal belongings for her and our baby with the police in attendance.

As this trespass was, in law, a civil matter, my only recourse at that stage was to apply for an injunction, unless it could be shown that a criminal offence had subsequently been committed on site. We were all left feeling helpless, intimidated, frightened and let down by the current construct of trespass and public order law. The children were confused and worried, and I ended up having to relive the whole experience in court, after which, thankfully, convictions were secured. For many months afterwards, I would still jump when a vehicle I did not recognise parked outside our house. We can all subscribe to physical non-violent protests on public land, but the mental and emotional impact on those caught up in it, especially where trespass is involved, cannot be overlooked. That is one of a number of reasons why I am very supportive of the provisions in parts 3 and 4 of the Bill.

As a former children's Minister, I am pleased to see measures to extend definitions in relation to those who abuse positions of trust by engaging in sexual activity with minors, as well as measures establishing secure schools, preventing knife crime, promoting and improving the use of youth rehabilitation orders and others. I know that many parishes in Eddisbury will welcome the Bill's proposals to protect our war memorials from desecration.

As the Bill goes through Committee and Report stages, there is a chance to consider what more we can do to tackle the growing and devastating scourge of pet theft, which is an emotive issue among many of my constituents. Finally, it would be remiss of me not to mention my private Member's Bill to raise the retirement age of magistrates to 75, which I am delighted is now official Government policy. Is this not the perfect Bill in which to make that law?

Ms Marie Rimmer (St Helens South and Whiston) (Lab) [V]
First, may I pay my respects to the loved ones of Sarah Everard? My thoughts and prayers are with them.

Causing death by dangerous driving deserves a life sentence. That is the justice that Violet-Grace Youens's parents deserved. Their angelic four-year-old daughter Violet-Grace was so cruelly taken from them. The family continue to tirelessly campaign and help others through the Violet's Gift charity. Last year I was proud to co-sign the private Member's Bill promoted by the right hon. Member for Maidenhead (Mrs May) on this very issue. Since then, the Government have indicated that they will not support that Bill. Instead, they have included the dangerous driving changes in this far-reaching Bill before us. Unfortunately, this means that I will not be able to support the changes this time, for this Bill infringes on our very freedom and democratic rights.

Like many, I agree that protests can sometimes cause some personal annoyance. Protests can make us late for work. Protests can cause a little harm to our finances. Protests can force us to listen to views we do not agree with. But should protests be a criminal act because they cause the risk of some "serious annoyance"? I do not think so, and I am sure that most Members agree. Perhaps worse still, the Bill empowers a judge to imprison someone convicted of causing the risk of serious annoyance for 10 years.

The freedom and right to protest is the cornerstone of everything we believe in. It is the bedrock of liberal democracy. Across the world to this day, we see people taking to the streets to protest for their rights. Throughout my life, I have seen how protests have brought about change—the fall of the Berlin wall, the collapse of the Soviet Union, and more recently in Belarus and Myanmar. We have also seen where putting down protests can lead us. The Tiananmen Square protests live on in our memory. Every adult alive that day remembers that brave man walking in front of those tanks. Giving up our freedoms simply so that the Home Secretary can appear to be tough on crime is not justifiable. Doing so would be a betrayal of everything this Chamber represents.

Virginia Crosbie (Ynys Môn) (Con) [V]
It is a privilege to speak in this important debate. I, too, would like to extend my deepest condolences to Sarah Everard's family and friends. I thank my hon. Friend the Member for Eddisbury (Edward Timpson) for sharing his powerful personal experience to bring to life how important the changes in the Bill are.

A couple of weeks ago, a young female in my constituency started working as a police officer. On just her second shift, she was assaulted when someone spat at her. Spitting and coughing on police officers has become more common since covid-19 came into our lives. North Wales police alone recorded 100 attacks on officers including coughing and spitting or biting between February and November last year. This is part of an unacceptable trend of increased assaults against police and other emergency service workers. Of respondents to the Police Federation demand, capacity and welfare survey last year, 55% said they had been the victim of an unarmed physical attack in the previous 12 months, and in some frontline roles the figure was as high as 83%.

Since 2020, at least 30 officers have been killed while performing their duties, despite massive improvements in protective and defensive equipment. The data shows that we are living in a more violent society, and the threats to our police officers are increasing, but those who attack or assault police officers are often let off with little more than a slap on the wrist. What an offence that is to our police. I speak regularly with the police on Anglesey; I have been out with them on patrol and I helped to man the Britannia bridge with them during the first lockdown. I know how seriously they

take protecting people on the island, but they tell me of the difficult and often threatening situations they handle every single day. John Apter, the national chair of the Police Federation, said:

"We need officers to have the very best protection, and there must be a strong deterrent—that deterrent should be time in prison, no ifs, no buts."

The Bill doubles the maximum sentence for those who assault police and other emergency workers.

I end by saying that I will back the Bill tonight. I applaud this Government for using the Bill to follow through on their manifesto commitment to take serious action on sentencing of those who assault our police, as part of their raft of measures to improve provision for those who serve our communities daily.

Bell Ribeiro-Addy (Streatham) (Lab)
The Government admit that there is a crisis in policing, the criminal justice system and courts, and the publication of such an interminably long Bill speaks to that. Members of the public may be left wondering, given that the Conservative party has been in office for well over 10 years now, who is responsible for the multiple crises. In that time, we have had innumerable pieces of legislation on these matters—on policing, criminal justice and courts—including statutory instruments. Logically, we can conclude that none of that legislation has dealt with the admitted problems, and may even have exacerbated them.

We should not expect the outcome of this Bill to be different, because it is designed not to address fundamental problems but to infringe on our civil liberties and prosecute culture wars, with more protection for a statue than for a woman and a longer sentence for damaging public property than for sexual assault. The Bill does not even attempt to address the crisis of plummeting conviction rates for some of the most serious crimes, including rape. Reported rapes are soaring; they almost reached 60,000 last year, but barely 2,000 resulted in prosecution. The Victims' Commissioner has spoken of the effective decriminalisation of rape in this country.

Ministers are fooling no one when their default response is to talk about tougher sentences and more police. Tougher sentences are useless if the perpetrators can reasonably expect never to be convicted. More police on the streets are a waste of time if they are instructed to prioritise guarding statues. The Bill seeks to make that style of policing commonplace, with the major focus on powers to prevent non-violent protests, such as Saturday's vigil in memory of Sarah Everard, whose family we continue to hold in our thoughts and prayers. It follows in rapid succession legislation that provides legal immunity for members of the armed forces and the police, even in cases of rape, torture and murder.

Historically, we have had policing by consent in this country. This Government seem to be intent on ending that, with more armed police and more random stop-and-search, despite the evidence of racist discrimination, ploughing on with the failed Prevent programme and the obvious demonisation and disproportionate impact on the Gypsy, Roma and Traveller communities, and now the suppression of peaceful gatherings and protests. This is draconian legislation. It will not make us safer. It should be opposed by everybody who believes in democracy.

Ruth Edwards (Rushcliffe) (Con)
In the last three years, there have been 1,329 assaults against emergency services workers in Nottinghamshire, and I will share some of their stories.

On 1 February last year, police were called to assist paramedics at a reported insulin overdose. As they reassured the patient, Lance Morgan, that there was no sign of an overdose, he became abusive, kicking out at officers and paramedics, shouting racist abuse. Emergency workers Paul Pointon and Michael Phipps were injured, as Lance Morgan punched Michael in the groin and Paul

in the abdomen. He was sentenced to 20 weeks in prison after pleading guilty to four counts of assaulting an emergency worker.

On 16 August, a female police officer was punched in the face and shoved in the chest after she stopped a driver who had been speeding, lost control and crashed into another car. The offender, Andrew Robbins, got 14 months in prison for assaulting an emergency services worker and a string of driving offences.

I have been speaking about violent assaults, but 64% of the 1,329 assaults were non-physical, such as spitting, coughing on, or threatening officers. The majority of those assaults were carried out by people who claimed to have coronavirus—covid assaults. In Nottinghamshire, Omar Osman spat in the mouth of the police officer arresting him, while claiming he was covid-positive. In custody that evening, he spat in the face of a detention officer, splashed water and urine at another, and hit the custody sergeant over the head while spitting in his face. As one officer said to me when I accompanied him on patrol, these things happen over and over, and people live with that constant, nagging fear: "Have I got covid? What if I pass it on to my family?".

The Bill will double the maximum sentence for assaults on all emergency service workers. This issue has too often been overlooked in debates of the past 24 hours, because Labour Members do not want their constituents to know that they are voting against it. So that we all know where we stand, tonight Conservative Members will vote for tougher sentences for child murderers; Labour Members will be voting against. We are voting to keep rapists in jail longer; Labour is voting against. We are voting for tougher penalties for those who desecrate the memory of the fallen; Labour is voting against. We are voting to keep our streets safer and to tackle violent crime; Labour is voting against. Labour Members are soft on crime, and soft on the causes of crime. They are failing to protect their constituents, and failing to back our police.

Geraint Davies (Swansea West) (Lab/Co-op) [V]
Our hearts are with the family and friends of Sarah Everard, and our thoughts with those who gathered in peace and solidarity to mourn her death, in a vigil that was so badly and aggressively handled, and into which we need an immediate inquiry. In its aftermath, this Bill is our opportunity to help women to reclaim the streets for good, turn back the tide of rapes, and replace fear with confidence. Instead, however, the Bill curtails our rights to peaceful protest and assembly. It gives harsher punishments for attacks on slave-owner monuments than for sexual violence against women. It persecutes our Roma and Gypsy communities, and it attacks our right to roam the countryside while giving rapists freedom to roam our streets; rape is up by 35%, and 99% of recorded rapes never go to court.

We need investment at scale in Nightingale courts, equipped with the latest DNA forensic testing technology, so that rapists can be charged, prosecuted and convicted in weeks, instead of victims living in fear for years, as this Bill allows. The Government should empower our citizens and communities, but instead they attack the rights of all of us to peaceful assembly and protest—trade unionists, EU remainers, climate change activists, anti-war protesters, and vote-at-16 enthusiasts. They are curtailing the freedom of expression that feeds a healthy, responsive democracy. That will drive protest underground, generating heat in place of light.

This Trojan horse Bill may display popular measures on dangerous driving, protecting protectors and Lammy reforms, and I am sure that in Committee, Labour will support those few crumbs of goodness beside the poison chalice that this Bill represents. This thoroughly rotten Bill needs to be rejected and recast in the next Queen's Speech. It fails to reclaim our streets from the grip of fear; and amid a pandemic, a recession, and the serial abuse of women on our streets, it constitutes an attack on our fundamental values, our democracy, our freedom, and the very laws that protect those things. We should reject the Bill.

James Wild (North West Norfolk) (Con)

The Bill delivers on our manifesto commitments to tackle crime. Let me start with protection for those on the frontline. The new police covenant will bring increased focus to the issues of physical protection, help and support for the families of officers. I know from my time in the Ministry of Defence the galvanising effect that the reporting duty in the Bill will have, just as the duty introduced for the armed forces covenant had.

There has been an unacceptable increase in assaults on emergency workers. In Norfolk alone, 659 police officers were assaulted last year. Doubling the sentence for such attacks will better reflect the risk that the police, firefighters, paramedics, prison workers and others face.

Protecting young people is an important part of the Bill. I support including faith leaders and sports coaches in the provisions relating to sexual activity and positions of trust. Extending the offence of arranging a child sex crime will close a gap in criminal law. I take this opportunity to acknowledge the role that Facebook played in providing information that was crucial to securing a 25-year sentence for a serial paedophile in my constituency. However, with the National Crime Agency and senior police officers warning that Facebook's plans for encryption risk serious child abuse offenders going undetected, I urge Facebook to rethink.

If we are to increase confidence in the justice system, it is important that sentencing reflects the severity of crimes, and I welcome minimum terms for repeat offences, including burglary, drug and knife crimes, unless exceptional circumstances apply. Very serious violent and sexual offenders should rightly serve longer sentences.

There has been much focus on the clauses relating to public order, and rightly so; the right to protest is an essential part of our democracy. I share concerns about the policing in Clapham, and I welcome the independent review. However, the powers in the Bill are not about that; nor are they about the temporary covid restrictions. They are there to deal with deliberate tactics that have led to disproportionate disruption. Some call the blocking of ambulances, closing of bridges and people gluing themselves to trains legitimate protest. My view is that those actions undermine the careful balance between the rights of protesters and the rights of people to go about their daily lives. I recognise that there are concerns, and those provisions will be considered further in Committee.

Finally, there is strong concern about dog theft in North West Norfolk, as elsewhere. Pets are part of our families, and the emotional hurt that the loss of a pet can cause is immense. I hope that during the passage of the Bill, the Government will bring forward measures to increase penalties for that crime.

Tonight, I will back these measures in the Bill, and others to support rehabilitation and more effective community sentences to tackle serious violence. Anyone who votes against this Bill is voting against measures to make our streets safer.

Jeff Smith (Manchester, Withington) (Lab) [V]
What a shame that the Government have chosen to turn a piece of legislation that we could have all got behind into a divisive attempt at a culture war. In this House, we all support the police covenant. We all want better protections for our emergency workers. We all want the right sentences for people who cause death by dangerous driving, and we all want to protect vulnerable young people from abuse by people in a position of trust. I am pleased those measures are in the Bill, and I am grateful to my hon. Friends the Members for Rhondda (Chris Bryant), for Halifax (Holly Lynch), for Barnsley East (Stephanie Peacock) and for Rotherham (Sarah Champion), and the hon. Member for Chatham and Aylesford (Tracey Crouch), for their campaigning on those issues.

There is more the Government could have done that we would have supported, such as introduce better protection for shop workers, as well as emergency workers. I refer to the Register of Members' Financial Interests, as I am a member of the Union of Shop, Distributive and Allied Workers. Its survey of shop workers last year showed that 60% were threatened by a customer,

and 9% were assaulted. We have been trying to tackle the intimidation of shop workers in Didsbury in my constituency, and it is time for real action to deter that kind of behaviour.

We could have seen real measures to tackle violence against women and girls. On sentences, we agree on whole life orders for the premeditated murder of a child, but why not whole life sentences for the abduction, assault and murder of a woman? Why not make street harassment a crime? We could even have seen measures to seriously tackle drug policy and sentencing. In my view, it is counterproductive to criminalise people for the possession of drugs for personal use. It runs the risk of ruining their future life chances, wastes the time of the police and courts, and does not reduce the harm that drugs cause to individuals or society. A serious debate on drug policy is long overdue.

Even without those measures that the Government could have introduced, we could have supported the Bill on the basis of the good things it proposes if it did not have measures that are disproportionate, divisive and dangerous—and that, most importantly, put our fundamental right to protest in jeopardy. The right to protest is one of the most important rights we have, because it helps us to stand up for all other rights. Even the right hon. Member for Maidenhead (Mrs May) said yesterday that

"freedom of speech is an important right…however annoying…that might sometimes be."—[Official Report, 15 March 2021; Vol. 691, c. 78.]

The Home Secretary would do well to listen to her predecessor.

This is a big Bill with very significant measures on complex issues, and it needs serious scrutiny. I hope the Government will extend time on it to the time that it needs, and will rethink the measures that we do not need, and that the police often do not want. I support the Labour party's reasoned amendment, and will vote against a Bill that puts our fundamental right to protest at risk. I ask the Government to rethink and withdraw those measures as the Bill progresses. As the shadow Home Secretary said yesterday, we should press pause on the Bill and bring the whole House together. This is too important an issue for us not to.

Nadia Whittome (Nottingham East) (Lab)
There is so much wrong with the Bill that three minutes could not possibly cover it. It marks a descent into authoritarianism.

We are debating the Bill today because the Home Secretary despises Extinction Rebellion and Black Lives Matter, having described them as hooligans, thugs and criminals. The Bill is designed to make it more difficult for working people to hold the powerful to account by expanding police powers to a level that should not be seen in any modern democracy. In fact, if this proposed legislation was being debating in another country, I am sure Members of this House would be condemning that country as an authoritarian regime. Make no mistake, this is the biggest assault on our rights and freedom to protest in recent history. It moves to criminalise Gypsy, Roma and Traveller communities.

I attended the Black Lives Matter demonstrations in Nottingham East, and the protests and vigils at Scotland Yard and Parliament on Sunday and yesterday. We took to the streets because people are angry. We are hurting. We are sick of male violence, whether it is at the hands of the state, our partners, our family members or strangers. We march because some people do not survive male violence: Sarah Everard, Bibaa Henry, Christina Abbotts, Naomi Hersi and many more. The public realm belongs to women too, and women should have the right to go wherever we choose without men harassing us, assaulting us and raping us. We have a right to walk home.

This Bill does nothing to protect women. In fact, the Bill protects statues of dead men—slave owners, even—more than living women. It hands unaccountable power to the police—the same

police who were forcing women to the ground at Clapham common on Saturday night. I will be voting against the Bill.

Matt Vickers (Stockton South) (Con)
I was elected to represent the people of Stockton South on a manifesto that pledged to get tough on crime, protect our emergency service workers and give real justice to the victims of some of the most heinous crimes. I am therefore delighted to support the Bill, which will do exactly that. It will ensure that we are on the side of the victims, not the criminals; it has tougher sentences for those who vandalise our memorials, those who prey on children, sex offenders, killer drivers and child murderers. The victims of those awful crimes are often left scarred by them for the rest of their life, and I am glad that the Bill will go some way to delivering real justice for them.

The Bill contains fundamental, wide-ranging improve-ments to our justice system, and it is impossible to cover its breadth in just three minutes, so I will focus on what it does for our emergency service workers across the country. The pandemic has been awful for us all, but many of our emergency service workers have borne the brunt of it. While we retreated to the safety of our homes, our emergency service workers rolled up their sleeves and got on with it, running towards danger when so many of us would run away. It is therefore unbelievable that during this most terrible year, assaults against our emergency service workers have increased substantially. Yes, our policemen and policewomen who do so much to protect us, and our doctors and nurses who help us when we need them most, have faced record numbers of assaults this year. In Cleveland, that has meant 662 assaults on emergency service workers; that is up more than 50% on the previous year.

Alex Cunningham (Stockton North) (Lab)
I am grateful to my next-door neighbour in Stockton for giving way. We have the third-most serious level of serious crime in Cleveland, yet the hon. Gentleman's Government refused us additional funding time and again. Why?

Matt Vickers
Today the hon. Gentleman has the chance to be on the side of the emergency workers, those brave men and women who put themselves out on the frontline to keep our communities safe. We are putting more police on the streets and giving them the powers and equipment that they need to do the job, and I am very happy that there are more than 150 more police officers on the streets of Cleveland, thanks to this Government.

I welcome the fact that the Bill will increase the maximum sentence imposed on those who assault our emergency service workers. It is much overdue and there must be no further delay in protecting our protectors, doing justice for those who put themselves in harm's way to uphold the law or who are there to help us when we need them most. I am hopeful that a tougher approach to sentencing will send a signal and go some way to ensuring that our emergency service workers get the respect that they so rightfully deserve. The Bill enshrines the police covenant into law, ensuring that our police officers—retired or serving—and their families get the additional support that they have rightly earned through their service to our communities.

We have put more police officers on the streets. We have provided more equipment and more funding, and now, whether it is by tackling unauthorised encampments or persistent violent offenders, we are giving the police the powers that they need to do the job. This legislation is long overdue and, tonight, I will be on the side of the victims and the emergency service workers across this country.

Clive Efford (Eltham) (Lab)
There is much in the Bill to be welcomed, but there is an attempt to mislead the public—to accuse Labour MPs of wanting to be soft on those guilty of assaulting or murdering children, emergency workers, police or anyone else convicted of such crimes. Tory MP after Tory MP has done exactly that while, all the time, ignoring the sinister measures in this Bill that hit at the foundations of our

democracy—the right to assemble and to protest. No matter how loud the faux anger and indignation of Tory MPs, Labour is right to oppose this Bill and stand up for people's democratic rights. Protest is awkward, inconvenient and noisy, but it does bring about change. The Bill will give the police powers to determine which protests are acceptable, which should be allowed and which should not. It opens the police up to political pressure and to erring on the side of caution for fear of retribution if trouble occurs.

We are witnessing a Tory-led coup without guns. There has been a consistent pattern to this Tory Government's abuse of power. To avoid dissent in this House, including dissent from their own side, they closed Parliament. We have seen Tories appointed to public bodies allocating millions in covid contracts to Tory friends for personal protective equipment, goods and services. The Secretary of State for Health and Social Care was found to be acting unlawfully for failing to divulge details of contracts. The National Audit Office concluded that applicants with political contacts were 10 times more likely to be successful in bids for these contracts. We have seen £22 billion wasted on track and trace. Our Home Secretary has paid hundreds of thousands of pounds out from public funds in damages because of her bullying. We had a Budget that blatantly favoured Tory seats, even indulging the Chancellor's seat.

This Bill is another example of the Tories' determination to avoid democratic scrutiny. Now, they want to close down public dissent. This hits at the heart of democracy in this country. If we do not stand up and defend people's right to show dissent, as MPs in this House, we are in dereliction of our duty. We must oppose this Bill.

Rob Roberts (Delyn) (Con)
I will do my best to contain my remarks to the actual content of the Bill. The Government were elected on a clear mandate to tackle serious crime, support our police and keep communities across the UK safe. The Bill is a clear commitment from the Government that they are following through on those promises, and I commend them for it.

Throughout the pandemic, our local police forces have continued to work through extremely difficult circumstances, often risking their safety to ensure the safety of others—of ourselves and our loved ones—just as they do in normal times, running towards danger as we run away. I personally thank the North Wales police force for its hard work in keeping all of us in Delyn and across north Wales safe.

There is a particular challenge for the police in Wales, as responsibility for health regulations is devolved while responsibility for policing is not. I am proud that, despite our local police force often being pulled in disparate directions by some of the interestingly questionable political decisions that are made in Wales, they have carried on with their duties by keeping communities safe and tackling crime.

Just as our police have protected us, it is now time that we help to protect them and their work. As my hon. Friend the Member for Bishop Auckland (Dehenna Davison) said in her contribution yesterday, it is important that we protect the protectors and give them the support they need through appropriate powers and sentencing. We will protect our police forces and frontline workers, who sacrifice so much to keep us safe, by increasing the maximum sentence for assaulting an emergency worker and enshrining the police covenant into law.

We will protect our communities by ensuring that the most dangerous criminals will be properly punished through the introduction of life sentences for killer drivers, the ending of the automatic early release of serious offenders, and the extension of whole-life orders for the worst—those guilty of killing children.

The Bill will make a real difference and help to keep us safe. It will protect our police and strengthen our justice system, thereby preventing further families from going through the pain of not getting the justice they deserve. I do not pretend that the Bill is perfect, and I sympathise with

some of the concerns expressed about the provisions on protest. Although I welcome the Bill for the good that it will bring to our society and our justice system, I am sure that those provisions will be carefully considered and scrutinised in Committee.

In closing, I remind all Members that on Second Reading we consider and vote on the general aims and principles of a Bill, so to throw the whole thing out at this stage would just be irresponsible. As the Bill works towards a safer and more just society, I will be deeply saddened if Opposition Members vote against its Second Reading, which they could do only to score a political point or, more worryingly, because they do not wish to see a society that protects its people and its police force.

Carla Lockhart (Upper Bann) (DUP) [V]
I commend all those who have been involved in bringing the Bill before the House. It has much merit, not least in relation to the penalty for those who cause death by dangerous driving. I know of families who have suffered such loss, and it is so tragic. Their pain and grief is compounded by the lenient sentencing of those who have taken away a loved one too soon.

I welcome the increase in penalties for the assault of an emergency worker. We ought never need to be reminded of the contribution that emergency workers make in our society, but if we did, the past 12 months have done just that. Our nurses, doctors, ambulance drivers, paramedics, firefighters, police and others have been very much on the frontline. The least we can do is to protect them when they are attacked by mindless individuals when they are doing their job. I concur with the remarks of the hon. Member for Shipley (Philip Davies) in yesterday's debate: similar protective provisions for retail workers and others would be very welcome.

There are many other welcome provisions in the Bill, such as the change to the provisions on early release, which can cause so much hurt to victims. The provisions on attacks on war memorials are welcome and badly needed in Northern Ireland where, sadly, such memorials have become a focus of attack for some time.

I also have concerns that I hope the Government can address. It will come as no surprise to the House to hear that, as someone who represents the party of the late, great Ian Paisley, I believe that the right to protest must be protected. That right was hard won, and in a democracy it must be protected. The hon. Member for Congleton (Fiona Bruce) rightly highlighted the potential pitfalls of clauses 54 to 56 and 59 and 60, which would make significant changes to police powers to respond to protest. This issue must be approached with careful consideration and caution. What is "serious disruption"? Who defines it? What is the definition of "serious annoyance"? We need these matters to be clarified.

Anthony Mangnall (Totnes) (Con)
It is a pleasure to speak in this debate. Of course, it is somewhat disappointing to hear the Opposition change their position from one of abstaining to one of voting against the Bill, but then again we have come to be unsurprised by their machinations and changes of heart throughout this Parliament.

There is a great deal to welcome in the Bill, from the ending of unauthorised encampments, to the changes to sentencing for minors, dangerous driving—I pay tribute to my right hon. Friend the Member for Maidenhead (Mrs May) for her work on that—the desecration of monuments, and serious violence and assaults against frontline workers, which so many Members have mentioned. The Government are updating the law to a position that ensures that sentencing fits the crime, and confidence can be restored in our justice system.

Those are worthy steps that make a difference and restore the faith that people have in our Parliament, our police and the way in which we conduct ourselves in this Parliament; yet tonight's vote has already been misconstrued to the public as anti-freedom, anti-protests and with little impact on women's rights, despite the fact that Parliament is this week debating the Domestic

Abuse Bill in the House of Lords, covering many of the issues that have been raised by the Opposition and that the Minister has already worked on so tirelessly.

The hon. Member for Eltham (Clive Efford) may well stand up and not even speak to the Bill, but there is no restriction on people being able to protest. There is no restriction on freedom of speech. Speech after speech has seen Opposition Members provide examples of positive elements to the Bill, and discuss what does work in it. To say that they will not vote for it is to throw the baby out with the bathwater, and to give the Bill no chance of success, no scrutiny, and, as my colleagues have said, no right to be improved in Committee.

I believe passionately in freedom of speech. It is the cornerstone of our democracy. It is sacrosanct. The right to protest and to speak is no more reduced by the Bill than by the existing laws on libel, sedition or public order. As was said yesterday, in the words of John Stuart Mill,

"we should all be free to do exactly as we like, provided that we are not impeding someone else's freedom to do exactly as they like."—[Official Report, 15 March 2021; Vol. 691, c. 99.]

The measures in the Bill are not some governmental power grab or conspiratorial coup, which is what we have heard from some, but an overdue recommendation of the Law Commission from 2015. As my hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill) pointed out yesterday, if this House worries about the content of the Bill, it can scrutinise it in Committee and improve it, and we will be able to return something that will do justice to its intent. I will vote for the Bill tonight.

Sarah Owen (Luton North) (Lab) [V]
Much of what has been said about the Bill goes to show just how divisive it is. Rather than seeking to make people feel safer, to work with communities, and to bring peace and cohesion to neighbourhoods, the Bill has been designed to divide us. We know that this mess of a Bill has some good things in it, such as strengthening the work done by my hon. Friend the Member for Halifax (Holly Lynch) on protecting the protectors, and I declare an interest as a former GMB officer, previously working with the brave ambulance worker Sarah Kelly to protect emergency workers such as her from assault.

The Bill also includes dangerously discriminatory measures for Traveller communities, and silencing our right to protest in support of causes that we hold dear. Labour was born out of the trade union movement—out of the working classes protesting for better pay and rights. We should never forget the power of protest, but with all the will in the world, and with all the opposition to it, the Bill will sadly pass. I did not come to Parliament to sit in opposition; I came to Parliament to put Labour values into action. A Labour Government would be making very different choices, but for now the Tories have free rein for their politics of division.

Just as disturbing as what is in the Bill is what is not included. Taking all politics out of it, fundamentally the Bill should be about making people safer. When 97% of women have been sexually harassed, and there are 233 rapes a day and 80,000 a year, with prosecution rates at an all-time low—about 1,000 this year—we have to ask who is made safer by the Bill. There is not one mention of women in it.

If the Government's answer to making the country safer is delivering tougher sentences for attacking a statue than for raping a person, they have entirely the wrong priorities. If the Home Secretary really wants to make people safer, she should fund refuges, clear the court backlog, support victims throughout the entire process, and rid our streets and institutions of the misogyny that is a breeding ground for violence against women and girls.

I welcome the amendments from the Labour Front Bench on street harassment and seeking to bring much-needed measures to include the safety of women and girls in the Bill. Any woman will say that sexual harassment is not just something that she worries about in the dark; it is something

that she risk-assesses in every part of her life, including at work. That is why I intend to table an amendment that criminalises sexual harassment in the workplace. What we have currently are workplaces across industries and sectors effectively policing themselves, and this is failing. It fails victims of sexual harassment every single day. If I were robbed on the street and the robber was caught, he would end up behind bars, but if I were robbed of my earnings, forced out of my job by a man who sexually harassed me, he would do that without fear of any time behind bars. That is not right. Other countries have made sexual harassment a criminal act and it is time for the UK to do the same. In the names of Sarah Everard, Shukri Abdi, Blessing Olusegun, Bibaa Henry, Nicole Smallman and all the thousands of women who have suffered at the hands of male violence: enough. We deserve better than this. We deserve to be safe.

Danny Kruger (Devizes) (Con)
I am delighted to speak in support of this Bill. I particularly welcome the balance it strikes on sentencing, with longer sentences for the most serious offenders but smarter justice, including more community punishments, for young offenders. Having worked for 10 years with prisoners and young offenders, I know that this is the right balance, and that the Bill will be welcomed by my constituents and across the country.

That is why I am so disappointed by the stance taken by the Labour party. It is understandable to object to aspects of the Bill, it is right for the Opposition to challenge the Government on civil liberties and police powers, and it is understandable to see whether this Bill can be amended to include more protections for women and girls, but for the Opposition to say that they will vote against the whole Bill at this early stage—to vote against the aims and principles of the Bill—is to try to make such amendments impossible. It is also blatantly opportunistic. They had no such in-principle objections last week; there was no sense that the clauses on protests or street safety, or the relative number of mentions of women and statues, were so bad that the whole Bill had to be rejected. Last week, the Opposition were just planning to abstain on Second Reading. That in itself was pretty craven and showed Labour's weak commitment to law and order, but now they have been blown off the fence and blown into voting against the whole Bill. They faced a test this week: would the party, under its new leader, stand for law and order, or would it stand for gestures? It faced that test and failed it, and the public will notice.

Of course it is right that we use this occasion to discuss the abuse and misogyny that women suffer every day in this country. Some of this abuse is already illegal, but all of it must be deprecated in the strongest terms, because all of it has its root in male disrespect of women. This is not a modern phenomenon. I am afraid to say that it is as old as time and it is written on almost every page of human history. But something else is written in our history too: the attempts by society to contain male violence and male disrespect.

Our culture historically taught men that they had a duty to honour and protect women. It is a difficult thing to say, because it may appear that I want to turn back the clock to a time when men chivalrously protected the weaker sex, but of course, as I have said, that is not how it always was in the old days, and even if it had been, we do not accept the idea that women need protection by men; they just need men to behave themselves. So let me say emphatically that I do not want to turn back the clock; however, we do need to face the fact that our modern culture has not delivered all the progress it was supposed to. I wonder whether that is because our modern culture has a problem with telling people how to behave—it has a problem with society having a moral framework at all.

It is right that we are having this debate, and I hope we get to a better place because of it, because the key thing is that all the laws in the world will not stop violence against women and will not stop sexism if our culture is not right. We need boys to grow up secure in themselves, with good role models and an innate sense of respect for other people. That means stronger families and more supportive communities.

Tonia Antoniazzi (Gower) (Lab) [V]

As we have heard through this debate, the right to demonstrate peacefully underpins democracy; people have an inalienable right to be heard. The explicit aim of this Bill seems to minimise that right. Clearly, the new definition of "nuisance" could apply to almost any protest around Parliament, where the whole purpose is to get the attention of politicians such as us. I, for one, have always felt that Steve Bray, the "Stop Brexit" man, served to remind us that we live in a thriving democracy. Protest gives the public a way to reach parliamentarians which should make us proud of the country we live in. Let us not hide away from the fact that this Bill is just a knee-jerk reaction to the Extinction Rebellion protests last year, and it appears to be a deliberate curb on free speech and the right to protest peacefully.

I enjoy a very good relationship with South Wales police, and I would like to pay tribute to the officers from the neighbourhood teams across Gower, the new chief constable and the Labour police and crime commissioner. One of my biggest concerns about the new proposal is that its measures pit the public against the police, creating a wedge at a time when we should be building up trust. We all know where the buck stops, from the disgusting images we saw on Clapham Common at the weekend: it is firmly with the Home Secretary and this Government. Until the Government disclose the minutes of the Home Secretary's meetings with the Met on Friday, we can only judge from her own social media, and it does not take a genius to work out where the blame lies.

I am sure we have all had distressing casework around the difficult issue of rape. The derisory conviction rate of 3% stems in part from the burden that is put on the police to pull together enough evidence to take to the Crown Prosecution Service. Cut after cut means that they do not have the time or the resources to do that successfully, and this has created a system that is failing women and that fails to recognise the significance to society of all aspects of violence against women. We all know that institutional misogyny exists in many organisations, but misogyny is a societal problem, and society is now at a crossroads.

Last week on the Armed Forces Bill Committee, we heard evidence about prosecuting crimes, including rape, through the military courts. Yesterday I asked the Home Secretary about the attitude of some of the armed forces towards victims of male violence and, frankly, it really is worth taking the time to read the transcript of the evidence session, because in 2021, for men with fancy titles to have such ignorant views is really distressing. I have a huge amount of respect and admiration for those who serve in the police force and the armed forces, but we must make sure that they are not part of the problem and instead part of the solution. As politicians, it is our responsibility to ensure that the full force of the law is always used to protect our citizens and keep them safe.

Nickie Aiken (Cities of London and Westminster) (Con)
There is much to welcome in this far-reaching Bill, with tougher sentences for violent crime, for child murderers and for sex offenders, with greater efforts to remove knives and weapons from our streets, and with the inclusion of Kay's law to provide greater protection for those who find the bravery to speak up against violence and sexual offences in their own homes. I could go on, but in the time I have, I will focus on an issue that greatly affects my constituency—namely, the right to protest outside this place, in the heart of my constituency.

The recent history of legislating on protests outside Parliament makes for interesting reading. Labour Members who question the Bill's impact on the freedom to engage in democratic protest may wish to cast their minds back to sections 132 to 138 of the Serious Organised Crime and Police Act 2005, in which a Labour Government prohibited protest within a kilometre of Parliament without prior agreement with the Metropolitan police. Fortunately, the Conservative Government repealed those restrictive sections in 2011.

If this weekend has taught us anything, it is that there is a huge difference between a peaceful vigil where people come together to express shared grief and outrage, and protests that take place day after day for weeks on end and that can occasionally bring unpleasant disruption to those living

and working locally. Central London has seen changes in the way that protests are organised and in their longevity. They are not always organised by specific groups. They are movements, often with different aims and objectives. Some come to protest peacefully, but others may have the aim of causing disruption and even destruction. I believe passionately in the right to protest; it is one of the values we hold so dear in this country. The clauses in the Bill do not restrict the right to lawful protest. What they do is bring static protests into line with the provisions that already exist.

I accept that some of the language in the Bill could benefit from tightening up, and I am sure that that will be done as the Bill progresses. Much has been highlighted about the democratic and human right to protest, and I agree, but let us not forget the human rights of my constituents who live with over 500 protests or marches a year. I see a huge spike in my mailbag when Westminster plays host to a major protest, with constituents highlighting that a few cause them distress and loss of amenity. They do not question the right to protest, but they do not accept becoming prisoners in their own home and the distress that they often feel as a result of a small minority of protesters. Criminality is what the Bill aims to prevent, and that is surely something that everyone in this place wants to achieve.

Ian Byrne (Liverpool, West Derby) (Lab) [V]
I will be voting against this Bill: it is a pernicious piece of legislation and it must be stopped in its tracks today.

Yesterday the right hon. Member for Maidenhead (Mrs May) mentioned “unintended consequences”. I respectfully disagree with the “unintended”. The Government have brought forward a Bill knowing that it will criminalise people who want to make their voices and opinions heard on the future of this nation. It is a huge Bill that this Government are determined to bust through the House of Commons at the same time as the unacceptable state tactics used at Clapham Common at the weekend and at the Black Lives Matter protests last year. Despite this, and despite a shameful history of callous injustices such as the events of Orgreave and Hillsborough, and the spy cops and blacklisting scandals, this Government have doubled down and brought in the Covert Human Intelligence Sources (Criminal Conduct) Act 2021 and now this Bill.

The Bill attacks civil liberties; threatens already limited rights to protest, march and demonstrate; risks worsening the racial and gender disparities in the criminal justice system; expands stop-and-search powers; and further criminalises Gypsy, Roma and Traveller communities. It extends powers to police protests so that those causing what it calls “serious annoyance” could be faced with the prospect of 10 years in prison. As a former trade union organiser for Unite, and someone who has marched and protested against injustices all my life, I am certain that had this legislation existed then, it would have risked criminalising every single person I marched alongside. It represents a real and serious danger to those speaking out about injustices going forward. Within this Bill are measures that excessively impact Gypsy, Roma and Traveller communities. The director of Liberty has said:

“If enacted, these proposals would expose already marginalised communities to profiling and disproportionate police powers …and…communities may face increased police enforcement through the criminalisation of trespass.”

This Bill must be voted down. As my hon. Friend the Member for Streatham (Bell Ribeiro-Addy) said, this is draconian legislation. I make a plea to all the parliamentarians who sit in this House and talk about civil liberties to step up to the plate, reject the politics of division, and reject a Bill that shames this House and everything it is supposed to stand for.

Sally-Ann Hart (Hastings and Rye) (Con) [V]
Despite events in London over the weekend, I would like to thank our police forces throughout the country for all their hard work in carrying out their duties, in a somewhat tricky balancing act at times, throughout the pandemic. Mistakes have clearly been made by some, but this cannot detract from the good work done by most forces throughout the country.

Sussex police, led by Chief Constable Jo Shiner and police and crime commissioner Katy Bourne, have consistently exercised a calm and consent-based approach throughout the pandemic, engaging with the public, explaining Government advice to help prevent the spread of coronavirus in our communities, encouraging compliance, and using enforcement only as a last resort where people refuse to comply. We must not forget that the police are the public and the public are the police. We all have a duty in community safety and welfare.

Much has been said over the past few days about the right to protest: a new crackdown on protest, curbing civil liberties, and putting rights fundamental to our democracy at risk. This Bill does not do that. It is indeed our fundamental right to protest: to gather and to have a voice. No one is stopping that. But for some protestors, peaceful protest is just not enough. Last year in London, for example, we saw extreme disruptive tactics in the Extinction Rebellion march that reportedly cost the Metropolitan police £16 million. That is not police money; it is taxpayers' money that would be better spent on, say, nature-based solutions to climate change. This fundamental right does not come with a right to act in a criminal way—to be violent or disruptive. There is no freedom without justice.

The actions of perpetrators in committing criminal damage and Public Order Acts offences and assaulting members of the public or police officers executing their duty are unlawful and unacceptable. There is no reason for peaceful demonstrations to turn disruptive or violent. Unfortunately, even good causes often attract a malign element hellbent on using such a cause as a platform to showcase their own agendas, undermining the aims and message of the protest or demonstration that they have attached themselves to on that particular day.

We have all witnessed the extreme disruption that some protests have caused, stopping people getting on with their daily lives, hampering the free press and blocking access to roads, bridges and businesses, including Parliament, and even hospitals. We cannot confuse current coronavirus regulations with a new Bill that introduces sensible measures to deal with disruptive behaviours while maintaining a right to peaceful protest. Those who make peaceful revolution impossible will make violent revolution inevitable. I welcome and support the Bill, because as a Conservative, I stand for justice and for law and order.

Lilian Greenwood (Nottingham South) (Lab) [V]
I would like to begin by echoing the comments of my hon. and right hon. Friends yesterday and today who have registered our concerns about the Bill, our disbelief that this Government are seeking to treat attacks on statues as more important than attacks on women, our opposition to disproportionate restrictions on the right to protest and the missed opportunity to protect women and girls from violence and the hatred that underpins it. Nottinghamshire police and our police and crime commissioner, Paddy Tipping, have shown the way by treating misogyny as a hate crime, and the Government need to follow.

I remind the House that the Crown court backlog is failing victims and witnesses. I welcome today's announcement of a Nightingale court for Nottingham. It has taken too long, but I am glad that the Government have finally responded. There are some welcome measures in the Bill that reflect the hard work of many colleagues who have campaigned for change, but I would like to raise two specific issues.

First, clause 164 paves the way for deaf people to sit as jurors in England and Wales. Previously, language service professionals have not been allowed to enter the deliberation room, so anyone requiring in-person communication support has been barred from jury service. However, I ask the Minister to consider whether it is drafted too narrowly. The clause allows for a British Sign Language interpreter to support a deaf juror, but of the 900,000 UK residents with profound or severe hearing loss, only around 100,000 use BSL as their first language. As chair of the all-party parliamentary group on deafness, I know that a large number of deaf people can only participate when they are supported by a speech-to-text reporter, so will the Minister clarify how this affects

them? Will a speech-to-text reporter also be provided in the deliberation room? Will the Minister consider amending the clause to use a catch-all term, to give the Courts Service more flexibility to meet the needs of all deaf jurors?

Secondly, I would like to raise concerns about the effectiveness of measures in the Bill to tackle dangerous driving. The increase in the maximum penalty is welcome, but we must review the definition of dangerous and careless driving and formalise the role of driving bans as a sentencing option for those whose actions have clearly caused danger but who are not dangerous drivers who need to be imprisoned. I would also like to see stronger penalties for hit-and-run offences or where death or serious injury is caused by opening a car door unsafely. Cyclists deserve better protection. Finally, the Government need to close the loophole that allows convicted drivers to evade driving bans by claiming exceptional hardship. I hope the Minister will consider amendments on those matters.

James Murray (Ealing North) (Lab/Co-op) [V]
The need to protect women and girls from violence and the importance of protecting our fundamental right to protest are both long-standing issues that have been brought into sharp focus by what has happened in recent days. We should be using the Bill before us to put in place long overdue protections for women against violence, including domestic homicides, rape and street harassment. We should be doing something about the fact that fewer people are prosecuted and convicted for rape now than at any time since records began, at a time when the number of reported rapes is increasing. We should be tackling the misogynistic attitudes that underpin the abuse women face. Those at the vigil for Sarah Everard in Clapham on Saturday, like my constituents who got in touch with me last year about what happened to Nicole Smallman and Bibaa Henry in Wembley, want us to change as a society. Like so many others who have spoken out for such a long time, they want us as MPs, and as men in particular, to listen and to act. But rather than use the Bill as an opportunity to act in support of women demanding to be able to walk the streets without fear, it is instead being used to attack our fundamental rights as citizens by limiting the right to protest. Those assembled on Saturday were part of a vigil, yet they have drawn attention to the Government's plans to restrict our right to protest with this Bill.

Protest is the foundation of our democracy. Like many Members of Parliament, I have protested outside of this place for far longer than I have been within it. The right to protest must be protected for us all, and I will use my position in here to do all that I can to defend it. The attempt to restrict our right to protest is not a sign of a Government who are confident with the country that they seek to represent. The right to protest is a long and deeply held part of British democracy. The Bill's attempt to allow the police to restrict protest because of

"the noise generated by persons taking part"

would make a mockery of our rights.

It is shameful that, rather than attack the injustices that people are protesting about, this Government seek to attack the very right to protest itself. There are measures in the Bill that I and other Labour Members welcome, but the way it targets Gypsies, Travellers and Roma, fails to address violence against women and girls, and seeks to attack our right to protest mean that it is something that we must oppose. As MPs we can use our votes today to voice our opposition to this Bill. It would be inexcusable to use those votes to silence the voices of protest outside.

Sir David Amess (Southend West) (Con)
The Second Reading of a Bill is, for me, about the principle of the legislation. As a candidate at the last general election, I stood on the Government's manifesto to make this country safer by taking more effective action against crime. Colleagues have the opportunity both in Committee and on Report to amend the Bill if they so wish. I say to my hon. Friend the Minister that I was slightly disappointed that the issue of "released under investigation" was not included in this particular Bill,

but I am very glad that the Home Office has announced today that we will be looking again at the role of police and crime commissioners.

Local residents in my constituency have been shocked about a murder in Old Leigh and violent activities in Chalkwell Park. I raised the issue of knife crime in the Chamber earlier this month and was told by the Prime Minister that we have more than 6,000

"of our target extra 20,000 police already recruited."—[Official Report, 3 March 2021; Vol. 690, c. 247.]

I hope that Essex police recruit enough police officers to stop any more violent crime.

This debate is taking place against a background of an horrendous murder. It appears that the management of the Metropolitan police needs to give a far better and fuller explanation of how it handled recent events. There should also be an external independent investigation, or a public inquiry, into the Metropolitan police's handling of Operation Midland. My former colleague and parliamentary neighbour, Harvey Proctor, and my former colleague, the late Home Secretary, Leon Brittan, among others, have been denied justice for far too long. The Metropolitan police must not act as judge and jury on its own failings. There should be a full-scale debate in Parliament on Operation Midland and on who should be held to account.

My office looks over Parliament Square. I have long complained about the endless demonstrations that take place on this very busy roundabout. It is absolutely ridiculous. It is very difficult to work because of the noise—the drums, horns and loudspeakers. Policing these so-called events costs a huge amount of money and, with Parliament being the seat of democracy, our work should not be disrupted.

Finally, I am delighted that the campaign of my right hon. Friend the Member for Rayleigh and Wickford (Mr Francois), which he started in 2018 to make deliberate acts of trespass a criminal rather than a civil offence, has been successful. After a large number of Travellers set up encampments on Snakes Lane in Eastwood, many of my constituents complained about an increase in vandalism, crime and antisocial behaviour. I fully support the Home Secretary in her decision to amend the existing powers to remove trespassers, and I wish this Bill well.

Mick Whitley (Birkenhead) (Lab) [V]
I draw the attention of the House to my entry in the Register of Members' Financial Interests.

It is a matter of deep regret that, after the deeply tragic events of the last week, the Government have decided to move forward with this Bill, which does far too little to protect women and goes too far in restricting the right to peaceful protest. I am immensely grateful to all my hon. Friends who have spoken so movingly in opposition to this Bill over the last two days.

As a lifelong trade unionist and a veteran of countless picket lines and demonstrations, I want to speak specifically to the implications of this Bill for our right to peacefully protest. This is a matter of huge significance to my constituents. In the last few days alone, I have been inundated with messages urging me to speak up against this Bill from teenage climate strikers, anti-racist campaigners and health workers opposed to the privatisation of the national health service.

We must not forget that without protest, agitation and industrial action, the freedoms we most cherish today would never have been won. People protest remains a vital democratic freedom and the very lifeblood of any healthy democracy. Now the Government plan to impose unprecedented new restrictions on the ability of citizens to make their voices heard, and I urge all Members to vote against them. The additional restrictions that this Bill looks likely to impose on the right to public assembly are far too broad. They will do little to improve public safety, but much to deter people from exercising their democratic right to the streets. The introduction of an exclusion zone around

Parliament means that the voices of protestors simply will not reach those who need to hear them most—us.

We should also all be concerned by the potential impact of this Bill on Gypsy, Roma and Traveller communities. These are some of the most marginalised and discriminated against people in our country, and they are all too often the victims of social exclusion, racial profiling and police brutality. Instead of using this Bill as an opportunity to honour their commitments to rooting out racial prejudice in all its forms, the Government have instead launched an attack on the very way of life of many Roma and Travellers by criminalising trespass. The Home Office says that this Bill is about making communities safer, but this Bill will in fact leave GRT communities far less safe, more at risk of criminal prosecution and even of having their homes and property confiscated. Will the Home Secretary now listen to the voices of police officers, who overwhelmingly oppose these hard-line measures, and favour adequate site provision as a means of dealing with unauthorised encampments? I will be voting against the Bill.

Jerome Mayhew (Broadland) (Con)
This Bill works to ensure that the criminal justice system continues to reflect the views of society, delivering on our manifesto commitments, and I welcome it.

I welcome the requirement for serious offenders sentenced to four years and more to serve two thirds of their sentences before release on licence, rather than just 50%. Automatically releasing serious criminals on licence well before their sentence is due to expire brings the criminal justice system into disrepute with ordinary people and, more importantly, with the reasonable expectations of the victims of crime. While I recognise that early release and sentence are an important management tool for the prison population, the message needs to be clear that their sentence is what they serve.

Labour is wrong to argue that police powers to search a person who has already been convicted of knife crime without additional suspicion is somehow an unjustifiable attack on their freedoms. My view is that if they do not want to be considered a risk of carrying a knife, then they should not be convicted of carrying one in the first place. These court orders will help ordinary, law-abiding people to be protected. This is where our focus should be, and it is.

Labour is also against powers to help the police to manage the new wave of protest direct action, where the aim is not so much to protest as to cause chaos and inconvenience to as many people as possible. We all have a right to protest and to make sure that our voices are heard, but it is a right to protest, not to prevent. Why should one section of the public have an unfettered right to impose massive disruption on the rest of society? What about their right to get on with life? Where competing rights clash, the law must maintain a balance. Modern protest movements, such as XR, game the system, and disruption, not peaceful protest, is their objective. The law needs to adjust to maintain the balance of competing rights, and I think this Bill helps to achieve that.

Is this new power open to abuse? Yes it is, like every power that the police have, but there is no difference between this power and every other power that we loan to the police. It is open to challenge and review through the press and the courts. As a democracy, we are well used to holding those in power to account. Every single member of the public has the power to become a citizen journalist immediately through their phone. As a result, the police are subject to review and oversight like never before.

This Bill has ordinary people at its heart, sticking up for their priorities. It delivers on manifesto promises. As such, it is democracy in action, and I will be supporting it.

Joanna Cherry (Edinburgh South West) (SNP) [V]
During the pandemic, our civil liberties have been curtailed in a way that was previously unimaginable. Most of us have accepted that in order to protect life and public health, but along the way injustices have occurred.

Black Lives Matter protesters in London were kettled and photographed and asked to provide their names as a condition of their liberty, with no legal basis, yet police allowed football fans to party on the streets of Glasgow and even gave them a police escort to their destination of choice. Then, last weekend, police officers manhandled and detained women protesting the alleged abduction and murder of a woman, with which a police officer is charged. It is hard to imagine a more egregious misuse of police powers.

All this has occurred because the law on protest in a pandemic is not clear, but the provisions in this Bill to curtail the right to protest beyond the pandemic are even worse. The Bill affords significantly expanded powers to the police to stop protests that would cause "serious unease" and creates criminal penalties for people causing "serious annoyance". But causing annoyance is part of our freedom of speech. If a protest can be prevented for being annoying, any protest can be prevented.

All movements for change involve an element of peaceful protest. Think of the suffragettes. I am sure many of us did when we saw the photographs from Clapham common on Saturday night. If women cannot speak up to protest their rights, what is our society coming to? Yes, the Extinction Rebellion protests may have been very annoying to those of us going about our business on London's streets and public transport, but those protesters were protesting the biggest problem of our age—climate change—and I think that gives them the right to be a bit annoying.

We have now seen what can happen when the law governing our right to protest is unclear. The same problems will occur if the margin of discretion granted to the police and the Home Secretary is left as wide as it currently is in this Bill. Although these legal changes will have force only in England and Wales, they will impact people living in Scotland. There is a long tradition of Scots travelling to London to protest. We saw that most recently with the huge demonstrations against Brexit, and past examples include the fight against section 28 and the fight of the anti-war movement.

Parliamentarians, whether of left or right, should never be in the business of giving Governments and police forces powers to stifle dissent, particularly where there is a risk that those powers will be used against those whose beliefs make the Government and the establishment of the day uncomfortable. I would say the same if I were worried that the Scottish Government were in danger of curtailing freedom of expression—and indeed I have, which is part of the reason I am making this speech from the Back Benches.

Jo Gideon (Stoke-on-Trent Central) (Con) [V]
This is a thorough, ambitious and necessary Bill. Ministers know that the public expect those in positions of authority to be subject to scrutiny and actively prevented from abusing their power. Those who seek power in order to do bad things must not be tolerated. That is true of those in sports and religious settings, as it is of those in education, medical, care and justice settings. I welcome the extension of position of trust measures to protect more young people.

Staffordshire police and our local emergency services have shown the dedication to duty that the public expect and have done us proud in Stoke-on-Trent during the pandemic. The Home Secretary knows how important it is to support emergency workers, including police officers, who dedicate their working lives to keeping us safe. She knows they must be protected by the force of law, within the rule of law.

I therefore welcome the provisions for longer maximum sentences for those who assault emergency workers. Too often we read comments from judges that they would have imposed more substantial punishment if they had been able to do so. It is right that we in this House enable justice to be done, and that includes against those who desecrate war memorials.

It is also right that we seek to prevent crime from being committed in the first place and that, where it has been committed, we rehabilitate those who commit it, as well as punishing them. Effective community safety partnerships are key to reducing serious violent crime, and I am glad the Bill provides for their remit to do so.

Too often we see the twisted morality of gangs and extremist allegiances leading to violence. It is right that those who commit such crimes should not be able to walk free from prison after just half their sentence and that Ministers should be able to refer to the Parole Board the expected automatic release of individuals who pose a serious threat, including those who pose a terrorist threat.

In Stoke-on-Trent, sadly, we know that the danger posed by a small number of individual extremists is very real indeed. We also know that almost everyone else is law-abiding, or redeemable if they are ex- offenders. Therefore, just as I welcome tougher sentences, meaningful cautions and stricter parole for those from whom we need protection, I also welcome the provisions for the rehabilitation of ex-offenders who have corrected their behaviour.

I judge this Bill on how it delivers for Stoke-on-Trent. It provides for tackling the threat of radicalisation and for tackling serious violence, public nuisance and the rehabilitation of ex-offenders. I am proud to vote for this wide-ranging Bill, which delivers on our manifesto commitment.

Kerry McCarthy (Bristol East) (Lab) [V]
I want to start by remembering Sarah Everard and all women who have died at the hands of violent men. Like all women, I have known what it is like to be scared when you are wondering whether you will make it home—taking the long way round to avoid dark places, moving carriages on the train to avoid men, and hearing footsteps behind you and then being hugely relieved when they pass by. I have also known what it is like to be subjected to abuse and assaults and to not bother reporting them, because those things are so much part of the everyday experience of being a woman. I also know what it is like not to be taken seriously when you do report them.

This Bill does not take violence against women and girls seriously either. I simply cannot imagine any scenario where an attack on a statue could be more serious than a rape, no matter how important the man it commemorates —and let's face it: it will be a man. Yet that is exactly what this Bill suggests, with a 10-year maximum sentence for harming statues and a five-year minimum sentence for rape. Rape and sexual violence prosecutions are at their lowest ever level in England and Wales, and domestic abuse prosecutions are down 19%, yet the Government are worried about statues.

In Bristol, of course, we know all about statues. When Colston fell, I called out the Home Secretary for her completely unwarranted attack on Avon and Somerset police over their policing of the protests. Now, the independent report that the Home Secretary herself commissioned has praised the decisions that the police made at the time and said that her criticisms of them were misguided. Last summer, we showed how protests could and should be policed. The city and our Mayor responded with dignity and maturity in the aftermath, setting up the We Are Bristol history commission and starting a city-wide conversation. We used that moment to bring the city together.

The Government are now doing the exact opposite. The Communities Secretary wrote an op-ed for The Telegraph, saying:

"We will save Britain's statues from the woke militants who want to censor our past".

We know what that is about: stoking social and cultural anxieties to win votes, seeking out not what we have in common but what divides us, and fanning the flames. Now, whether it is Black Lives Matter, Reclaim the Streets, the school climate strikes or just someone who wants to pay tribute to a murdered woman by lighting a candle and holding a vigil, people are all collateral

damage in the Government's trumped-up war on woke. That is why I will be voting against the Bill tonight.

It is not just what is in the Bill; it is also what is missing. Labour's proposals to increase minimum sentences for rapists and stalkers, to make misogyny a hate crime and to create a new street harassment law are not in the Bill. Nor is our proposal that someone convicted of the abduction, sexual assault and murder of a stranger should be eligible for a whole-life order. The Bill could have sent out a strong signal that the Government do take women's safety seriously. It could have been so much better. I urge the Government to stop playing politics and to start protecting women.

Stephen Farry (North Down) (Alliance) [V]
This legislation marks an undermining of human rights and civil liberties. It represents a slide toward authoritarianism. We have seen other legislative restrictions on human rights in the Overseas Operations (Service Personnel and Veterans) Bill and the Covert Human Intelligence Sources (Criminal Conduct) Act 2021. A fresh look at the Human Rights Act and the right to judicial review are looming. It must be seen in the wider context of manufacturing wedge issues and creating arbitrary divisions within society as part of the politics of distraction from genuine social, economic and environmental challenges. We should focus instead on reinforcing the norms and foundations of liberal society, including democracy, human rights and shared public space.

The Bill is so flawed that it should be rejected outright on Second Reading. Events of the past weekend relating to the vigil for Sarah Everard only reinforce that view. This is a major test for all MPs, and I am pleased that many colleagues across a range of parties understand that, but there is a major challenge tonight facing the so-called and self-styled Conservative libertarians. Liberal principles, human rights and civil liberties are not some form of pick and mix, to be selected only when they suit a particular political agenda. Any necessary element of the Bill, including those applying to Northern Ireland, can readily be presented again by the Government via a different piece of legislation.

Of many dangerous aspects of the Bill, the most dangerous is the attack on the right to protest—a cornerstone of democracy and a critical mechanism for holding power to account. It reminds me of the ill-advised and ill-fated proposed Public Assemblies, Parades and Protests Bill in Northern Ireland. which went out to public consultation in 2010. Thankfully, better sense prevailed and it was dropped. Protests have become seminal moments in the UK's history, with the protests against the Iraq war and against Brexit standing out in recent memory. Protests have been a source of empowerment for the politically marginalised and a powerful tool for securing rights for minorities. Recently, protests have been central to challenging institutional racism and misogyny. It is why protests work, and the Government know that.

Protests invariably involve a degree of nuisance and inconvenience—it goes with the territory. Nuisance and excessive noise are not the same as illegality; they are not the same as violence. These are not even powers the police themselves are seeking; rather, they will put the police in a much more challenging and invidious position.

It is staggering that less than a month after the Pontins blacklist brought to light just some of the discrimination faced by Gypsy, Roma and Traveller people, the Government's response is to propose legislation to further erode the rights of those communities.

Jacob Young (Redcar) (Con)
My constituents have waited a long time for the justice system to feel like it is putting victims before criminals, and this Bill will deliver that, with tougher sentences for assaulting emergency workers, stricter conditions on bail in high-harm cases, including domestic abuse, increased jail time for sex offenders and child abusers, and extra funding for violence reduction, including knife crime. This Government are making our communities safer.

In 2020, someone was more likely to be a victim of violent crime in the Cleveland force area than anywhere else in the country, yet we missed out on violence reduction funding because of the criteria being based on the number of hospital admissions. When Ministers revisit the fund, I urge them to review the criteria so that Cleveland can benefit from the additional funding and bring a special violence unit to Teesside—something championed by Theresa Cave and the Chris Cave Foundation.

Outside violent crime, when it comes to tackling petty crime and antisocial behaviour, the role of neighbourhood policing—better known as common-sense policing—must not be underestimated. For that reason, I congratulate the Government on their recruitment of 146 extra police officers for Cleveland, which will help to keep people safe in our town centres and elsewhere.

Antisocial behaviour is not limited to town centres, and residents in TS6 have been experiencing it for far too long. TS6 is a regular meeting place for illegal off-road bikers, who cause great nuisance to local residents and put themselves and other people in danger by riding their off-road bikes around the streets and on Eston Hills. I know from those who live in the area that this causes great concern, so I welcome the new resources in the Bill that will help to fix that dreadful situation for them.

The Bill also introduces new measures to crack down on repeat offenders. In Redcar and Cleveland, we have had a recurring problem of low-value thefts from cars and garages, due largely to the system's inability to enforce proper sentences for repeat offenders. The Bill will help to change that, but new resources and measures can only go so far. What we need in Redcar and Cleveland is leadership and a police and crime commissioner my constituents can be proud of. We have had six chief constables in eight years, and a damning verdict from Her Majesty's Revenue and Customs in 2019, which described Cleveland police as the "worst force" in the country.

Our officers are not at fault. They are being failed by the force's leadership and by Labour's police and crime commissioner. I have full confidence in Chief Constable Richard Lewis to turn the fate of our force around, but we need an effective police and crime commissioner to hold the force's leadership to account. I urge people across Teesside to vote for better policing, and to vote Conservative and for Steve Turner on 6 May.

Rebecca Long Bailey (Salford and Eccles) (Lab) [V]
Many of the rights we enjoy today were won not because of politicians with great ideas, but because people came together and demanded that their voices be heard. The Peterloo massacre caused politicians to pass the Great Reform Act 1832, the suffragist movement forced politicians to grant women the right to vote, and the striking Ford machinists and campaign for women's equal rights inspired the Equal Pay Act 1970.

Our right to be heard is about to be eroded by one of the most pernicious pieces of legislation I have ever seen. Provisions in the Bill enable restrictions to be placed on freedom of assembly and association, which arguably contravenes article 11 of the Human Rights Act. Alarmingly, the Home Secretary will have the power to define what constitutes a "serious disruption" with regard to protests, allowing the Government to effectively determine what protests can and cannot take place. More insidious is the principle whereby protestors who

"intentionally or recklessly cause a public nuisance",

by causing what is termed "a serious annoyance" can be subject to jail sentences of up to 10 years. A "serious annoyance" is purposely not defined, which should send chills down the spine of anyone who believes in democracy.

The Bill also fails to address the bias and discrimination that persists within our justice system. Indeed, the newly created serious violence reduction orders, which would allow the power to stop and search a person at any time, in any place, and even when completely free of suspicion, is at risk

of being applied disproportionately to black and minority ethnic communities. The proposals to criminalise “unauthorised encampments” and establish trespass as a criminal offence, effectively criminalise the way of life for Gypsy, Roma and Traveller communities. The Bill does not include any specific measures to prevent male violence against women, and it does nothing to address decades of underfunding for the sector tackling violence against women and girls.

What of the right to speak out against such injustices when the Bill is enacted? The Bill fundamentally erodes those rights, and consigns them to the history books, only to be told to our children, like a fairy tale of freedoms gone by.

“When people are free to choose, they choose freedom.”

Those are not my words; they are the words of Margaret Thatcher. The reality of her tenure was very different, but frighteningly, her successors are now writing an even darker dystopian tale of their own, and it seems our freedoms play no part in that at all.

Dr Kieran Mullan (Crewe and Nantwich) (Con) [V]
I welcome measures in the Bill that will help to ensure that our justice system better reflects what the silent, law-abiding majority rightly expect of it. There has never been public support for letting people out halfway through their sentences. Most of the public would always have wanted child murderers to spend the rest of their lives in prison, and the majority would feel that justice was done if people who murder, rape and sexually abuse others spent much longer in prison than they currently do. We are addressing those issues.

The Conservative party is making changes to ensure a justice system that does a better job of delivering justice. The tragic loss of Sarah Everard, and the women victims who have spoken out, remind us how important that is. Although the measures in the Bill are much welcomed, and the Government can be proud of bringing them forward, I hope that over time we do more. I still do not understand how someone can rape a child and not, as a default, expect to spend the rest of their life in prison. I do not understand how someone could murder someone, robbing decades from them and their families, and come out of jail fewer than 20 years later. Even the term “life sentence” is an insult to victims and their families. It is as if the threat of someone being recalled to prison if they commit another offence is in any way akin to being locked up.

There remains, I am afraid, an intellectual snobbery around law and order in too many parts of the judicial establishment, which has decided for a long time now that people who think that justice is served by criminals being locked up for longer are unsophisticated, do not understand crime or reoffending, and are acting on some kind of unworthy baser instincts. We have, importantly, made a start today and I am very glad to support these measures.

Of course, nothing I have said stops our justice system doing much more to rehabilitate offenders who commit less serious offences, diverting people away from a life of crime. Not only is that the right thing to do, but it will free up prison spaces so that we can go further in locking up hardened criminals who should be locked up. I know the Justice Secretary is passionate about delivering a range of measures within and accompanying the Bill to do just that, and I welcome those equally.

As for the Opposition, I humbly suggest that yesterday really was a new low for the right hon. and learned Member for Holborn and St Pancras (Keir Starmer). We all recognise that any change in the laws around protest should be carefully scrutinised, as opposed to the confected outrage we have heard today, and of course the Committee stage will provide for that. For a former Director of Public Prosecutions to use a few bullet points on social media to contrast the maximum sentence for one offence with the starting point for another offence is beneath the standards of both the right hon. and learned Gentleman’s current and former office, and, I suspect, is something that will, on reflection, be regretted. Ten years has long been the maximum penalty for criminal damage. Forgive me, but I must have missed the right hon. and learned Gentleman’s previous campaign for sentencing starting points to be calibrated around that.

This is a serious Bill dealing with serious issues and it deserves proper scrutiny. We should expect more from the Leader of the Opposition.

Beth Winter (Cynon Valley) (Lab) [V]
The Secretary of State no doubt thought that she could rush this Bill through Parliament, grouping mundane and relatively positive changes with sweeping attacks on our civil liberties, and thought no one would notice. Last night, thousands protested against the Bill and against the use of excessive force by the police, and many more attended vigils over the weekend in memory of Sarah Everard, Wenjing Lin and all women affected by and lost to violence. I am greatly saddened and angry that the vigil in Clapham descended into violence due to heavy-handed policing. That contrasts with how demonstrations are managed in Wales, where policing has been, in the words of First Minister Mark Drakeford, sensitive and proportionate. I also share his concerns about the Bill.

Democracy is so much more than just ticking a box once every five years. It is a continuous process which involves protests, rallies, picket lines and outpourings of grief, as we all saw and experienced this weekend. It means being able to uphold our hard-fought fundamental democratic rights. The Bill introduces worrying new restrictions on the ability to protest, allowing the police to make highly subjective judgements on what may result in the "intimidation or harassment" of bystanders or cause them "annoyance" or

"serious unease, alarm or distress."

It also allows the Secretary of State to curtail protests through secondary legislation if she judges them to be disruptive—an incredibly concerning development.

By limiting the type of protests that can take place outside Parliament, this Parliament risks becoming even more detached, even more of a bubble than it already is, divorced from the very real concerns of the people we are elected to represent. Since becoming an MP, I have joined protests outside Parliament alongside people from my constituency in Cynon Valley, to save jobs in Wales and demonstrate about climate change.

I would also like to speak out against this Bill for criminalising the way of life for many in the Gypsy, Roma and Traveller community, who already experience some of the starkest inequalities of any ethnic group in the United Kingdom. Having worked with people in this community, I can bear witness to the inequalities and hardships they suffer daily. In addition, the legislation introduces new measures likely to further criminalise young black men, who are already disproportionately targeted by stop and search.

The Bill takes completely the wrong approach to policing and justice. We need proactive and preventative solutions that address the underlying causes and inequalities that exist in our society. Investment is needed in measures such as early intervention and rehabilitation, and community-based solutions, not reactive measures such as those contained in the Bill that punish and criminalise often the most vulnerable and our most marginalised in society.

The crisis in our police and justice system has been created by a decade of cuts and failed Tory ideology. The Bill fails to address that at the same time as it curtails our civil liberties. That is why I could never have voted for this Bill and I urge everyone to stand with me in opposing it. Diolch yn fawr.

Richard Graham (Gloucester) (Con)
Thank you for calling me to speak in this debate, Madam Deputy Speaker. Anyone listening outside might imagine that Members were talking in different debates. On the one hand, we hear Opposition Members echoing Unite the union's calling this Bill "dangerous, totalitarian legislation", and on the other, we have colleagues such as my right hon. Friend the Member for Bromsgrove

(Sajid Javid) and my hon. Friends the Members for Chatham and Aylesford (Tracey Crouch) and for Rushcliffe (Ruth Edwards) praising the Bill's extra protections for children from sex offenders, and for emergency workers from attacks in our hospitals, ambulances and police stations. What is going on?

The confusion comes, I believe, from a conflation after the ghastly death of Sarah Everard between the policing of the peaceful vigil on Clapham common under emergency pandemic laws to maintain social distancing, and measures in the Bill to legislate on public order, which are in part 3 of this vast Bill. The point is that they are separate issues. Let us not forget the core aim of the Bill, which is laid out on page 1. It is not domestic abuse, which is covered in a separate Bill that is also live at the moment, but safety and protection, as the introduction makes clear.

It is over three years since I raised, after meeting constituents' parents, the issue of the grooming of young people by a driving instructor and a sports coach. Any Member who has read the National Society for the Prevention of Cruelty to Children's case studies would not oppose the core principle of the Bill, which is the changes in the position of trust clauses. They are a major step forward that every parent and teacher should not just welcome, but applaud. Will the Lord Chancellor, either when he is on his feet later or on Third Reading, confirm that driving instructors are covered by clause 45(2)?

When Opposition Members complain that there is not enough to help women and girls in this Bill, I urge them to realise that the vast majority of those better protected through clauses 44 and 45 and, indeed, through parts 2, 7, 8, 9 and 10—and much else—are in fact women and girls.

Nor should anyone be misled by part 4 and clause 61, which concern unauthorised encampments. They take action against Travellers camping on land without permission of the owner, if they fail to comply with a request to leave

"as soon as reasonably practicable".

Those in my constituency who have seen such encampments over the last decade—time and again they smash through fences in parks, sports grounds and dog walking fields—have seen their access and rights infringed and their children intimidated, while some, although by no means all, Travellers lift two fingers to the injunction processes.

The Bill also doubles the sentence for assaults on emergency workers and includes Kay's law. That is why I will be supporting the Bill, and I am frankly astonished that everyone in this House is not doing so, with the details to be discussed on Third Reading.

Caroline Lucas (Brighton, Pavilion) (Green) [V]
This Bill is a disgrace. It is dangerous, undemocratic and disproportionate.

It is dangerous, because it is trying to neuter protests and undermine our most precious rights, including freedom of assembly, freedom of expression and the right to peaceful protest. The Government are seeking to impose far-reaching conditions that would have the effect of shielding those in power from criticism. They would make Greta Thunberg sitting alone with a placard a potential criminal, and likewise all the brave and passionate young people who know that the future of humanity and our planet depend on peaceful protest exposing just how inadequate Government action is given the scale of the climate and nature emergencies, yet the Home Secretary wants the power to decide whether these protests are necessary, too noisy or causing too much disruption, so that she can silence any criticism that does not meet her approval. By increasing the maximum penalty for exercising the right to protest, the Government are creating new restrictions on where they can take place, eliminating important aspects of human rights law that require the state to facilitate protests. She wants to deter any dissent yet further.

The Bill is undemocratic, too. The Government are rushing it through Parliament, with just a week between publication and Second Reading. It is a knee-jerk reaction to last year's Black Lives Matter and Extinction Rebellion protests, because some right-wing MPs did not like them.

In particular, the process is silencing the voices of marginalised communities who should be heard, as well as the MPs who seek to represent them. Just this weekend, we have seen who else is in the Government's sights. Women attending peaceful vigils in memory of Sarah Everard were pinned to the ground simply for exercising their rights, which brings me on to disproportionality.

Having seen the response from police on Clapham common on Saturday night, it beggars belief that the Government are giving more powers and discretion to them via this legislation. As one of the few MPs to have been arrested during a peaceful protest—in my case, against fracking—and subsequently after a week's court case acquitted of any wrongdoing, I can tell the Home Secretary that I have first-hand experience of the disproportionate action of the police. I was therefore proud to co-sponsor a cross-party amendment that sought to deny the Bill a Second Reading. The legislation will perpetuate the systemic risk that infects our criminal justice system, including by expanding stop and search, which sees black men targeted, and by creating a new trespass offence that criminalises the life of nomadic Gypsy and Traveller communities.

Women like Sarah Everard, Bibaa Henry and Nicole Smallman need more than extra street lighting. They, and countless other women, deserve a legislative framework that upholds and defends their fundamental rights. Every UK citizen will be affected by what is a dangerous attack on our universal rights. I urge every MP who believes in free speech and democracy to oppose this Bill.

Huw Merriman (Bexhill and Battle) (Con)
I have a very different view from the hon. Member for Brighton, Pavilion (Caroline Lucas), my near neighbour in Sussex, on this Bill. I wish to focus on its positives regarding not just perpetrators of violence, but victims. I am amazed that any Opposition party would vote against the Bill on Second Reading. They should rather engage with making it better if they feel that there is more road to travel.

First, I pay my respects to the family of Sarah Everard, a fellow graduate of Durham University, as is the Lord Chancellor. Our thoughts are with all her family following this abhorrent crime. This morning, I paid my respects at the shrine that has been created at the bandstand in Clapham common.

There are 24 Members of this House who can say that they objected to the Coronavirus Act 2020 extension in September, which gave the police the powers to act in the way that they did on Saturday evening. I have heard right hon. and hon. Members criticising the police for carrying out actions under legislation that they did not oppose. I do not think it reflects well on this House when we create powers for the police and then criticise them for using them. When we look to give the police more powers, and when they look at the Acts on demonstrations and say that they do not work, they must quiver at the thought that they will be hung out to dry by the very Members who did not oppose the legislation, and I ask all hon. Members to bear that in mind.

In the minute I have left, I will focus on a much smaller shrine, a few hundred metres from the one I mentioned, for another victim of knife crime. I welcome the serious violence reduction orders in the Bill that will be placed on known knife-crime offenders and give the police further powers to act. Some 275 lives were lost in the last year to knife-related homicide. We do not hear enough in the House about how we can help. Those victims lost their life merely for being on the streets.

As vice-chair of the all-party group on knife crime and violence reduction, I have worked cross-party on the introduction of a serious violence duty. We have talked about the health strategy going across agencies, and making sure that there is a duty to report and act. This type of carrot, which is being brought in as well as the stick that I just mentioned, will allow us to tackle knife crime and hopefully reduce the number of lives tragically lost.

Time does not allow me to say more. There is much more in the Bill that I really support but look to the Government do more on, including on the protection of shop workers. That is why the Opposition should vote for this Bill and make it better.

John McDonnell (Hayes and Harlington) (Lab) [V]
Harold Laski, professor at the London School of Economics and chair of the Labour party in the Attlee period, said that in this country, we will not see the arrival of fascism with some dictator strutting in his uniform, bedecked in medals. Instead, the risk to our freedom will come from the creeping, incremental erosion of our civil liberties, leading to harsh Conservative authoritarianism. This Bill is a step in that direction. It is a step in undermining the constitutional safeguards of our liberty, secured over generations of protest and struggle. It threatens the very basic human freedom of assembly and association.

The Bill is aimed not just at the traditional progressive campaigners and trade unions; its target is the young—the younger generation that rejects the racism, sexism and misogyny that permeate our society and understands that its future is being placed at risk by the existential threat of climate change. Through their participation in mobilisations such as Black Lives Matter and Extinction Rebellion, the young have discovered their power; so, too, have this Government recognised the power of the young. The Bill is about ensuring that the younger generation are prevented from exercising that power.

I caution the Government to learn from the past. For centuries, our history has shown that when the Governments have imposed legislation that strikes at the heart of our liberties, our people simply refuse to accept and comply with unjust laws. If a Government persist, division and conflict are always the result, so I warn the Government that they provoke our younger people at their peril.

If anything defines the disgraceful depths to which this Government have sunk, it is the attack in this Bill on the last group in our society against whom it appears that for some it is still acceptable to openly racially discriminate: the Traveller community. Under this Bill, they will suffer the threat of not only action by the police but even the loss of the homes in which they live. I urge colleagues to wake up to the threat of this Bill, and to vote against and defeat it at every stage of its passage. That is what I commit to doing.

Ben Everitt (Milton Keynes North) (Con)
I associate myself with the heartfelt and genuine comments from Members of all parties about the tragic circumstances around Sarah Everard's death. My thoughts are with her family, her friends and her community. It is a terrible time. Opposition Members have sought to equate the policing of Saturday's vigil with measures in the Bill that are intended to protect the public from disruptive protests, but those measures make up only a small part of the Bill. It is a knee-jerk reaction. It is populist. I think the Labour party will regret taking the decision to oppose the Bill and will find itself on the wrong side of history.

Let us have a look at what the Labour party proposes to vote against tonight. Labour Members will be voting against protecting women and children from sexual abuse; against tougher punishment for perpetrators of serious sexual and violent crimes; against tougher community sentences, which would ensure that offenders give back to society; and against measures giving police the tools that they need to deal with the harms caused by unauthorised encampments—something that is very important to the people of Milton Keynes.

Labour Members will be voting against the introduction of a serious violence duty on specified authorities that will require them to work together to prevent and reduce serious violence; against extending whole-life orders for the premeditated murder of a child; against ending the automatic early release of dangerous criminals; and against life sentences for killer drivers.

The Bill will ensure that those who commit the most heinous of crimes will spend the rest of their lives behind bars. It will ensure that the police will have the powers and support that they need to make our communities safer. As we vote on the Bill tonight, we need to look ourselves in the mirror. We need to be able to look our constituents in the eye. I know that I will be able to look my constituents in the eye; will Labour Members be able to do the same?

Catherine West (Hornsey and Wood Green) (Lab)
It is a pleasure to follow the hon. Member for Milton Keynes North (Ben Everitt), although I am a bit disappointed that he doubled down so hard on the most discriminated against group in Europe, the Gypsy and Traveller group.

I wish to speak about a group who do not receive a mention in this Bill—women. The killings of Sarah Everard, Bibaa Henry and Nicole Smallman, and the fallout from the policing of vigils or events to remember these terrible occasions, give us an opportunity in this debate to bring about a new conversation. Unfortunately, this Bill just seeks to take away people's right to protest and to freedom of speech. The Bill is packed with measures to limit our democratic freedoms and to protect statues, rather than address the glaring failures of the system.

Let us look at some facts. Data from the Prison Officers Association shows that the highest number of women in prison are there for the non-payment of TV licences, and that 80% of women in detention are in prison for non-violent offences. A majority of women in prison commit crime as a result of abuse, whether that be childhood trauma, abusive relationships, financial abuse or drug use as a result of some sort of trauma. Women are much more likely, even when in prison, to have been a victim of violent crime, yet this Bill does so little to deal with that. Ministers could have used this legislation to address that, and to defend women and girls. Instead, they have packed this Bill, which lacks focus, with draconian measures to try to divide the country and create yet another culture war.

Ministers could have increased minimum sentences for the most serious crimes, such as rape and stalking, and shown that they really care about the dreadfully low rates of conviction for sexual violence. The Victims' Commissioner Dame Vera Baird, QC, is right to say that "urgent and sustained action" is needed to

"redress the confidence in the police and criminal justice system—and really, frankly, half the population".

Labour has done some homework for the Government, and proposes a victims' Bill and a survivor's support plan for victims of rape. I hope that the Minister will give due regard to that excellent work, which was prepared through good consultation with many, many women.

I have been clear with my constituents that I will vote against this Bill, not because there are not some good elements to it, but because I seek to defend the right of my constituents not to be silenced. Labour wants changes that will protect women and girls; changes that will target violent crime; and changes that will provide the treatment and addiction support that are so often overlooked in the criminal justice system.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op) [V]
I will not support the Bill tonight. I have been contacted by many constituents over the past few weeks who have serious concerns about both what it does and does not contain, and not least about the lack of measures to protect women from violence and abuse. As my hon. Friend the Member for Hornsey and Wood Green (Catherine West) was just explaining, there are aspects of the Bill we would welcome or support, not least those drawing on initiatives by Labour Members, such as measures on protecting emergency workers from assault and on tackling sexual abuse, and others from the Lammy review, but this Bill is sadly deficient in so many other respects.

The Government could have worked with Members across this House to bring forward measures that adequately tackle serious crime, improve the policing and justice systems, tackle the violence against and abuse of women, and protect our democratic rights to liberties, but they did not. The provisions on protest are deeply concerning and disturbing—I would describe them as draconian. Having organised and taken part in many entirely peaceful protests, sometimes involving millions of people, I fear that this is yet another attempt by this Government to clamp down on legitimate dissent and democratic disagreement.

However, the Bill's greatest deficiency, as my hon. Friend has pointed out, is that despite being 296 pages long, the word "woman" does not appear once. That is a staggering feat, given that more than 50% of victims of violent crime in the past three years have been women, that there was a 23% drop in rape convictions last year, and that domestic abuse prosecutions fell by 24% in 2019. We must take serious action, including by making misogyny a hate crime. The Bill does not increase minimum sentences for rapists and stalkers, it does not make street harassment a crime and it does not fast-track rape or serious sexual assault cases. All women and girls deserve better.

On domestic violence, may I thank my South Wales PCC colleague, my predecessor in this place, Alun Michael, for his work, and colleagues in South Wales police, whose work on tackling domestic violence I have viewed? I am thinking in particular of the pilot project Drive, an initiative tackling perpetrators of domestic violence. An independent evaluation has shown that that is making a significant impact, and I am pleased to see that it now covers all seven local authority areas covered by South Wales police. Unfortunately, like all forces, South Wales police has had to struggle with substantial cuts and the austerity of years of UK Tory rule, including cuts to policing. It was thanks to the Welsh Government that funding was made available for additional police community support officers. I thank the community policing teams for the work that they do. I might also mention that policing in Wales is disadvantaged this year to the tune of £6 million because of the way the apprenticeship levy system works. Will the UK Government fully fund the cost of police graduate training in Wales, as they do in England?

I end by raising serious and legitimate concerns raised by my constituents, especially young people, about the experiences of black constituents and other people of colour in relation to the criminal justice system and policing in Wales and across the UK. I have had a number of frank and open conversations about that in recent weeks. Deeply concerning disparities continue. While 16% of the general population in England and Wales are from a black and minority ethnic background, the disparity in the numbers of people arrested, convicted of a crime and in prison from those communities is stark and has to be dealt with. We need to implement the recommendations of the 2017 report by my right hon. Friend the Member for Tottenham (Mr Lammy).

David Simmonds (Ruislip, Northwood and Pinner) (Con) [V]
All Governments come to power seeking to reduce crime and antisocial behaviour, and it is clear that most succeed to some extent, but the challenges that face our society change, and the weaknesses in laws that have been brought in with good intent are exposed by experience, as we know. That is why I welcome the Bill. It addresses several issues of great concern to my constituents, and, by improving the way in which we conduct cases and sentence those convicted, will benefit our society as a whole. There is no doubt about that.

Among many things, the Bill addresses the unacceptable disruption caused to my constituents and many other people's lives by protests that have caused enormous trouble but have remained within the bounds of the law as it stands. We have learned from protests in the last couple of years that the police clearly need powers to ensure that, while lawful process is facilitated, it is not at the expense of thousands of people who are simply seeking to go about their daily business.

Secondly, I welcome the steps to improve the handling of cases of sexual abuse. Having spent many years working in local government on those matters, including meeting with the Leader of the Opposition during his days as Director of Public Prosecutions, the measures seem to me to be a proportionate and sensible culmination of the experience that we have gained in cases brought in

recent years that have demonstrated some of the weaknesses in the present legal system. Many victims and complainants across the country will have waited a long time for the Government to take action to ensure that their circumstances are taken seriously and offenders are prosecuted effectively.

Thirdly, I strongly welcome the measures to tackle illegal encampments. Like many of my constituents and other people across the country, I have witnessed the setting up of such an encampment within direct sight of home, so I know just how awful the consequences can be for that community and for that place—as well as having, in my time as a councillor, to set aside hundreds of thousands of pounds of taxpayers' money to clean up the consequences. Communities should not have to suffer that any longer, and these robust measures are well merited.

For those reasons and many others, I strongly support the Bill and I look forward to the benefits that it will bring to my constituents in Ruislip, Northwood and Pinner and to the whole country.

Wes Streeting (Ilford North) (Lab)
I rise to deal with the absolute brass neck that we have heard from the Government Benches during the course of the debate—interestingly standing up to laud what is in the Bill, which I can only describe as the "Government attempting to look busy on crime" Bill, because they do not want to talk about their miserable record over the last 11 years. It is a record that has left fewer police on our streets, fewer courts open for judgment, and fewer police staff to investigate crimes.

We have seen the impact: longer delays to investigations, longer waiting times for criminals to be brought to justice, and indeed criminals getting off scot-free because often victims lose total faith in the criminal justice system. That is the Government's record. We are asked on Second Reading to support or oppose a Bill on the basis of principle, and I am opposing the Bill on the principle that it fails women, it fails children, and it fails to face up to the serious evolving nature of crime in our country.

Since the appalling murder of Sarah Everard we have seen, in our family, an outpouring not just of grief, but of a demand for change. That is why it so appalling that there is no mention of women in this Bill and no new sentences. Indeed, there is the ludicrous and offensive position that someone can be given a longer prison sentence for throwing a lump of iron into the river than for throwing in a woman. That is the miserable experience.

We also see the experience in case law. I would like the Lord Chancellor to stand up and explain in his summation how it was that a deputy children's care manager in my borough could be involved in trafficking children to sell crack cocaine and heroin in Devon and Cornwall, and receive the paltry sentence of four years—four years—for trafficking children across the country. What does his Bill do to deal with that? What does he say to those children and victims of crime when, 11 years into his Government, with county lines becoming a feature of crime in a way that it never was before, his Government—[Interruption.]

Madam Deputy Speaker (Dame Eleanor Laing)
Order. We have not had heckling here for a very long time. Now, behave!

Wes Streeting
They do not like it: Government Members do not like being confronted with their record. That is why, with this Bill, they are chasing headlines, instead of chasing serious criminals. They have the audacity to stand up and laud loads of provisions in this Bill that they have taken from Labour Members and their private Members' Bills. I congratulate them on that, but it is still the case that they are not facing up to the serious nature of crime that affects women and children in my community. They have thrown in loads of measures to look busy, but they are running from their record.

I am voting against this Bill, because it is perfectly right for Members to say, "We demand better and we expect better of this Government", and unlike Members elected at the 2019 general election, we do not just read scripts from central casting, we demand better. We demand better for our constituents, and so should they.

Sir John Hayes (South Holland and The Deepings) (Con)
When the Home Secretary said that she wanted criminals to "feel terror" at the thought of committing offences, she reflected the heartfelt sentiments of those who live on the frontline of crime, starkly contrasting the small clique of bourgeois liberals who use wealth to segregate and insulate themselves from the reality of disorder and have sought to amplify time and again, as the hon. Member for Brighton, Pavilion (Caroline Lucas) did tonight, the rights of thugs and villains and the civil liberties of the violent mob.

This week, Members of Parliament have rightly resolved to redouble our efforts to prevent violence against women. It is strange then that just months ago 70 Labour parliamentarians sought to block the deportation of 50 violent criminals, including those convicted of murder and rape, and that they will vote against a Bill tonight that cracks down on crime. It does seem that the Labour party is more motivated by the political posturing associated with what the hon. Member for Ilford North (Wes Streeting), whom I greatly admire by the way, typically described as headline grabbing, than it is with protecting the safety of the innocent.

As figures show, our police forces are continually challenged by increasing demands. Hard-working officers are frequently derailed by the malign advocates of the rights of criminals and distracted by the politically correct delusions of the ideologically motivated elite. Imagine the demoralising disappointment they must feel when, after working tirelessly to solve a crime, an unelected judge insists on awarding a derisory sentence, inhibiting the incentive to prosecute, weakening deterrence and undermining public trust.

Typically, custodial sentences are drastically reduced, and even the most ruthless criminals are released early. Many killers are released after a dozen or so years, while naive utopians in gated communities plead for even greater leniency. How the liberal left misunderstands the criminal mind, for deviant individuals who have chosen crime as a career weigh up the balance between risk and reward, cost and benefit. It is a measure of their trade.

The misassumption that crime is an illness to be treated has become so pervasive that it is barely questioned in the broadcast media, yet to see those who choose to profit from the misfortune of others in the same way that we regard the sick and infirm is to demean the latter and elevate the former to a status they do not deserve. This assumption that wickedness is a misfortune of less significance than the suffering it causes means relegating such acts and the victims of them. In this way, justice is neither seen to be done, nor done at all.

This Bill goes some way to regaining public faith by strengthening law and order and regaining that mantle for the Secretary of State and our party. All Members of this House who care about the innocent should vote for it, for our task is to be fierce in defence of the gentle.

Olivia Blake (Sheffield, Hallam) (Lab) [V]
First, I would like to offer my condolences to Sarah Everard's family and friends. My thoughts are with them and all those who have lost a mother, daughter, sister or friend to violence at the hands of men.

Like many of my constituents, I was shocked by the images that came out of Clapham common over the weekend. There is something very ugly about a group of women being manhandled, pushed to the ground and pinned for mourning yet another victim of male violence against women. The Home Secretary says that the legislation will make us safer, but after this weekend, I do not feel safer. The events on Saturday night show us the opposite of what the Home Secretary has concluded—far from the police not having enough powers, the sad truth is that the powers they do

have are already open to abuse. That truth is not only demonstrated by the women who came to mourn and lay flowers over the weekend; it is written in the headlines about the women who survived the horrors of the spy cops scandal, the headlines about black, Asian and minority ethnic people being killed in police custody and the headlines about the Alfie Meadows and the Ian Tomlinsons who are struck down by police just for being in the presence of a demonstration.

This Bill is the latest in a series that, rather than safeguarding our right to protest, grant even more powers to crack down on dissent. Rather than addressing the real problems in our courts—just look at the gigantic backlog of cases waiting to go to trial, many of which will be domestic abuse, violent crime and rape cases—this Government want to hand out harsher punishments for damaging a statue than harassing a woman in the street.

So I do not feel safer, and there is one group of people who will feel significantly less safe and secure because of the Bill: the Gypsy, Roma and Traveller community. If the Government were serious about addressing the issue of unauthorised encampments, they would tackle the real problem: the shortage of places where it is permitted to stop and reside. All this legislation will do is strip people of their homes, push them into the criminal justice system and criminalise the way of life of an already persecuted community.

What we needed today was a Bill that dealt with the very real problems in our criminal justice system, respecting our rights to protest and to live our lives how we choose. That is what makes people safer, and we got the opposite of that.

James Daly (Bury North) (Con) [V]
The right to protest peacefully in this country is enshrined in article 11 of the European convention on human rights. Those provisions were put into domestic law and protect the freedom of assembly and the freedom of association with others. I suspect that every Member of this House, together with millions of our fellow citizens, has taken part in such protest events. Such expressions of community feeling are central to our way of life and part of each citizen's interaction with the democratic process, and that should be protected at all costs.

However, it is an established legal principle that article 11 rights can never be unfettered, for if that were the case, rampant criminality could be justified, providing a defence to those who indulge in such behaviour under the guise of legitimate protest. These are qualified rights, and interference with them may only be justified in certain specific circumstances, including for the protection of the rights and freedoms of others and the prevention of crime and disorder. In my view, this Bill—specifically, parts 3 and 4—does not impact on article 11 principles but provides reasonable powers to ensure that the police can improve the effectiveness of protest policing in certain limited circumstances, as long as those powers are applied proportionately and in line with human rights law.

Labour appears to be arguing that the police should not have powers to address the most extreme antisocial behaviour during protests, therefore ignoring the rights of our fellow citizens who may be caused intimidation, harassment, serious unease, alarm or distress in certain circumstances outlined in the Bill. There were clearly mistakes in the policing of the vigil at the weekend in memory of Sarah Everard, but that single example should not be used as overwhelming evidence to suggest that the police will not use the powers in the Bill proportionately, reasonably and in line with existing human rights legislation.

If the choice presented to hon. Members is between voting against the Bill due to the definition of the controlled area outside Parliament and voting in favour of it to ensure the longer imprisonment of rapists, I know which way my constituents would expect me to vote. By voting in favour of this legislation, I am voting in favour of tougher sentences for child murderers, ending early release for sex offenders, the imposition of strict conditions on bail, tougher sentences for assaults on emergency service workers, various measures to crack down on knife and violent crime, and the enshrining of the police covenant in law, together with many other important provisions. I am

astounded that the Labour party cannot bring itself to support legislation that will protect all our constituents.

Christian Wakeford (Bury South) (Con)
I stand proud to support this Bill today. There are many good measures in it; in fact, we have even heard from Opposition Members that there are many good measures in it. However, they still cannot bring themselves to support it.

Traveller encampments, especially the unauthorised ones, cause distress to residents such as those on Kingston Road in Radcliffe in my constituency, who often thought that the encampment had more rights than they did. They saw extreme antisocial behaviour such as their fences being used as a toilet or being stolen for fires, and they actually feared for themselves. I went and met them several times during the summer, because there was not just one encampment; there were two. It is about time we supported our residents and said that we are not against Travellers, we are just against unauthorised Traveller encampments.

On the sentencing measures in the Bill, I am pleased to see greater sentencing for attacks on shop workers and emergency workers and for the kind of desecration of our memorials that we saw during the Black Lives Matter movement last year. The Bill provides greater sentencing powers for the most serious and violent of crimes. It also introduces Kay's law, which will provide better protection for the victims and witnesses of violent and sexual offences. That is a measure that we should all welcome. In hand with the Domestic Abuse Bill, it really does go the distance to protect our victims. I would love to quote several of the figures on violent and sexual assaults in my constituency and, indeed, in Greater Manchester. However, with the failure of Greater Manchester police's data system and the political leadership by Andy Burnham in regard to this, we do not have any of those figures because they got lost, for some reason.

On introducing life sentences for killer drivers, I want to start by thanking my right hon. Friend the Member for Maidenhead (Mrs May) for bringing forward her ten-minute rule Bill on this issue. Her Bill started the process; this one goes much further in ensuring that those who are reckless, careless and selfish will face the full force of the law for depriving us of our loved ones.

The linking of this Bill to the poor decisions of the Met over the weekend shows the true worst of the Opposition. I think it is absolutely disgusting, and they should be truly ashamed. Changing their mind at the last minute because they think there are votes in it is not opposition; it is opportunism, and the public will see through them.

Emma Hardy (Kingston upon Hull West and Hessle) (Lab) [V]
My hon. Friend the Member for Wallasey (Dame Angela Eagle) summarised the Bill perfectly: it contains the good, the bad and the ugly. There is some good in it, and I pay tribute to Labour colleagues who have campaigned to protect the protectors and for increased sentences for dangerous driving, which are in the Bill among some other stuff. However, I find some aspects of it deeply worrying for the future of our democracy, particularly clauses 54 to 60. I cannot comprehend how a Government who, on 16 February, declared that they were so concerned about free speech that they were introducing a duty for universities to

"stamp out unlawful 'silencing' on campuses",

can then introduce a Bill that will damage the right to protest, because freedom to protest is part of our freedom of speech. The Government need to make up their mind: they either support free speech or they do not. Fully free speech does not mean just supporting the newspaper columnists and outspoken TV presenters that they agree with; it means supporting it for all.

I do not agree with every protest I see, and, yes, some are really annoying and some are really noisy, but I support the right for people to have that protest. I supported the coach industry with its noisy, inconvenient "Honk for Hope" protest. It is crucial that everyone understands that when

someone loses the right to protest, everyone loses it; we cannot pick and choose. There have been people protesting outside Parliament for centuries. What makes this Government so precious that they are the Government who suddenly cannot cope with it? I will not support the silencing of people, for the Labour party stands for freedom for everybody, and that freedom includes, yes, even the Members on the Government Benches.

I will quickly turn to what else is missing. On 22 September 2020, I raised directly with the Lord Chancellor the increased abuse that shop workers were facing during the pandemic. He replied that it was

"incumbent on all of us to make sure that sentencing guidelines properly reflect the role that they play."—[Official Report, 22 September 2020; Vol. 680, c. 793.]

I hope everybody can therefore understand why I was disappointed to see no specific reference to retail staff in the Bill. On 10 March, retail trade union USDAW renewed a call for legislation to protect retail staff after it released new statistics showing that 79% of shop workers said that abuse was worse than last year. I pay tribute to my hon. Friend the Member for Nottingham North (Alex Norris), who tried to bring in a private Member's Bill on assaults on retail workers, but unfortunately the Government objected to it. One shop worker living in Hull West and Hessle stated some of the issues that they had faced, including bad language, spitting, throwing items at staff and verbal abuse, which had caused anxiety and depression. Unlike some Conservative MPs, I care about people more than I care about statues. People come first, and no one should face abuse for just doing their job.

David Johnston (Wantage) (Con) [V]
There is lots to welcome in this Bill, but I want to focus on the issue that it covers on which I have had more casework than any other—unauthorised Traveller encampments. Unfortunately, these are a common feature in my constituency. Since last July, I have been copied into a weekly report on where there are unauthorised camps. In 20 of the 34 weeks since I have been getting that report, there has been at least one other unauthorised camp in one of the two districts that my constituency goes across, and in 32 of the 34 weeks there has been at least one camp somewhere in Oxfordshire.

When my constituents, who I think respect the right of Travellers to live their lives in the way that they do, write to me about unauthorised camps, they typically describe the same things: abuse, mess, noise throughout the night, and vandalism. The clean-up costs of these things are considerable for local authorities. The vast majority of Travellers do not behave in this way, so it is wrong for the Opposition to say that the Bill is criminalising their lifestyle, but for the minority who do behave in that way, it is right that we change the law to be able to tackle that.

These unauthorised camps cause distress, disruption and damage, as the Bill acknowledges. It is common for the police to say that they do not have the power to act, so it is right that we should lower the threshold to enable them to do so. They are commonly set up on highways, which in my constituency typically means the slip road on the A34 at Drayton, so it is right that we should clear them from such roads. The Bill also acknowledges the cat-and-mouse game that often goes on whereby after a long time trying to get these camps removed, they then reappear in the same place within days or weeks, as they have been doing at Great Western park. I therefore support the Government's measures involving possible prison sentences, fines or confiscation of vehicles.

We all recognise the right of Travellers to be able to set up camps inside sites that are designated—caravan camp data suggests that those sites have increased by 41% in the past decade—but we should also recognise the right of our constituents to live their lives peacefully in their own homes and neighbourhoods, and we should vote for this Bill tonight to help them to do so.

Mr David Lammy (Tottenham) (Lab)
I beg to move an amendment, to leave out from "That" to the end of the Question and add:

"this House declines to give a Second Reading to the Police, Crime, Sentencing and Courts Bill, notwithstanding the need for a police covenant and for tougher sentences for serious crimes, including child murder, terrorism and dangerous driving, and for assaults on emergency service workers, because the Bill rushes changes to protest law and fails to introduce a single new measure specifically designed to tackle the epidemic of violence against women and is therefore an abusers' charter since domestic abuse rates have spiked and victims of rape are facing the lowest prosecution rates on record, and because the Bill fails to criminalise street harassment, fails to make misogyny a hate crime, fails to raise minimum sentences for rape or stalking, and fails to give whole life orders to those found guilty of abduction and sexual assault and murder of a stranger."

It is an honour to close this debate on behalf of the Opposition and to move the reasoned amendment standing in my name and that of the Leader of the Opposition. It is a debate that has involved the lion's share of Members across this House, and of course we meet at a time of a national cry to tackle violence against women and girls.

It was in June last year, on one warm evening, amid the deep concerns about the pandemic at that time, that my wife and I, on learning and reading the news, wept together as a friend of mine, Mina Smallman, and her husband Chris lost their two beautiful daughters, Bibaa and Nicole, to terrible violence on a horrendous night in west London. We wept again just a few weeks ago because, on the evening of 3 March 2021, Sarah Everard, after visiting a friend in south London and walking across Clapham common, was spotted on CCTV at 9.30 pm and then she disappeared. The whole country and both sides of this House are mourning Sarah's disappearance, kidnap and murder.

No story is more telling of the fact that we need tough sentences on the most serious crimes to deter criminals and protect the public, but we must not make the mistake of thinking that this horrific incident of violence against a woman is a one-off. The press may not report it, but women of all backgrounds, from all parts of the country and of all ages are killed every week. In 2016, 125 women in the UK were killed by men. In 2017, the number was 147. It was 147 again in 2018. Over the past decade, 1,425 women have been murdered in the UK. That is roughly one woman every three days.

It is not only murder; all kinds of violence against women are endemic in our country. In one year alone, 3.1% of women—510,000—experienced a sexual assault. Domestic violence has skyrocketed during the pandemic, with 260,000 domestic abuse offences between March and June. The Government knew about the crisis of violence against women and girls before this week, but when they were drafting the 20 schedules, 176 clauses and 296 pages of this Bill, they chose not to mention women once.

Maybe this Government do not like to talk about women because they know they have failed them. A decade of cuts, court closures and failed ideology is letting women down. Half the courts in England and Wales closed between 2010 and 2019. There are 27,000 fewer sitting days than in 2016. Under this Government, just 1.4% of rapes end in conviction. That is a record low and should shame us all.

As my hon. Friend the Member for Hove (Peter Kyle) rightly asked, why are the Government not fast-tracking rape victims through the CPS and the courts? The Crown court backlog is now a record high of more than 56,000 cases. The Government like to pretend that is only because of the pandemic, but they have no answer to why they let the backlog grow to 39,000 before covid even hit. The result is that victims of crime are being asked to wait up to four years to get to court. Many witnesses are dropping out of the justice system entirely because of delays. Violent criminals are being spared prison because of it. As my hon. Friend the Member for Hammersmith (Andy Slaughter) rightly pointed out, discussions on the justice system must always start with delays in the system and the inadequacy of legal aid. Instead of tackling violence against women, the Government have prioritised giving the police the power to prohibit the fundamental freedoms of protest that the British public hold dear. By giving the police this discretion to use these powers

some of the time, it takes away our freedom all of the time. The Government's Bill targets protesters causing too much noise and says that those who cause annoyance could be jailed for up to 10 years. I am thankful that the draconian limits on the power to protest were not in place during the great protests of the 20th century that led to real change.

Shaun Bailey (West Bromwich West) (Con)
rose—

Mr Lammy
I will not give way for the moment.

When the suffragettes marched for the right to vote, some of them were prepared to break the law to make their point just outside the House of Commons. Does the Secretary of State believe that those women who shouted noisily should have been arrested, too? Protesters marched from Jarrow in Tyneside all the way to London to demand the right to work in 1936. Does the Secretary of State think that the police should have had the power to stop them before they had even passed York? The anti-apartheid movement, of which I was part, marched continuously on Trafalgar Square for black and white people to be treated as equal. Does the Secretary of State seriously believe that they should have been arrested because they caused an annoyance?

Throughout Britain's history, protest has been a fundamental method for the public to voice dissent. Pandemic aside, what is it about society that has changed exactly that means that the police need more powers to control protesters today than they did yesterday? What is it about the images of police tackling a mourning woman to the floor last weekend that makes the Secretary of State think that the police do not have enough as it stands? The truth, as has been briefed to his favourite newspapers, is that the Government are introducing these measures because they dislike Black Lives Matter, because they hate Extinction Rebellion and because both tell too many hard truths.

Shaun Bailey
When the Opposition vote against this Bill tonight, does the right hon. Gentleman not think that the Labour party's position will have finally changed to: weak on crime and weak on the causes of crime?

Mr Lammy
I know that the hon. Gentleman is just getting started, but the party that introduced whole life orders—the Labour party—will not, I am afraid, take any lessons from him.

The former Prime Minister, the right hon. Member for Maidenhead (Mrs May), was right in this debate when she said that there was a fine line between "popular and populist" and that our freedoms depend on it. The Conservative party's principles are rooted in liberty and against the overreach of the state. I call on every member of the governing party who still believes in freedom to join the Opposition and vote against this Bill tonight.

According to the Government, not only those who cause annoyance but those who damage statues of slave owners should be locked up for a decade. Unlike the Government, the Opposition will never condone criminal behaviour, but this Government's priorities are backwards; they are upside down. Unlike women, memorials are mentioned in the Bill eight times. The Government think that people who damage statutes should spend up to 10 years in prison because of their emotional value, but it is fine to give five-year sentences for rape. This is not hypothetical: Anthony Williams strangled his wife to death, but received only a five-year sentence; John Patrick raped a 13-year-old girl, but got only seven years in jail; Ferdinando Orlando and Lorenzo Costanzo were jailed for seven and a half years for raping a woman in a Soho nightclub; James Reeve raped a seven-year-old disabled girl, but got only nine years; and David Nicholson raped an 11 year-old, but was given a sentence of nine years and four months. What does this Bill do to address those injustices that many people feel?

The Government would rather blow a dog whistle against minorities than make women safe. Measures in the Bill will further compound the inequalities experienced by Gypsies and Travellers who are already the most disproportionately represented group in the justice system. Those found guilty of trespass in the Bill could receive a higher sentence than someone convicted of stalking. Once again, this Government's priorities are skewed. Even police forces do not support the Government's criminalisation of trespass. The National Police Chiefs' Council and the Association of Police and Crime Commissioners said:

"Trespass is a civil offence and our view is that it should remain so."

Why are the Government determined to lock up Gypsies and Travellers, even against the advice of their own police?

Many of the other measures in the Bill will compound the biases that the Secretary of State knows exist in the justice system. The Prime Minister likes to boast of following my review and recommendations, but as my hon. Friend the Member for Vauxhall (Florence Eshalomi) argued so convincingly, too often young people are still considered to be perpetrators, when in fact they are victims. Earlier this year we heard the roar "black lives matter", and it is clear by the fact that no full equalities impact assessment accompanies the Bill that the Secretary of State simply does not agree.

The Bill contains some important proposals that Labour supports. Most of the best measures come from campaigns by Labour MPs, many of whom have spoken eloquently about those campaigns in this debate. Labour supports my hon. Friend the Member for Barnsley East (Stephanie Peacock) on dangerous driving, and my right hon. Friend the Member for Warley (John Spellar) on reform of the disclosure and barring service. Labour supports my hon. Friend the Member for Rotherham (Sarah Champion) regarding sexual abuse by people in positions of trust, and my hon. Friends the Members for Rhondda (Chris Bryant) and for Halifax (Holly Lynch) on protecting the protectors. As the shadow Home Secretary so powerfully said, why can those protections not be extended to shopworkers, social care workers, and other front-line heroes? The Opposition are behind those measures, alongside others to keep the public safe from terrorists, child murderers, and other dangerous offenders.

However, Labour cannot vote for a Policing, Crime, Sentencing and Courts Bill that ignores the intimidation, violence and abuse that women face. We cannot vote for this Bill when it fails to increase sentencing for rape and stalking. We cannot vote for this Bill when it fails to criminalise street harassment, or to make misogyny a hate crime. We cannot vote for this Bill when it fails, on the watch of the Secretary of State, to give whole life orders to those found guilty of abduction, serious assault, and murder of a stranger. We cannot vote for a Bill that fails to outline a strategy to tackle the culture of misogyny that underpins it.

Richard Graham
The right hon. Gentleman mentioned stalking twice. It is worth remembering that in the Government in which he served, stalking was not a criminal offence. It became a criminal offence in 2012, and we then doubled the maximum sentence for stalking a few years later. I hope he will recognise that that was achieved under this Government.

Mr Lammy
Given all that has been said by women over the past few days, with the street harassment and stalking that they face, there is a simple question for the hon. Gentleman, who has tremendous experience in this House: have we done enough? Given that this is an omnibus Bill of a size we have not seen in a long time, could we have done more, and could the Secretary of State have done more? The simple answer to that question is, most obviously, yes, we could.

This is a missed opportunity. The murder of Sarah Everard has led to a national outcry, and the Government must finally take action to tackle violence against women and girls. The Government have responded with yet another meeting. Instead of uniting the country around a mission finally to address that violence, they are bringing forward divisive legislation that pits people against one another and takes away our freedom.

Some time this week, another woman will be killed. After around three more days, another woman's life will be taken. Both those murders are likely to be committed by a man. For far too long, we in this country have had a problem of men killing women. If we stand for nothing, we fall for everything. Today, Labour is standing up for women by voting against this Bill. I ask Members on both sides of the House to do the same.

The Lord Chancellor and Secretary of State for Justice (Robert Buckland)
As the right hon. Member for Tottenham (Mr Lammy) said, it is an honour to close this debate and to follow other right hon. and hon. Members. This two-day debate has been an opportunity, first of all, for all of us to pay tribute to the memory of Sarah Everard, her loved ones and the wider community, who have expressed their shock, revulsion and anger at what has happened and at the wider issues, too.

When we talk about safety, each and every one of us has a responsibility. When women all too often feel unsafe, it is the wrong response to say to them, "Stay indoors. Don't go out alone." Instead of questioning the victim, we have to deal with the perpetrator. When I think about how far we have come, I sharply remind myself of how far we still have to go. I look around this House and think of colleagues from all parties—some of whom are no longer here—with whom I have had the honour to work on a cross-party basis on issues such as stalking, child abuse and coercive control. I am proud of that work, and I know that they are, too. The Domestic Abuse Bill, which is coming to the end of its progress through both Houses, has in many ways been Parliament at its very best.

The events of last week have no doubt acted as a catalyst. Society is speaking. The response to the reopened call for evidence on the Home Office's violence against women and girls strategy has now received more than 120,000 submissions in just three days. Society is speaking, and it is for all of us to be up to the level of events.

The Bill, on which I have worked for many months—from well before the sentencing White Paper that I published in September last year—is not just the fulfilment of a manifesto commitment, important though that is; it lies at the very heart of the mission of this Government. It is another milestone along the road to creating a higher degree of public protection for victims of crime—and that very much includes women and girls. I had hoped—in fact, I believed—that we were going to be able to work with Members across this House not on the principle of the Bill but perhaps on the detail. Imagine my disappointment to hear that the Labour party has decided to oppose the Bill on Second Reading.

Let us remind ourselves of what Second Reading is all about: it is not about the detail of the Bill—whether it can be amended, improved, honed, polished or added to, as we have seen with the Domestic Abuse Bill—but about the principle. With the greatest of respect to Opposition Members, what beggars belief is that they think that now is the time to turn unity into bitterness and partnership into strife—[Interruption.] I can tell the right hon. Member for Tottenham that I am afraid that is what I have been hearing across the House. It is as if, somehow, we have descended into two nations once again, speaking past each other and not engaging in the way that we did on the Domestic Abuse Bill. To say that I am perplexed and disappointed is an understatement.

But then I read today's Order Paper, and sadly all seems to be revealed, because we have not one reasoned amendment—we will vote on the one moved by the right hon. Member for Tottenham—but two from the Labour party. The Front-Bench amendment, which has a few names attached to it, makes a brief reference to the law on protest but, on analysis, does not really offer any solid

reasons that are differences in principle in respect of Second Reading. The other reasoned amendment, which has been signed by 42 Labour party Members, offers much more direct resistance. It is clear that in principle those signatories are very much opposed to the Bill. There, frankly, lies the heart of the dilemma for the right hon. Gentleman and the Labour party: they are trapped between parts of their party that oppose, in principle, sensible, reasoned, proportionate measures that develop the law in a mature way, and the vast majority of the public, who want us to work together in the national interest. I am afraid that it looks as if party interests are being put before the national interest. It gives me no pleasure at all to say that, but I am afraid that that is what it looks like—not just to those on the Government side of the House, but to the country.

Let us look at what we did on the Domestic Abuse Bill. By working together, we moved mountains.

Mr Lammy
Will the Secretary of State give way?

Robert Buckland
No, I will not give way to the right hon. Gentleman. I do not think I can do justice to the number of inaccuracies, generalisations and false assertions—inadvertent assertions, I will concede—that were made by him and, I am afraid, by other Opposition Members. They are concocting—

Mr Lammy
Will the Secretary of State give way?

Robert Buckland
No, I will not give way.

Opposition Members are concocting synthetic arguments in objection that just do not stand the closest scrutiny. They are inadvertently—I will say "inadvertently", because I will give them, of course, that courtesy—misstating some of the key provisions of this Bill.

Let us start with the juxtaposition pf sentencing for rape and criminal damage. The starting point for the lowest category of the offence of rape, as set out by the Independent Sentencing Council, is five years. With aggravating factors and different categories of offending, rape offenders will receive, and very often do receive, substantially longer sentences, leading up to those for campaigns of rape, where sentences of in excess of 20 years, or even life sentences, will be imposed, because the maximum penalty for rape is life imprisonment.

Mr Lammy
Will the Secretary of State give way?

Robert Buckland
No, I will not give way.

In this Bill, we are making sure that those who commit offences such as rape spend more of their time in prison. We are ending Labour's automatic halfway release provisions for people who receive sentences of over four years for offences such as rape and section 18 grievous bodily harm, and we are making sure that they serve two thirds of their term of imprisonment.

Turning to criminal damage, the relevant Act is now 50 years old, and for those 50 years the statutory maximum has been 10 years where the value of the damage is over £5,000. The changes in relation to criminal damage of memorials simply remove the previous restriction on the mode of trial and allow the full range of those powers to be used up to that maximum. We are simply giving the courts greater discretion as to how they sentence such offenders, taking into account the emotional and community impact of those offences.

We had, I thought, cross-party support on these measures. Indeed, back in the summer, the right hon. Member for Torfaen (Nick Thomas-Symonds) publicly backed our proposals. He said that he would work to support such efforts in Parliament. Now he is opposed. Why? Why the change? What is going on here? I will tell Members what is going on.

Nick Thomas-Symonds (Torfaen) (Lab)
Will the Secretary of State give way?

Robert Buckland
No, I will not give way. I will explain what is going on, and then I will let the right hon. Gentleman in.

I would suggest that what has happened here is the result of a conflation with the covid regulations and their interaction with the right to protest, which the Labour party did not oppose—it voted in favour of those on occasions or did not oppose them. They have conflated those arguments with measures in the Bill that long predate what happened on the weekend—those regrettable scenes that we all saw and were upset and appalled by. They are now conflating those issues with the issues relating to this Bill. There is no relation between the two, and I would love to hear an explanation from the right hon. Gentleman.

Nick Thomas-Symonds
I am grateful to the Secretary of State for giving way. Last year, the Government spoke about additional protection for war memorials. We all understand the value of war memorials. What we did not agree to, and I have never agreed to, is locking up people for 10 years for damaging all memorials, including those of slave traders. That just sums up everything that is wrong with the Government's approach. They could have worked with us. They did not. They have created division.

Robert Buckland
It is a very nice try from the right hon. Gentleman, for whom I have the utmost respect, but it does not cut the ice. We know what has happened here. It is a party in panic that is weaving, twisting and wobbling because its internal management problems are far more important than the public interest. That is the truth. Here we are, at the end of a two-day debate, with the Labour party, which I concede has a proud record in supporting the police and maintaining law and order, now voting against measures to strengthen sentencing for rapists, burglars, drug dealers, sex abusers, killer drivers. All of that is being opposed by the Labour party. Let me tell Labour Members the price of that for their party.

Peter Kyle
Will the Secretary of State give way?

Robert Buckland
No, I am not going to give way.

Much has been said about the excellent campaigns run by Labour Members. I pay tribute to the hon. Members for Barnsley East (Stephanie Peacock), for St Helens South and Whiston (Ms Rimmer) and for Rotherham (Sarah Champion), with whom I have worked very well over the years on issues relating to child abuse. Imagine the impossible position that those doughty campaigners have been put in by their Front Benchers. They are now having to vote against the very measures that they campaigned for so assiduously. That is a terrible predicament for them to be put in. It is a disgrace, and the Labour Front Benchers should hang their heads in shame.

There have been in this debate many constructive and important contributions, and I want to in the minutes that I have left—

Wes Streeting
Unlike yours.

Robert Buckland
They don't like it when the truth is explained to them. They think that they have the moral high ground on all these issues. Well, I can tell you that there is no monopoly on morality in this place.

Before I deal with the excellent contributions from Members across the House, may I deal with the canard about "annoyance"? Much has been made about the somehow strange use of a word that is seen as a massive infringement on the civil liberties of men and women across this country, yet a brief perusal of the Law Commission's report of 2015 tells us that the law has developed for centuries with phrases like "annoyance". It is a part of the common law on public nuisance. The members of the Law Commission—they were all very good members; there was Lord Justice Lloyd Jones as he then was, and Professor David Ormerod, who is well known as an excellent academic in these fields—recommended that the law needed to be codified. The law had been restated with reference to the use of the word "annoyance" by none other than the late and noble Lord Bingham when he was in the House of Lords. He set out the law very clearly. Clause 59 amounts to no more than a reiteration of the excellent work of the Law Commission. To say anything else is, frankly, once again a confection, a concoction and a twisting of the reality.

I want to deal with the question of abuse in a position of trust. I pay particular tribute—I think all hon. Members will agree with me—to the outstanding work of my hon. Friend the Member for Chatham and Aylesford (Tracey Crouch). It has been a pleasure to see her back here. She spoke earlier. I think she has now gone home, but we all wish her well. She has, with great tenacity, campaigned to make sure that we make these provisions a reality.

I also pay tribute to my hon. Friend the Member for Gloucester (Richard Graham). He asked a particular question about driving instructors. He will see in the Bill that there will be provision, by way of statutory instrument, to allow an amendment of the law to extend to further categories of occupation. It is important that there is a clear evidence base. We are dealing with young people who are transitioning to adulthood—they are 16 and 17 years of age—and it is quite clear that the evidence on sports coaches and religious leaders, sadly, did point to a need to change the law. I pay tribute to my hon. Friends and to my noble Friend Baroness Grey-Thompson for their excellent work.

On causing death by dangerous driving and causing death by careless driving while under the influence of drink or drugs, my right hon. Friend the Member for Maidenhead (Mrs May) deserves our thanks and praise for pressing her Bill. I know she has welcomed the provisions. In the context of memorials, I thank my hon. Friends the Members for Bracknell (James Sunderland) and for Stoke-on-Trent North (Jonathan Gullis) for pressing their case with extreme prejudice and alacrity and for succeeding on the provision.

The Home Office parts of the Bill were outlined very well by my right hon. Friend the Home Secretary yesterday. In summary, I would say that important public health duties are being extended in relation to serious violence. I have long held the view that it is only by bringing together the local agencies that we truly get ahead of the trends in serious violence and in prevention, which is of course nine tenths of what we need to be doing.

The Chair of the Justice Committee, my hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill), made a weighty contribution to the debate, rightly pointing to the extra investment in alternatives to custody. At the heart of the approach I am taking as Lord Chancellor is enhancing and improving community sentencing. It has long been clear to me that we need to make sure that sentencers have a proper choice of robust community alternatives.

Wes Streeting
I asked whether the Lord Chancellor could explain to my community why someone who was in a position of trust—deputy manager of a care home—who peddled kids to deal drugs across the country got a prison sentence of only four years. What is he going to do about that?

Robert Buckland
The hon. Gentleman knows that matters dealt with in court are matters for the independent judiciary, but I will look at the case, because it is vital that we make sure that those who are involved in organised crime and abuse—that is what that case sounds like to me—are properly dealt with, and that the wider issues are addressed. I share his concern.

Peter Kyle
Will the Lord Chancellor give way?

Robert Buckland
Not at the moment.

I am particularly pleased to thank my hon. Friend the Member for North Wiltshire (James Gray), who represented the family of Ellie Gould, the murder victim of whose case I think everyone in this House is fully aware. It is important to take on board the points he made about domestic homicide. I have spoken elsewhere about the importance of getting the balance right when it comes to the categories of murder. I committed to a review—I did that last week—and I will bring before the House further information on the content of that important review.

In the minutes left, I am pleased to commend to the House a radical new approach to the way in which we deal with young people—children—who are incarcerated in the secure estate. The days of locking them up and forgetting about them absolutely have to end; we all agree on that. That is why the measures to clarify the legal framework surrounding new secure schools will allow a complete change in the way in which we deal with, support, rehabilitate and educate children in our care. Schools with security will have education, wellbeing and purposeful activity at their very heart. As ever, I am grateful to my hon. Friend the Member for Aylesbury (Rob Butler) for his constructive suggestions and his work as a member of the Justice Committee.

Let me outline on the record the important provisions in the Bill relating to unauthorised encampments. Many right hon. and hon. Members have raised the issue. It is a real concern for many of our constituents.

Mr Steve Baker (Wycombe) (Con)
The pages of the Bucks Free Press attest to the sheer scale of the costs to our green spaces and our communities of unauthorised encampments. Does my right hon. and learned Friend agree that on this issue and on protests, the Opposition are refusing to engage with legitimate limits on both freedoms?

Robert Buckland
My hon. Friend puts it very well. This is all about balancing the rights of Traveller communities to use authorised encampments and to enjoy the lifestyle that they have chosen, and the rights of householders not to have their local communities despoiled. That is what we are seeking to do. The Bill, in my strong submission, allows that balance to be maintained and enhanced.

The Bill is part of our wider approach to making the criminal justice system smarter, and to keeping our streets safe from the worst criminals, while giving offenders opportunities to turn their life around. We can rebalance the justice system. We can restore faith in it, which has sadly been in decline for too long. The Bill is a welcome step forward, and I commend it to the House.

Madam Deputy Speaker (Dame Eleanor Laing)
Order. We require social distancing in the Chamber at all times, please.

Question put, That the amendment be made.

Division 238

16/03/2021 19:00:00
The House divided: Ayes: 225 Noes: 359
Question accordingly negatived.

The list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy, is published at the end of today's debates.

Question put forthwith (Standing Order No. 62(2)), That the Bill be now read a Second time.

Division 239
16/03/2021 19:10:00
The House divided: Ayes: 359 Noes: 263
Question accordingly agreed to.

The list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy, is published at the end of today's debates.

Bill read a Second time.

Sitting suspended.