

# NETCU, WECTU and NPOIU:

*The **N**ational **E**xtrmism **T**actical **C**o-ordination **U**nit*

*The **W**elsh **E**xtrmism and **C**ounter-**T**errorism **U**nit  
(*Uned Atal Terfysgaeth ac Eithafiaeth Cymru*)*

*The **N**ational **P**ublic **O**rdet Intelligence **U**nit*

## Britain's Secretive Police Force

**Politicising the Policing of Public Expression  
in an Era of Economic Change**

*"If you tell a lie big enough and keep repeating it, people will eventually come to believe it. The lie can be maintained only for such time as the State can shield the people from the political, economic and/or military consequences of the lie. It thus becomes vitally important for the State to use all of its powers to repress dissent, for the truth is the mortal enemy of the lie, and thus by extension, the truth is the greatest enemy of the State."*

*(attributed to the words of Joseph Goebbels)*



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The Free Range electrohippies Project  
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*the electrohippie collective* is a 'disorganisation' (a group with no formal structure, but rather a commonality of interest amongst its members who share their resources to conduct research) that formed as part of the protests against the World Trade Organisation meeting in Seattle in 1999. We are made up of individuals with a variety of technical specialisms, and collectively *the electrohippies* specific fields of interest are technology, human expression and civil society.

This report has been produced by The Free Range Network's *electrohippies* Project (which forms the administrative body of *the electrohippies* disorganisation) to focus attention on the politicisation of the policing of protest, both formally by the state through new repressive laws, but more importantly by the involvement of unaccountable private agencies that have the tacit approval of government – as outlined in this report, NETCU, WECTU & NPOIU.

We'd appreciate any feedback that you might have on the content of this report. Please send your responses by email to [ehippies@fraw.org.uk](mailto:ehippies@fraw.org.uk)

We would also welcome receiving copies of any information that campaigners or protestors come across as part of an ongoing initiative by the Free Range electrohippies Project to monitor the activities of ACPO, NETCU, WECTU and NPOIU in relation to our freedoms of expression, assembly and protest.

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# NETCU, WECTU & NPOIU\*: Britain's 'Secretive' Police Force

*\*The National Extremism Tactical Co-ordination Unit, The Welsh Extremism and Counter Terrorism Unit (Uned Atal Terfysgaeth ac Eithafiaeth Cymru), and the National Public Order Intelligence Unit*

The role of NETCU, WECTU and NPOIU – *private organisations that are exercising public functions in relation to policing policy* – can be seen from two *extreme* points of view:

- ◆ groups working on policy and in a policing support role to protect the public; or,
- ◆ under the guise of countering “extremism”, developing policies to crack down on campaigning groups in a way that could be seen as the kernel of what could eventually become a truly “secret” police force.

This report examines what NETCU, WECTU and NPOIU are, and poses the question as to whether private organisations working unaccountably outside of the mainstream police service are compatible with the operation of a free, open and accountable society.

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## Summary

This report documents a process of incremental change within the political and security apparatus of the British State, and the approach that it takes towards protest – especially environmental protest. The content of the report, especially its concentration on economic trends, may not appear relevant to a discussion about the policing of protest and extremism, but in order to understand the arguments we will later present, we must first investigate the background to that argument. Whilst much of the discussion over the G20 protests has focussed on the manner in which protest is now policed, there has been little attempt to discover what motivates this change in attitude – *in our view the economic argument is a critical dimension*.

Outside of the forum of democratic debate and accountability, and using a perceived fear of a terrorist threat, the State is slowly tightening the legal framework within the UK to criminalise many forms of activity and expression that were previously permitted as “normal” within a free society. Moving on from the original purpose of limiting anti-social behaviour, we now see the government and police forces trying to redefine the term “extremism” to reflect many forms of non-violent civil action as both dangerous and threatening to society. We can view this trend in the “politicisation” of the policing of protest against the background of the more general crisis in the representative political system within Western states. As mainstream politics has coalesced around the “liberal economic consensus”, under which large parts of the debate over economic and social policy are, through omission, obfuscation or silence, off-limits to public involvement or debate, any other dissenting opinion within politics, through the media and in wider society, has been marginalised.

The problem we face today is that the objective reality of our situation, both within UK society and as a global community, is not reflected in the public dialogue we see in mainstream politics and the media. There are a number of serious issues, related to the values that form the heart of the present political and economic consensus, that portend a major shift in society. Be it climate change, resource depletion, or the growing disparity between rich and poor, there are a whole range of issues where mainstream politics cannot fully engage in a dialogue because it would invalidate their own present ideological position. For this reason suppression of the debate becomes the least damaging option within official policy. Consequently this means that to be an extremist you don't have to *do* anything, you just have to disagree with the views of those in authority. Within the terms of new anti-terrorism laws action is not even required – you merely need to publicly believe what you say. Therefore the purpose of these policies is skewed toward not so much the physical well-being of the public, but specifically protecting the present political and economic consensus which they represent.

Over a period of five years before the terrorist attack on “11/9”, the British government passed a series of laws which began a creeping process of criminalisation of protest and dissent by the public. The problem is that these laws use a number of very broad and vague terms which are rarely defined in detail. This allows innocent activities, such as non-violent protest, to be categorised as something more serious. One of the more problematic aspects of the new framework has been the effect upon our abilities to act collectively in public. Under the new legal framework the role of the police has shifted from facilitating the use of public spaces, in order to allow protests to take place, to actively using the law to curtail or deter protest. This is because the action of policing protest, as with other aspects of community policing since the advent of the “anti-social behaviour” agenda, has been shifted from that of facilitating the rights of the citizen to have free movement in public space to preventing “crime and disorder”.

Repressive laws, and the intimidation of the public through their application, cannot operate in public; they need covert agencies to enforce them. Try as they might, repressive states cannot operate when they have some form of independent public

oversight. In order to have a truly repressive state it must operate outside of the public eye; behind a veil of secrecy that can protect its files, notes, minutes, and of course its excesses. However, a “secretive police force”, under the control of the publicly unaccountable Association of Chief Police Officers (ACPO), is precisely the type of role that NETCU, WECTU and NPOIU are beginning to adopt in Britain today.

NETCU is not a public body or a formal police service – it’s a private organisation that (like WECTU and NPOIU) is a functional subsidiary of ACPO. As a private company ACPO is not subject to a defined system of legislative oversight like that usually applied to organisations discharging public functions on behalf of the Government. The “secretive” role of NETCU was demonstrated by the event that brought it to the attention of the wider public – the fiasco that followed the off-the-record briefing by a NETCU “senior source” to The Observer newspaper. The problem with this off-the-record briefing, for The Observer at least, was that there was absolutely no evidence to back up the claims of environmental extremism made in the article.

WECTU is the Welsh equivalent to NETCU, and it liaises between police forces and the Welsh Assembly Government. The anti-protester bias in WECTU was illustrated in April 2009. In the Dyfed-Powys police authority’s ‘local policing summary’, sent to all council tax payers in Carmarthenshire, under the title of combating “domestic extremism” a very similar picture to NETCU’s statements was made – one of the threats it talked of was “campaigners”. Clearly this was far worse than The Observer story; instead of off-the-record claims we have actual people and documented evidence that can demonstrate the “paranoia” of the police/WECTU’s approach. It would appear that WECTU take the view that all protests, from any quarter, are threatening. The obvious outcome of this viewpoint is that any public demonstration must be policed in a manner that reduces the threat to society from the “message” that such extremism promotes. This approach would seem to arise not from any kind of case-by-case risk assessment, but rather from a more deep seated prejudice against campaigners in general.

The NPOIU is the most difficult of the three groups outlined in this report to find any clear evidence about. This is because of its historical origins; whilst NETCU and WECTU have evolved from the support of civilian policing responsibilities, the functions of the NPOIU emerged from the rationalisation of the political and counter-espionage functions of the police force – the former “industrial” and “subversion” duties of the Special Branch. NPOIU was set up by ACPO in 1999, and again, it is outside of the ordinary legislative oversight that such a body would be subject to if operating within the mainstream police force. In the announcement of its formation ACPO specifically targeted the threat from campaigners, and one report stated that –

*Among the people to be targeted are campaigners against road building and live animal exports, protesters at industrial disputes, hunt saboteurs and far-right groups. The unit will also draw up action plans that chief constables can introduce to head off potential disorder. The move follows growing concern among police chiefs that so called eco-warriors are becoming increasingly organised and creating an ever growing threat to public order.*

ACPO did not set up NETCU, WECTU and NPOIU in a vacuum – they did so in response to a growing dependence upon the “public order agenda” to justify politicians’ enactment of restrictive laws. However, when we look at the actual reality of what these policies mean then no such justification applies. We are merely left with the fact that increasingly politicians feel compelled to support their actions by playing upon the public’s fears, and use public order policy as a means to support that view. If we look at the security agenda, and in particular the attitude of certain senior police officers, then we can see that there exists the possibility for a “coalescence of views” (as the case of Sir Ian Blair, former head of the Metropolitan Police, demonstrated) between the political establishment and ACPO to initiate policies which could restrict our freedoms.

*But we must return to the issue of motivations: Why should the present economic and political consensus be so afraid of the challenge posed to its dominance by environmental protesters?*

Current trends indicate that the economic well-being of our society could possibly come to an end within the next twenty to thirty years. Not the end of human society, but rather the end of consumer culture as we know it today – although today these might be portrayed as one and the same thing. There are various people advocating the thesis that consumer culture and the “Western” way of living will effectively end due to the convergence of different trends in human society, some time between now and 2030. The three most significant factors that will govern our future well-being are resource depletion, climate change, and population growth. These are all environmental factors; they represent the limits of human ecology and the growth of the human economy. *Of all the groups in society advocating change today the group whose message most closely conforms to both the nature of these problems, and the direction of change that these trends dictate, are environmentalists.*

The UK faces a severe energy-induced economic crisis, far greater than the much publicised “electricity gap” that has been in the media recently, because we're running out of indigenous energy sources – both oil, gas and coal. Over the next decade we are moving to a position where not only will we be importing the majority of our energy resources, but for a variety of reasons we'll also be importing the majority of our material resources too. Quite apart from the trends that are happening at the global scale, this inevitable future renders the operation of the economic paradigm that underpins British State wholly unsustainable. This change will not take place over a very long period of time; it's almost certain to occur within the next ten to fifteen years.

We cannot rely on the rest of the world to supply our energy either. As documented at length in this report, the whole globe faces a prolonged energy drought as both oil, then gas, then coal and uranium all reach a peak of production over the next few decades then go into a long decline. The most controversial aspect of these studies of the peak production of the world's major energy sources is the attempt to combine them, giving a view of what's come to be known as “peak everything”. The obvious implication of such studies is that, from the 2030s onwards, the “modern” human species will have to undergo a contraction of activity because there will be physically less energy to support its present mode of existence. Of course the issue of “peak everything” is a complete anathema to the strictures of neo-classical economics, but it is the failure of the present economic and political system to consider these trends, because it represents a challenge to their present orthodoxy, that represents a far greater problem than the peaking of energy production itself – and it is in fact the greater challenge that we face. This transition is manageable, but only if we begin adaptation as soon as possible. If our political and business institutions try to maintain their delusion that continued growth is possible then we will be in a far worse position when “peak everything” finally comes.

We face major challenges to the future existence of our species. Climate change is only one of them, but if we act as if it is the primary challenge then we will collectively fail. To promote a more positive future we must find a solution that solves the climate, energy and resource issues simultaneously. **Presently there is only one concept that can pull the present trends in a direction that addresses these problems – a managed contraction of the economy, and as a result a significant reduction in personal consumption.**

There is no way that the current level of demand can be sustained in the near future, and to ignore this point defies the current weight of evidence that supports this conclusion. With a contracting energy base, *for one person to have the same another must have less* – justice requires that we undergo this change together. Once we have a confirmation of a global peak in oil production then the global economy will stagnate because oil and gas

are not just energy sources. The finance produced by their production, taxation and sale fuels the global financial economy. The imminent peak of global oil production, and then gas, coal and uranium production, and the economic difficulties that this will create, and set against a background of climate change and the problems that this will create for global agriculture, cannot be avoided. Unless we radically change the values at the heart of the world's economic policies these trends are inevitable – *it's a matter of when, not if*.

For the organisations and groups who support the ideology of the “Western” economic consensus, as this inevitable crisis develops the nightmare scenario is that a contrary point of view will gather support and supplant the present consensus. This will not take place by a revolution or force of arms, but instead, within a democratic society, it only requires enough people to stop believing that the present economic consensus represents their best interests.

There is one group in society that has been forecasting the convergence of these trends for the last forty years – *environmentalists*. This is why environmentalism is a threat; not because it represents a risk of violence or revolution, or because in some way it will create an insurrection against the state. The problem for the liberal economic consensus is that the arguments of environmentalism have proven to be “*correct*” – the trends of human ecological overshoot and collapse that environmentalists have been discussing since the 1960s are now coming to pass. The difficulty, and therefore the threat, that environmentalism represents to the present consensus is that the solutions which environmentalists promote are antithetical to the concentration of economic and political power, and wealth, that characterise the Western model of society today.

This is the reason why the State, both from the political point of view and from the security stance of groups such as ACPO, has shifted its position and now opposes the idea of non-representative protests (i.e., outside of “the usual channels”). Environmental protest represents a threat because the criticisms of environmentalism might receive a wider audience and greater appeal. The greatest threat to the consensus is that people will finally understand that the concept of “the market” and “growth” – *that we can continue to consume without consequence* – is a “great lie” that has no basis in reality. Mainstream politics today seeks to shield the people from the political and economic consequences of that lie, but resource depletion, peak oil and the impacts of climate change threaten the continuation of this deception. It thus becomes vitally important for the State to use all of its powers to repress any dissent that might expose the greater truth of our present position.

In our appreciation of these issues we believe that environmentalists must take a wholly opposite position to that of the present economic consensus: We have to stop being “reasonable” in our actions and instead challenge the “reason” of those who advocate perpetuating the current economic growth paradigm, in any form (green or otherwise), for it has no basis in reality. The problem we face in this process is that you cannot have a reasonable, consensus-based approach to change when the government and the economic lobby will not negotiate on the fundamental trend that's driving the environmental crisis – *growth*. We must work directly for the policies we know must be adopted if we are to avoid the inevitable outcome of the present economic and political policy of growth and consumption.

In this report we have sought to trace a thread of activity that represents the gradual politicisation of the police force against environmentalism, not directly through the individual public police services, but through the private and independent offices of the Association of Chief Police Officers. The bodies that they have set up in recent years – NECTU, WECTU and the NPOIU – under the guise of supporting work on “terrorism” and “extremism”, in fact represent a slow, creeping change in attitude towards the public's rights to protest against national and international governmental policies. This has

enabled a coalescence of views on the “problems” of protest and dissent within the modern management of public perception by party politics. At the same time the exploitation of the issues of “terrorism” and “anti-social behaviour” by the police services has permitted a more authoritarian approach towards the rights of the public to collectively exercise pressure in society.

As explained in Section 1, when we look at the various laws and guidelines applied by the State, within the the debate about the policing of extremism, “extreme” is not a matter of the *mode of action* of the protesters but rather the point they are trying to highlight. For example, the 2008 Climate Camp raised unpleasant questions in the debate over the permitting of a new coal-fired power station at Kingsnorth in Kent, and the wider ramifications of this debate in relation to the growth economy and carbon emissions. Hence it's the point that the protests are seeking to make that represents the challenge to the political consensus, not so much the act itself. In fact, if you look at some protest or action theory it is the symbolic nature of the action is intended to highlight the issue of concern rather than of itself creating change. However, from the State's point of view, this door can swing both ways; in the way that the media portrays the protest action to the public, tackling the protestors as “extremist” creates an association in the public's mind that the issue itself is also “extreme”. Through the repeated association with negative imagery the protester's progressive symbolism becomes inverted.

It might be possible for us to believe that at some level ACPO (as they claim) are working “in the public interest”, and we can probably believe that the individual members of ACPO consider that they themselves are working in the public interest. However, such considerations are beside the point. In an open and democratic society anyone holding positions of power, with the ability to influence and dictate public policy, should be open to a transparent external auditing and accountability process. Whilst that process need not necessarily be directly accountable to individual members of the public, such organisations should at the very least be answerable to those whom the public do hold accountable through the process of election. In relation to the operation of ACPO, no such transparency or accountability mechanisms exist. For this reason, the policy and policing support functions that ACPO administers are also operating outside of public accountability, and by their nature cannot be in the public's interest.

It is inconceivable that the British government has not considered – *in private, if not in public* – the risks these trends present. As outlined in section 4 of this report, those with an interest in the well-being of the state and the economy have conducted a number of studies on the impacts of peak oil (and resource depletion in general) and have found the results very challenging to our present ideas of “normality”. If the Government has truly not considered these issues then this fact alone should invalidate any claim that they might have to “leadership” since, given the weight of evidence, any reasonable person could not ignore the potential hazards of these trends to society.

However if, as we believe, the Government is seeking to deflect any debate or criticism on these issues, and ensuring that “non-representative” means of dissent are also closed through limiting the rights of the public to protest, then they are endangering our fundamental freedoms and curtailing our ability to collectively address the challenges facing us. There is a fine line between the current “secretive” role of ACPO, NETCU, WECTU and NPOIU, and the truly “secret” role of a Stasi-style police force that we see in repressive states. Seeking to avoid any debate of these vital problems will not make them go away; in fact it exacerbates the problem. Instead what we need is an open debate, and if the State does not wish this, then public protest will be our only guarantee that we can, as a society and as individuals, meet these challenges and find a way past the difficulties they will create for us.

## Section 1. The background

What follows in this section may not obviously appear relevant to a discussion about protest and extremism, but in order to understand the arguments we will later present, we must first investigate the background to that argument. Specifically, *why in an otherwise “democratic” society is the State appearing to restrict the freedom of its citizens?* What's also relevant is that, as noted in the subtitle to the report, the focus of our analysis on the role of NETCU, WECTU and NPOIU is related to the *politicisation of the policing of public expression in an era of economic change – the economic argument is a critical dimension.*

Looking at the operation of our democracy today Britain does have a growing extremism problem – *its police and security services*. Outside of the forum of democratic debate and accountability, and using the perceived fear of a terrorist threat, they are slowly tightening the legal framework within the UK to criminalise many forms of activity and expression that were previously permitted as “normal” within a free society. Moving on from the original purpose of limiting *anti-social behaviour*<sup>1</sup>, we now see the government and police forces trying to redefine the term “extremism” to reflect many forms of non-violent civil action as both dangerous and threatening to society. As a result, and as stated by Her Majesty's Inspectorate of Constabulary (HMIC), whilst defining non-violent protest as *problematic*<sup>2</sup> the emphasis in present policy is still to retain an element of force when dealing with non-violent expression –

*Non violent action calls for a sensitive measured response from the police to ensure peace is maintained, yet retaining the capacity and ability to quickly change their tactic to respond to the threat of violence should it arise.*

Whilst “sitting in front of the bulldozers” has been seen as an honourable tradition in British public life, and popularised in literature and entertainment (from Douglas Adam's *The Hitch-Hikers Guide to the Galaxy* to Tom Stoppard's *Blot on the Landscape*), today the state is taking the opposite approach – treating it as “serious disorder”. For example, echoing the point made in the extract above, *Chapter 3* of the HMIC report, *Keeping the Peace*<sup>3</sup>, highlights the problems of preventing such protest –

*The announcement of any new construction project that is remotely controversial heralds a period of ‘defensive building’, such as the construction of elaborate bunkers, trenches and tunnels, often containing highly dangerous booby traps posing considerable danger to those involved. Depending on the type of construction, the announcement of the project can precede building by several years, giving protesters plenty of time to prepare ‘defences’ to prevent their speedy eviction from the site.*

Of course, against the background of demonising protest as a form of “extremism”, we see highly repressive and sometimes violent tactics being used to contain and perhaps dissuade people from peaceful protest; and by the attestation of some, even provoke a violent response in order to permit a more active response by police forces. As the recent, tragic events surrounding the *G20*<sup>4</sup> protests have shown, if members of the police service set out with the psychological conditioning that protesters are both “extremists” and potentially violent then individual officers may actively express that in their policing role.

1 See the Home Office web site for a definition – <http://www.homeoffice.gov.uk/anti-social-behaviour/what-is-asb/>

2 See the Her Majesty's Inspectorate of Constabulary report on 'Policing Disorder' (March 1999) – <http://inspectorates.homeoffice.gov.uk/hmic/inspections/thematic/ktp/disorder.pdf>

3 HMIC Thematic Report: *Keeping the Peace* (March 1999) – <http://inspectorates.homeoffice.gov.uk/hmic/inspections/thematic/ktp/>; Chapter 3, *Responding to Disorder* – <http://inspectorates.homeoffice.gov.uk/hmic/inspections/thematic/ktp/disord3.pdf?view=Binary>

4 See Wikipedia: '2009 G20 London Summit Protests' – [http://en.wikipedia.org/wiki/2009\\_G-20\\_London\\_summit\\_protests](http://en.wikipedia.org/wiki/2009_G-20_London_summit_protests)

We can view this trend of the “politicisation” of policing of protest against the background of the more general crisis in the representative political system within the Western states. As mainstream politics has coalesced around the “liberal economic consensus”, under which large parts of the debate over economic and social policy are off-limits to public involvement or debate, any other dissenting opinion, both within politics, through the media and in wider society, has been marginalised. Across society too – as a result of a more competitive, professionalised employment system and the increasingly dominant role of material consumption within everyday life increasing the pressure on personal time and finances – the debate over how governance operates has been simplified as the media's engagement with the political process has shrunk to the “sound bite”.

In a sense this change in the public's perception of the political dialogue is itself a reflection of the powerlessness of mainstream politicians – *a point demonstrated by the present economic crisis*. As a consequence of giving power over large parts of society to market forces, politicians are no longer in control, and as a result, to address the disparity between their speeches and the ability to act it's the *presentation* of politics rather than the *content* that exercises the minds of our political parties. This problem was foreseen by the political philosopher Herbert Marcuse in the late 1950s/early 1960s<sup>5</sup> –

*The rulers of the world are losing their metaphysical features. Their appearances on television, at press conferences, in parliament and at public hearings is hardly suitable drama beyond that of the advertisement, while the consequences of their actions surpass the scope of the drama.*

For mainstream politicians fighting an election is no longer about satisfying the public's demands through arguing for an identified agenda, but rather satisfying the material desires of just a small section of society who are likely to change their vote at any one election – *that is, if they vote at all* (in the UK, this can mean that an election can be decided by around one to three million of the forty-or-so million citizens who are eligible to vote). As voter turnout falls, in response to the perceived lack of any personal engagement with the present ideological stance of our political leadership, it also poses questions about the legitimacy of elected politicians.

Against this background, the rise of single issue and direct action protest can be seen as a highly challenging force; both to the consensus that exists between the mainstream political parties and the organisations that represent the globalised systems of the market that support and, to a greater extent, fund them. Again, with reference to the context of this discussion on “freedom” and “extremism”, Herbert Marcuse goes on to state that<sup>6</sup> –

*The denial of freedom, even the possibility of freedom, corresponds to the granting of liberties where they strengthen the repression. The degree to which the population is allowed to break the peace wherever there is still peace and silence, to be ugly and to uglify things, to ooze familiarity, to offend against good form is frightening. It is frightening because it expresses the lawful and even organised effort to reject the Other in his own right, to prevent autonomy even in a small, reserved sphere of existence. In the over-developed countries, an ever-larger part of the population becomes one huge captive audience – captured not by a totalitarian regime but by the liberties of the citizens whose media of amusement and elevation compel the Other to partake of their sounds, sights and smells.*

In this discussion “the Other” are those sections of society who do not believe in the present political and economic consensus that operates through mainstream politics. This opposition can be based on a variety of issues – be they spiritual, political or economic – but the common factor is that these strands of opinion are not reflected within the present consensus that exists between political parties in the UK (for example, the principle of

<sup>5</sup> Chapter 3, *One-Dimension Man*, Herbert Marcuse, 1964 (taken from page 74 from the Routledge Classics edition, 2002 – ISBN 9780-4152-8977-1).

<sup>6</sup> Chapter 9 (page 249, *ibid*).

economic growth – which we will return to later in Section 4 of this report).

The issue of the *freedoms granted* to protest strikes at the heart of this consensus; whilst certain forms of “representative” protest are accepted by the consensus (letter writing, petitions, etc.) more direct forms of protest are not because, by questioning the competence of authority, they weaken the apparent power of the political consensus. But perhaps fulfilling Marcuse's outlook more directly, today we are encouraged to use *consumer pressure* to effect change through our choice of products rather than changing the system directly through the process of *political pressure*. Even within party politics, especially the way in which it is communicated through the mass media, we are urged to “consume” one brand rather than another in order to express our personal preference. As Marcuse points out this approach not only reinforces the very same system that we are seeking to change, it will not directly lead to a change in the form of that system either.

We can also look at the “denial of freedoms” that Marcuse refers to in the context of the implicit simplification and de-skilling of consumer culture. This of course means that as this culture evolves, and becomes more dominant, we become more closely wedded to the process of consumption because we lack the practical knowledge (not just for technical processes, but even self-supporting activities like cooking and food preparation) to perform the practical functions required to support ourselves.

More insidiously, the administrative systems in this society enforce this “poverty of expectation” by denying the freedom to act to those who want a more self-reliant and ecological lifestyle. Echoing the restrictions over personal freedom outlined by Marcuse, the present system enforces the expectation that people should conform to the need to consume as part of their everyday lives. It does this, through regulation, guidance, and increasingly by the professional certification of skills, by removing the freedom for individuals to develop their own, self-reliant alternatives to their needs. For example: In Britain the planning system does not allow certain types of development in the countryside, and so those who wish to practise low impact lifestyles, outside of the present economic system, find it almost impossible to get permission to do so as the form and function of what they wish to develop is not encompassed in present guidance<sup>7</sup>; another example would be the recent change in Building Regulations<sup>8</sup> that restricts householders, even if they have the adequate practical skills, from conducting certain changes to the electrical systems in their homes unless they pay for the training and appropriate accreditation/certification; we also see the same processes taking places in other areas such as intellectual property rights, or the more restrictive licensing of live performances and the greater involvement of restrictive private agencies such as the PRS<sup>9</sup>, which mean that the public's rights to use information or play/view creative works without paying fees (“fair dealing”) has been steadily whittled down over recent years<sup>10</sup>.

Whilst we may complain about the regulation of our lives, from the point of view of the economy as a whole each ratcheting-up of the regulations requires greater costs to be borne by society, but as a result of all this additional work it increases activity in the economy as a whole – *it creates growth*. However, returning to Marcuse's point, the implicit part of this process is that, to create systems that strengthen the dominance of the present economic consensus within society through greater regulation, it is necessary to control or even remove activities that society may have traditionally engaged in.

<sup>7</sup> For example: *Eco-community fights to keep site*, BBC News, 28<sup>th</sup> April 2008 – <http://news.bbc.co.uk/1/hi/england/devon/7370486.stm>; *Roundhouse approved after decade*, BBC News, 15<sup>th</sup> September 2008 – [http://news.bbc.co.uk/1/hi/wales/south\\_west/7616775.stm](http://news.bbc.co.uk/1/hi/wales/south_west/7616775.stm); *Revised plans for 'eco-village'*, BBC News, 11<sup>th</sup> March 2008 – [http://news.bbc.co.uk/1/hi/wales/south\\_west/7287943.stm](http://news.bbc.co.uk/1/hi/wales/south_west/7287943.stm)

<sup>8</sup> Part P – Building Regulations, *Electrical safety*, introduced in 2005.

<sup>9</sup> PRS, Performing Rights Society for Music – <http://www.prsformusic.com/>

<sup>10</sup> *electrohippies* Paper Q1, April 2009 – <http://www.fraw.org.uk/download/ehippies/q01/>

Reducing this just to the issue of our freedom to protest, history has shown that more direct forms of mass or non-violent protest are problematic not because *they of themselves* force change, but because they *raise fundamental questions* that the consensus of that time cannot rationally answer. The issue of [women's suffrage](#)<sup>11</sup> is a clear example of how a conflict between the dominant political consensus and the objective truth that was being argued by the protester's actions led to a new process of change emerging in society. Therefore it's the deeper *objective truth*, which forms the motivation for the protest, that the political consensus must seek to stifle not just the protest itself. Of course, as Marcuse points out, this ultimately must lead to a repression of those who seek to express this unwelcome truth.

***The problem we face today is that the objective reality of our situation, both within UK society and as a global community, is not reflected in the public dialogue we see in mainstream politics and the media.*** There are a number of serious issues, related to the values that form the heart of the present political and economic consensus, that portend a major shift in society. Be it climate change, resource depletion, or the growing disparity between rich and poor (both within the developed states and between the developed and the undeveloped states), there are a whole range of issue where mainstream politics cannot fully engage in a dialogue because it would invalidate their own present ideological position. Suppression of the debate becomes the least damaging option within official policy.

For example the recent discussion related to the [Green New Deal](#)<sup>12</sup>: This argument, and the way mainstream politicians engage with it, presupposes that economic growth can be “green”, both delivering greater prosperity and solving environmental and social issues such as climate change and global development. However, if we look at economic theory, but more importantly the resource depletion issue (e.g. highlighted in the [Limits to Growth](#)<sup>13</sup> reports) no such [connection can be made](#)<sup>14</sup>. Instead, given the trends of human consumption in excess of the planet's capacity to sustain production, a planned contraction of consumption is the only option that can remedy a more chaotic collapse of the economy as humanity grows beyond its resource limitations. Such a view is rarely presented in the debate over the Green New Deal because not only does it deny that it “can save us”, but the type of change that we must advocate instead, to address resource overshoot, invalidates the present market-driven consensus on the economy.

To summarise the public's situation on issues that raise difficult questions about the fundamentals of the liberal economic consensus: *In order to give the appearance of control, whilst maintaining the ideological consensus that forms the basis of mainstream politics today, it's necessary for politics not so much to lie outright, but rather to stay silent, to misdirect, to mislead, to obfuscate, to selectively quote or just ignore any problem where an open debate on the facts might cast doubt on the dominant consensus.* It's for this reason that, on the front of this report, we reproduce the words that (perhaps apocryphally) are attributed to Joseph Goebbels –

*If you tell a lie big enough<sup>15</sup> and keep repeating it, people will eventually come to believe it. The lie can be maintained only for such time as the State can shield the people from the political, economic and/or military consequences of the lie. It thus becomes vitally important for the State to use all of its powers to repress dissent, for the truth is the mortal enemy of the lie, and thus by extension, the truth is the greatest enemy of the State.*

<sup>11</sup> See Wikipedia: 'Suffragettes' – <http://en.wikipedia.org/wiki/Suffragettes>

<sup>12</sup> See Wikipedia: 'Green New Deal' – [http://en.wikipedia.org/wiki/Green\\_new\\_deal](http://en.wikipedia.org/wiki/Green_new_deal)

<sup>13</sup> See Wikipedia: 'Limits to Growth' – [http://en.wikipedia.org/wiki/Limits\\_to\\_Growth](http://en.wikipedia.org/wiki/Limits_to_Growth)

<sup>14</sup> *Limits to Growth*, Free Range EBO Project Sheet S1, Free Range Network, October 2008 – <http://www.fraw.org.uk/download/ebo/s01/>

<sup>15</sup> See Wikipedia: 'The Big Lie' – [http://en.wikipedia.org/wiki/Big\\_lie](http://en.wikipedia.org/wiki/Big_lie)

The concept of the “big lie” was something that developed, in parallel with other similar trends, in the first half of the Twentieth Century. The modern party political structure of Britain also evolved during this period. From political spin, to advertising, to the layout of supermarket shelving, society tries to shape your attentiveness to reflect their concerns, not yours. This concept was developed in the 1920s by [Edward Bernays](#)<sup>16</sup>, the originator of the term “public relations”, and outlined in his 1928 pamphlet, *Propaganda*<sup>17</sup> –

*In theory, every citizen makes up his mind on public questions and matters of private conduct. In practice, if all men had to study for themselves the abstruse economic, political, and ethical data involved in every question, they would find it impossible to come to a conclusion about anything. We have voluntarily agreed to let an invisible government sift the data and high-spot the outstanding issues so that our field of choice shall be narrowed to practical proportions. From our leaders and the media they use to reach the public, we accept the evidence and the demarcation of issues bearing upon public questions.*

We can see this same management of perception by the public within a number of different government policies, and the way in which certain “problematic” issues that might challenge the competency of the state are ignored (we'll return to this later in relation to “Peak Oil”). This is not some recent phenomenon, as demonstrated by the quotes from Edward Bernays and Joseph Goebbels; these ideas have been in play for the last eighty years. However, as we move into an era where the trends of the last eighty years not only cease to apply, but will go into reverse, we need to re-visit the idea that governments, corporations and other bodies acting abstractly on our behalf have the answers to these problems. And of course, questioning the policies of these bodies, and if necessary protesting about them, is an important part of how society will adapt to this new reality in the development and ecology of the human species.

There are a number of claims that the Government repeatedly states, in order to support the present economic and political consensus, that do not stand up to a close investigation of the trends they seek to address. When we view the present political and media obsession with security, terrorism, and the public order debate, we begin to see how these flaws can create serious risks to our freedoms because of the ideological (as opposed to factual) assumptions within the government's approach.

For example, the rationale behind the involvement of the police in controlling “extremism” is fraught with difficulties for our future freedom of expression. A good example of the problems that can be created through the loose definition of policy, and the potential it has to limit our freedoms, is the recently re-launched [CONTEST-II anti-terrorism strategy](#)<sup>18</sup>. The strategy defines the fight against terrorism in terms of those acting against “British values”, but without ever specifying what those values are. Such an approach calls into question whether those values are themselves representative of the public as a whole, or just a small section of it. The difficulty is that if the politicians were to state these values it might not only expose their own view of our society to investigation, but it would also limit the application of the strategy. If the values were stated it would “freeze” the application of the policy. It's far better for those administering this process to leave these troublesome “values” unstated, and allow the application of the policy to creep into different areas of public activity, in order to avoid any debate or claim that the State is “moving the goalposts”.

When we look at the use of the term “extremism” by the Government and the police

<sup>16</sup> See Wikipedia: 'Edward Bernays' – [http://en.wikipedia.org/wiki/Edward\\_Bernays](http://en.wikipedia.org/wiki/Edward_Bernays)

<sup>17</sup> *Propaganda*, Edward Bernays, 1928 – <http://www.historyisaweapon.com/defcon1/bernprop.html>

<sup>18</sup> *CONTEST-II Strategy* (public leaflet), Home Office, March 23rd 2009 – <http://www.homeoffice.gov.uk/documents/contest-leaflet?view=Binary>; to quote, “*The principles and values that form the very basis of our society are at the core of our counter-terrorism strategy.*”

services we see precisely the same problem. The term itself is *never explicitly defined*<sup>19</sup> in any of the policy documents or speeches that are used to support the recent catalogue of ever-more repressive laws. Instead what we see is a development of a framework of laws, statutory instruments and policing guidelines which, rather than defining “extremism” in terms of violent, aggressive or unlawful action against the state, phrases it instead as effectively *any* kind of action that questions the present political consensus. This is because by failing to state what “extremism” is the label can be applied to whatever the authorities decide they wish to apply it to.

Consequently this means that to be an extremist you don't have to *do* anything, you just have to disagree with the views of those in authority. Within the terms of new anti-terrorism laws action is not even required – you merely need to believe what you say<sup>20</sup>. Therefore the purpose of these policies is skewed toward not just the physical well-being of the public, but specifically protecting the present political and economic consensus that the authorities represent. Returning once again to Marcuse's concept of “denying freedoms”, when the State, or by proxy the media, demonises a certain group in society this is usually not some new or serendipitous discovery within our midsts (for example peace convoys, gang masters, dangerous dogs, etc.); they were there before but were not at that time considered a significant problem. Any group that does not seek to follow the orthodoxy of the dominant consensus is therefore open to state action. The arbitrary power of the state to label individuals as “extremists” was perhaps most succinctly described by Archbishop Hélder Câmara:

*When I give food to the poor, they call me a saint.*

*When I ask why the poor have no food, they call me a Communist.*

In his book, *Spiral of Violence*<sup>21</sup>, Archbishop Câmara also characterises the way in which, in the West's present “moral panic” to address the growing ideological conflict between market capitalism and theocracy (of all kinds, not just Islam – but the process clearly mirrors the West's panic over communism on which Archbishop Câmara was writing), the Government's battle to preserve our freedoms might also endanger them –

*Psychological warfare – employed both by the extreme left and the extreme right, and by democratic regimes who are beginning to see protest increasing – considers itself scientific. It is the old Inquisition, with the technology of the nuclear and space travel age at its service. Let us have the honesty to admit, in the light of the past and, perhaps, here and there, in the light of some typical reactions, that violence, governmental repression, under the pretext of safeguarding public order, national security, the free world, is not a monopoly of the underdeveloped countries. There is not a country in the world which is in no danger of falling into the throes of violence.*

Of course, that last sentence might sound rather absurd; almost conspiratorial! For this reason in the next section we will document the process by which various government initiatives have enacted a legal framework which protects the primacy of the present political consensus rather than the needs of the public whom that consensus is meant to serve.

<sup>19</sup> *We are all extremists now*, The Guardian, 16th February 2009 – <http://www.guardian.co.uk/commentisfree/2009/feb/16/extremism-arrests-police-liberty-central>

<sup>20</sup> In this way the British law now enacts a prohibition upon the principle established by Saul Alinsky, “A radical is someone who believes that they say” (from *Rules for Radical*, Saul Alinsky, 1971).

<sup>21</sup> *Spiral of Violence*, Hélder Câmara, Sheed and Ward 1971; out of print, scanned version available on-line at – <http://www.alastairmcintosh.com/general/spiral-of-violence.htm>

## Section 2. The process

*The threat of terrorism is not an uninvited threat.* Arguably it is our past involvement with foreign policy measures – from the West's arming of anti-Russian groups in Afghanistan that gave rise to Osama bin Laden, to the support for repressive states in the Middle East and Central Asia against the wishes of large sections of their population – that has been partly responsible for our present problems. However, within anti-terrorism policy in the UK, the recent external terrorist threat has not been the initiating force for change; instead it has been a “bandwagon” on which the State has leapt in order to promote measures that were proposed long before (for example, ID cards). We can trace this process, in the legislation that governments in Britain have enacted over the last ten to fifteen years, and show how it has been used to restrict the public's right to public protest.

Over a period of five years *before* the terrorist attack on “11/9”, the British government passed a series of laws which began a creeping process of criminalisation of protest and dissent by the public:

- ◆ Section 93 of *The Police Act 1997* and Section 5 of the *Security Services Act 1996* (which amends the *Intelligence Services Act 1994*) enacted the principle of *common purpose*, defined as –
  - Conduct [which] constitutes one or more offences, and either involves the use of violence, results in substantial financial gain or (our emphasis) is conduct by a large number of persons in pursuit of a common purpose*This means that any minor infraction, if carried out by a large number of people can be regarded as a *serious crime* that allows the police to interfere with private property and the security services can be authorised to carry out investigations of individuals;
- ◆ Section 1 of the *Terrorism Act 2000* extends the definition of terrorism to the motivations of the individual when it uses the test that –
  - the use or threat is designed to influence the government (our emphasis) or an international governmental organisation or (our emphasis) to intimidate the public or a section of the public”*The use of the word “or” in this context means that you don't have to use violence or intimidation against the public, but rather use certain types of action, even non-violently, to try and change the Government's mind;
- ◆ Sections 5 and 22 of the *Regulation of Investigatory Powers (RIP) Act 2000* – enacted powers to monitor communications, and to require the decryption of encrypted data, as part of investigations by the police and by local authorities – define the criteria for issuing warrants as –
  - In *Section 5(3)*, which permits intrusive surveillance, bugging, reading post, etc.,
    - ...on grounds falling within this subsection if it is necessary –*
    - (a) in the interests of national security;*
    - (b) for the purpose of preventing or detecting serious crime;*
    - (c) for the purpose of safeguarding the economic well-being of the United Kingdom and*
  - In *Section 22(2)* which permits the disclosure of communications data, information about phone numbers, times used, etc.,
    - ...on grounds falling within this subsection to obtain communications data if it is necessary –*
    - (a) in the interests of national security;*
    - (b) for the purpose of preventing or detecting crime or of preventing disorder;*
    - (c) in the interests of the economic well-being of the United Kingdom;*

- (d) *in the interests of public safety;*
- (e) *for the purpose of protecting public health;*
- (f) *for the purpose of assessing or collecting any tax, duty, levy or other imposition, contribution or charge payable to a government department;*
- (g) *for the purpose, in an emergency, of preventing death or injury or any damage to a person's physical or mental health, or of mitigating any injury or damage to a person's physical or mental health.*

The application of these laws is clearly a matter of definition and interpretation, and how those within the criminal justice system feel that they can or cannot apply the terms of the law will vary in each individual case. Whilst judges and magistrates may on the whole be reasonable people, they are only allowed to interpret the law and apply it within the terms prescribed by Parliament. The basis of how this interpretation takes place will of course always come down to the facts of the case as they are presented to the judge/magistrate by the police in order to secure the necessary authorisations or warrants under the law.

The problem is that these laws use a number of very broad and vague terms which are rarely defined in detail. The most problematic issue is the judicious use of the word "or", as highlighted above. This allows innocent activities, such as non-violent protest, to be categorised as something more serious. For example, if a hundred people sent emails to a government minister to influence his decisions, and this act disrupted his work because he has so much email to read through, that technically could be investigated as a terrorist act (under Subsection 1(2)(e) any act to further an "ideological" cause can be classed as terrorism if it causes "disruption to an electronic system").

Under the common purpose principle even minor offences can be treated as serious crime if enough people carry it out together – but the term "*large number of people*" is not specifically defined. For this reason the modern common purpose principle has the potential to be applied to many acts of "*civil disobedience*"<sup>22</sup> used as part of non-violent protests today (later, in relation to NETCU's *Policing Protest Pocket Legislation Guide*, we'll also look at some of the criteria used for policing groups of protestors). However, the concept of 'common purpose' originates in much older legislation: from the old *Combination Acts* (made in the Eighteenth and Nineteenth Centuries) which sought to restrain the development of early trades unions and political parties; to the *Riot Act 1714*, the terms of which still influence the modern concepts of public order legislations today. In fact, under the terms defined in the *Riot Act 1714*, only twelve people need be acting unlawfully for their actions to be equivalent to a "serious crime"<sup>23</sup>.

Of the above legislation it's perhaps the RIP Act that has proved most controversial. In UK law there is no specific right to privacy, and no legal definition to encompass what aspects of our lives may be considered "private" in relation to the actions that the state might take against us (in terms of the problems of modern surveillance, this was a point made before a House of Lords committee who recently investigated the "surveillance society"<sup>24</sup>). Whilst there is a general principle that any action taken by the state must be proportionate to the alleged offence committed, no such considerations are explicitly set out in relation to the surveillance of British citizens.

It comes as no surprise to those who raised concerns at the time that over the last few years there have been cases of local authorities using their powers under the RIP Act excessively. This related not just to minor crimes but also administrative matters that are

<sup>22</sup> See Wikipedia: 'Civil Disobedience' – [http://en.wikipedia.org/wiki/Civil\\_disobedience](http://en.wikipedia.org/wiki/Civil_disobedience)

<sup>23</sup> *The Riot Act 1714*, reproduced on-line at – <http://reactor-core.org/riot-act.html>

<sup>24</sup> Chapter 4, *Surveillance: Citizens and the State*, Constitution Committee Second Report (2008/9 session) HL18-II, 21<sup>st</sup> January 2009 – <http://www.publications.parliament.uk/pa/ld200809/ldselect/ldconst/18/1802.htm>

not criminal offences. For example:

- ◆ Poole Borough Council has admitted using the RIP Act to check the address of a three-year-old child applying for a [primary school place](#)<sup>25</sup>; and
- ◆ Derby City Council, Bolton, Gateshead and Hartlepool used surveillance to investigate [dog fouling](#)<sup>26</sup>.

Of course, these incidents took place despite the promise from the Home Office of “[stringent safeguards](#)”<sup>27</sup> when the law was introduced, and despite the warnings from [privacy advocates](#)<sup>28</sup> that such infractions of the law were bound to take place. It has [just been announced](#)<sup>29</sup> that a review of the RIP Act’s use by local authorities is about to be begin, but as yet there is no clear information about the scope of the review or whether it will include the use of the Act by other agencies.

As noted in the previous section, all this legislation was enacted before “11/9” – in the context of the UK’s legal framework the issue of “terrorism” does not stem from the attacks of September 2001, but from a period of years before that date. This is not surprising, given the recent history of terrorism in Northern Ireland, but against the background of the successful peace process of the 1990s we might have reasonably expected new terrorism legislation to free up, rather than tighten, the controls over individual action.

Of course, since 2001, we have had a whole raft of new anti-terrorism legislation that has built on the pre-“11/9” foundations, and that can be used by the State to target those that it considers represent a challenge to the “well-being” of society. In addition there are new “anti-social behaviour” powers that can also be used to restrict the rights of individuals to movement or assembly. The most recent detailed examination of how these laws were being used was by the House of Lords/Commons Joint Human Rights Committee in their report, [Demonstrating Respect For Rights? A Human Rights Approach To Policing Protest](#), published in March 2009<sup>30</sup>. This produced many examples of the problems that the new framework for controlling disorder has created. For example, in paragraph 49 of the report, the Committee cite evidence from the National Union of Journalists –

*“...the police are now more concerned with controlling and preventing demonstrations than facilitating protest. Journalists and protestors referred to what they regarded as the increased use of police powers including:*

- *stop and search (including under the Terrorism Act) to intimidate and harass and allow “police the opportunity to obtain identity, gain intelligence, prevent photography”;*
- *intrusive photography and filming of protestors and journalists;*
- *wide ranging seizures of property, including personal belongings;*
- *use of legal powers not designed to deal with protests such as inappropriate use of anti-social behaviour legislation;*

<sup>25</sup> *Local council uses snooping laws to spy on three-year-old*, The Register, 11<sup>th</sup> April 2008 – [http://www.theregister.co.uk/2008/04/11/poole\\_council\\_ripa/](http://www.theregister.co.uk/2008/04/11/poole_council_ripa/)

<sup>26</sup> *Spy law 'used in dog fouling war'*, BBC News, 27<sup>th</sup> April 2008 – <http://news.bbc.co.uk/1/hi/uk/7369543.stm>

<sup>27</sup> *'Snoop' plans raise privacy fears*, BBC News, 12<sup>th</sup> June 2002 – [http://news.bbc.co.uk/1/hi/uk\\_politics/2037459.stm](http://news.bbc.co.uk/1/hi/uk_politics/2037459.stm)

<sup>28</sup> *'Massive abuse' of privacy feared*, BBC News, 11<sup>th</sup> June 2002 – <http://news.bbc.co.uk/1/hi/sci/tech/2038036.stm>

<sup>29</sup> *Council 'spying' to be restricted*, BBC News, 17<sup>th</sup> April 2009 – [http://news.bbc.co.uk/1/hi/uk\\_politics/8003123.stm](http://news.bbc.co.uk/1/hi/uk_politics/8003123.stm)

<sup>30</sup> *Demonstrating Respect For Rights? A Human Rights Approach To Policing Protest*, Joint Human Rights Committee Seventh Report (2009/9 session) HL47-1/II – <http://www.publications.parliament.uk/pa/jt200809/jtselect/jtrights/47/4702.htm>

- *overuse of breach of the peace; and*
- *“function creep” in the use of the Protection from Harassment Act 1997 (for example to restrict protest outside company premises).*

*They also referred to local authority restrictions, such as requiring third party insurance or licences for the use of sound equipment.*

In relation to the use of anti-terrorism powers, specifically Section 44 of the Terrorism Act 2000, paragraph 93 the Committee's report stated –

*Whilst we accept that there may be circumstances where the police reasonably believe, on the basis of intelligence, that a demonstration could be used to mask a terrorist attack or be a target of terrorism, we have heard of no examples of this issue arising in practice. We are concerned by the reports we have received of police using counter-terrorism powers on peaceful protestors. It is not clear to us whether this stems from a deliberate decision by the police to use a legal tool which they now have or if individual officers are exercising their discretion inappropriately. Whatever the reason, this is a matter of concern.*

Another target for criticism in the report is the *Protection from Harassment Act 1997*. Originally intended as a means of dealing with stalkers and troublesome ex-partners, the purposes of the Act laid down by Parliament have been twisted to encompass the activities of protesters – in a process common under the application of such laws (and new technologies that can have hidden privacy or surveillance uses) called “functional creep”. Companies have used the Act, the proceedings for which are usually held in private, to obtain court injunctions to limit the right of protest. Amongst a number of others that have taken place in *recent years*<sup>31</sup> the most notable involved the operators of *Heathrow Airport*<sup>32</sup> who were seeking to ban potentially tens of thousands of people from a large zone around the airport. Paragraph 99 of the Committee's report stated –

*We appreciate that injunctions bring benefits to those who have experienced violent and intimidatory protest, especially at their homes. However, we are concerned that the Protection from Harassment Act 1997 (which was not designed to deal with protestors, but has developed over time to encompass this area of activity) has the potential for overbroad and disproportionate application.*

Despite the protestations of the Joint Human Rights Committee these infractions continue because remedying the problem does not have a high priority on the government's legislative programme; *in general politicians make political capital by tightening laws, not relaxing them*. Instead what we see is further potentially repressive laws being enacted.

The most significant new restriction since 2001 is the *Serious and Organised Crime and Police Act (SOCPA) 2005*. This law enacted many controversial measures, such as giving the police the powers of arrest for any offence (in *Section 110* – ending the previous definition of “arrestable” and “non-arrestable” offences). However, this seemingly minor amendment means that the police must find a reasonable cause to arrest someone, and one of those reasons is –

*to allow the prompt and effective investigation of the offence or of the conduct of the person in question.*

This means that the police can now use any minor infringement as a pretext to arrest in order to remove a person from a demonstration. Perhaps the most controversial measure

<sup>31</sup> *Misuse of an act designed to stop stalkers*, The Independent, 7<sup>th</sup> August 2007 – <http://www.independent.co.uk/news/uk/crime/misuse-of-an-act-designed-to-stop-stalkers-460555.html>

<sup>32</sup> *Joy for protestors as Heathrow is denied 'mother of all injunctions'*, The Independent, 7<sup>th</sup> August 2007 – <http://www.independent.co.uk/news/uk/crime/joy-for-protesters-as-heathrow-is-denied-mother-of-all-injunctions-460565.html>

has been the banning of protests, of any kind, within certain “designated areas” (section 132-138). This includes a large area around the [Houses of Parliament and most Whitehall government buildings](#)<sup>33</sup>, as well as a number of [military establishments around the country](#)<sup>34</sup>.

In relation to the ability of the police to curtail the right to protest the measure with the most widespread application is probably [Section 112](#). This gives the police the power to direct someone to leave a place if the officer believes that they do not have the right to be there, and arrest them if they refuse to go. Public order powers already give the police very broad powers in relation to people who are “misbehaving” on private property. With the greater privatisation of public space in most urban areas across the country Section 112 potentially gives the police a simple means to prevent or relocate demonstrations which are in no way presenting public order problem. For example, most shopping centres are technically private property, and technically, despite being “public buildings”, the public have to automatic right to be on the land owned by local councils. In the conclusions to their report the Joint Human Rights Committee raise this issue of protests on “private property” in point 3 of their recommendations –

*In the past, there were good reasons for maintaining a strict distinction between private and public space, insofar as protests were or were not permitted. However, given the increasing privatisation of ostensibly public space, such as shopping centres, we consider that the situation has changed. Where preventing protest on private land to which the public routinely has access would effectively deprive individuals of their right to peaceful protest, the Government should consider the position of quasi-public spaces to ensure that the right to protest is preserved.*

Most recently we have what can best be defined as the “European RIP Act”. Under the framework agreed under the European [Cybercrime Convention 2001](#)<sup>35</sup>, the European Union's Council of Ministers [approved a plan](#)<sup>36</sup> in November 2008 to grant police and security services the power to perform remote searches of suspects' computers (that is, using “back doors” in programs to remote access, to “hack” people's computers). In January this year, the Home Office announced that it was going to [participate in this plan](#)<sup>37</sup>, although it has not yet announced any details.

In any case, such an agreement doesn't affect British citizens significantly. It has been legal for the police to hack into the computer systems of British citizens *without a warrant* since 1995. This followed the amendment of Section 10 of the [Computer Misuse Act 1990](#) which exempted the police and security services from prosecution for the offences of “computer misuse” that the Act seeks to prevent.

If we look at the change in the policing of protest in Britain over the last decade it's clear that the state is seeking to stamp down on any action that seeks change “outside of the usual channels”. This limits protest to the scope of “regular” representative processes, such as letter writing, talking to your MP, or signing petitions – in short, *those things which don't create significant changes in the public debate because they happen outside the media and the public's gaze.*

<sup>33</sup> The area around Parliament is defined in *The Serious Organised Crime and Police Act 2005 (Designated Area) Order 2005*, SI. 1537/2005 – <http://www.opsi.gov.uk/si/si2005/20051537.htm>

<sup>34</sup> The locations are listed in *The Serious Organised Crime and Police Act 2005 (Designated Sites) Order 2005*, SI. 3447/2005 – <http://www.opsi.gov.uk/si/si2005/20053447.htm>

<sup>35</sup> *European Cybercrime Convention 2001* (via Privacy International) – <http://www.privacyinternational.org/issues/cybercrime/coe/cybercrime-final.html>

<sup>36</sup> *Fight against cyber crime: cyber patrols and Internet investigation teams to reinforce the EU strategy*, EU Press Release IP/08/1827, 27<sup>th</sup> November 2008 – <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/08/1827&format=HTML&aged=0&language=EN&guiLanguage=en>

<sup>37</sup> *Plan to extend police-hacking powers gathers pace*, ZDNet, 5<sup>th</sup> January 2009 – <http://news.zdnet.co.uk/security/0,1000000189,39587597,00.htm>

One of the more problematic aspects of the new framework has been the effect upon our ability to act collectively in public. Under the new legal framework the role of the police has shifted from facilitating the use of public space to allow protests to take place to actively using the law to curtail or deter protest. This is because the action of policing protest, as with other aspects of community policing since the advent of the “anti-social behaviour” agenda, has been shifted from that of facilitating the rights of the citizen to have free movement in public space to preventing “crime and disorder”. Unfortunately the scope of the law, and the way it is applied by the police against protesters, cannot distinguish between the types of “crime and disorder” that take place in town centres at night and the types of protest action that have a political or social objective.

In the conclusions to their report, the Joint Human Rights Committee raises the issue of the “facilitation” of protest –

*The evidence we received inevitably focused on some of the largest and most controversial protests, which are the most difficult events to police. However, we also received evidence from some small longstanding protest groups. We were struck by the accounts of the use of a wide range of police powers against protestors and others involved with protest – such as journalists – as well as the significant mismatch between the perceptions of protestors and the police about the way in which protest is managed. These factors could serve to diminish, rather than facilitate, protest and also risk encouraging conflict rather than co-operation between protestors and the police. In addition to its positive duty, the state is required not to restrict protests unless it is justified as being both necessary and proportionate to do so in pursuance of a legitimate aim: this is a high threshold. Whilst protests may be disruptive or inconvenient, the presumption should be in favour of protests taking place without state interference, unless compelling evidence can be provided of legitimate reasons for any restrictions and those restrictions go no further than is strictly necessary to achieve their aim.*

There will of course always be disagreements over the extent of protest, but there exists today an obvious disparity between the stated “rights of the individual” to free expression and association and the way in which the public's exercise of those rights are policed. Should this position continue to worsen, as it has in the last decade or so, rather than improve as the Joint Human Rights Committee have requested, then we should have real concerns for our rights in the future.

It's at this point that we must turn to the activities of NETCU, WECTU and NPOIU, and their role in this process.

### Section 3. NETCU, WECTU and NPOIU

*Repressive laws, and the intimidation of the public through their application, cannot operate in public; they need covert agencies to enforce them.* Try as they might, repressive states cannot operate where they have some form of independent public oversight through independent bodies (such as the Independent Police Complaints Commission); Parliamentary Committees (e.g., the Joint Human Rights Committee); access to public information (through the Freedom of Information Act); and through the investigative reporting of the media. *In order to have a truly repressive state it must operate outside of the public eye; behind a veil of secrecy that can protect its files, notes, minutes, and of course its excesses.* However, a “secretive police force”, under the control of the publicly unaccountable Association of Chief Police Officers, is precisely the type of role that NETCU, WECTU and NPOIU are beginning to adopt in Britain today; they are a “secretive”, but as yet not a “secret”, policing organisation carrying out a quasi-governmental role.

The sensitive nature of their everyday work (both in terms of security, but also in terms of its domestic political sensitivity) precludes any disclosure of what NETCU, WECTU and NPOIU are actually doing. But the unaccountable role of the *Association of Chief Police Officers*<sup>38</sup> (ACPO) in this process, which connects these agencies with the Home Office and local police services, means that the strategic policy agenda that NETCU, WECTU and NPOIU operate under is not open to public debate either. This is why, in an open and accountable society, the public, and more importantly those engaged in protest, should be aware of what NETCU, WECTU and NPOIU are and what they do.

At the moment NETCU, WECTU and NPOIU sit within a poorly defined relationship between –

- ◆ an independent private company – ACPO;
- ◆ the policing policy division of the Government – the *Home Office*<sup>39</sup>; and
- ◆ the operational control and local oversight of local policing – the *police forces*<sup>40</sup> and *local police authorities*<sup>41</sup>,

– that obstructs and clear public oversight or accountability in their role.

Whilst the staff of NETCU, WECTU and NPOIU may be serving or former police officers, their day-to-day management is run from the body that oversees their operations – ACPO. Again, ACPO is a body made up of serving *senior* police officers but legally their *organisational responsibility*<sup>42</sup> as a company (defined as a requirement of their position as directors within company law) is to be –

*...an independent, professionally led strategic body. (our emphasis) In the public interest and, in equal (our emphasis) and active partnership with Government and the Association of Police Authorities, ACPO leads and coordinates the direction and development of the police service in England, Wales and Northern Ireland. In times of national need ACPO, on behalf of all chief officers, coordinates the strategic policing response.*

The “equal” nature of the relationship is significant – ACPO is not an organisation that is

<sup>38</sup> See Wikipedia: 'Association of Chief Police Officers' – [http://en.wikipedia.org/wiki/Association\\_of\\_Chief\\_Police\\_Officers](http://en.wikipedia.org/wiki/Association_of_Chief_Police_Officers)

<sup>39</sup> See Wikipedia: 'Home Office' – [http://en.wikipedia.org/wiki/Home\\_office](http://en.wikipedia.org/wiki/Home_office)

<sup>40</sup> See Wikipedia: 'List of law enforcement agencies in the United Kingdom' – [http://en.wikipedia.org/wiki/List\\_of\\_police\\_forces\\_in\\_England\\_sorted\\_by\\_county](http://en.wikipedia.org/wiki/List_of_police_forces_in_England_sorted_by_county)

<sup>41</sup> See Wikipedia: 'Police Authority' – [http://en.wikipedia.org/wiki/Police\\_authority](http://en.wikipedia.org/wiki/Police_authority)

<sup>42</sup> *Articles and Memorandum of Association*, ACPO, October 2006 – [http://www.acpo.police.uk/about\\_pages/Articles\\_of\\_Association\\_\(Agreed\\_at\\_AGM\\_Oct\\_06\).doc](http://www.acpo.police.uk/about_pages/Articles_of_Association_(Agreed_at_AGM_Oct_06).doc)

ancillary to the policy agenda of the democratically controlled Home Office. It has its own policy agenda, and that process is separate from the one operated by the Home Office or local police authorities.

The historic evolution of the police service in Britain, and the wish to resist any form of centralised political control, means that nominally all the police forces in Britain are independent, and are managed through local police authorities operated by elected councillors. ACPO, which existed in various forms before the current national policing arrangements came into being in the 1960s (a topic to be discussed at the end of this section), acts as a networking organisation between the various police services in England and Wales and often portrays itself as a “bulwark against direct central, political control”<sup>43</sup> (Scotland has eight police forces, and they are coordinated by the [Association of Chief Police Officers in Scotland](#)<sup>44</sup>). ACPO states that it also works to co-ordinate the roles of local police forces on large inquiries, and has a role in national co-ordination during national and civil emergencies – although if you review government plans on [national emergencies](#)<sup>45</sup> ACPO's role is fairly vague, and the focus is instead upon individual police forces.

In order to distinguish their roles, and their origins, we'll look at NETCU, WECTU and NPOIU separately:

### ***The National Extremism Tactical Co-ordination Unit (NETCU)***<sup>46</sup>

NETCU is not a public body or a formal police service – it's a private organisation that (like WECTU and NPOIU) is a functional subsidiary of ACPO. As a private company ACPO is not subject to a defined system of legislative oversight like that usually applied to organisations discharging public functions on behalf of the Government. For example, it is not covered by the *Freedom of Information Act*, but instead voluntarily releases information to the public as it sees fit. For NETCU there is no such formal accommodation on issues such as access to information, and in fact if you view NETCU's *Policing Protest Pocket Legislation Guide* it states –

*NETCU is not a public authority as defined by Schedule 1 and therefore there are no obligations on NETCU to disclose information under the Act. Police forces are advised not to release this guide following freedom of information requests.*

Despite this, if you view the [NETCU web site](#)<sup>47</sup> what you see are the ACPO and government logos side-by-side (as shown here on the right) as if they were all part of the same national public administration system.



NETCU is based at Huntingdon in Cambridgeshire – a historical accident due to the fact that it was originally developed by ACPO to counter the activities of animal rights groups around the [Huntingdon Life Sciences](#)<sup>48</sup> site. The rights or wrongs of that protest are, for

<sup>43</sup> *Police chief 'club' may become closed shop*, The Daily Telegraph, 20<sup>th</sup> October 2001 – <http://www.telegraph.co.uk/news/uknews/1359949/Police-chief-club-may-become-closed-shop.html>

<sup>44</sup> See the ACPO web site – <http://www.acpos.police.uk/>

<sup>45</sup> *Emergency Preparedness Guidance on Part 1 of the Civil Contingencies Act 2004, its associated Regulations and non-statutory arrangements*, The Cabinet Office, November 2005 – <http://www.cabinetoffice.gov.uk/media/131903/emergprepfinal.pdf>

<sup>46</sup> See Wikipedia: 'National Extremism Tactical Co-ordination Unit' – [http://en.wikipedia.org/wiki/National\\_Extremism\\_Tactical\\_Co-ordination\\_Unit](http://en.wikipedia.org/wiki/National_Extremism_Tactical_Co-ordination_Unit)

<sup>47</sup> See the NETCU web site – <http://www.netcu.org.uk/>

<sup>48</sup> See Wikipedia: 'Huntingdon Life Sciences' – [http://en.wikipedia.org/wiki/Huntingdon\\_Life\\_Sciences](http://en.wikipedia.org/wiki/Huntingdon_Life_Sciences)

the purposes of our interest, irrelevant; the potential that these organisations have to constrict the ability to protest peacefully in a democratic society are far larger than the issues of one single protest. What matters is the framework within which NETCU works, and the way it uses its influence to achieve the aims set for it by ACPO.

The “secretive” role of NETCU was demonstrated by the event, in 2008, that brought it to the attention of the wider public – the fiasco that followed the off-the-record briefing by a NETCU “senior source” to the journalist [Mark Townsend](#)<sup>49</sup> of The Observer. The article has since been withdrawn by The Observer, which makes it rather difficult to discuss, and for this reason we've reproduced a copy in the box on the next page. The “NETCU source” stated to The Observer –

*Officers from a specialist unit dedicated to tackling domestic terrorism are monitoring an eco-movement called Earth First! which has advocates who state that cutting the Earth's population by 80 per cent will ease pressure on other species. Officers are concerned a 'lone maverick' eco-extremist may attempt a terrorist attack aimed at killing large numbers of Britons.*

The problem with this off-the-record briefing, for The Observer at least, was that *there was absolutely no evidence to back up the claims made in the article*. In the days following its publication senior police officers refused to comment on the story, and stated that any comments that were made were taken out of context. Two weeks later the “reader's editor” of The Observer, Stephen Pritchard, tried to explain the sequence of events when he covered the withdrawal of the story [in his column](#)<sup>50</sup> –

*Police were said to be investigating the eco-movement Earth First! which, they claimed, had supporters who believed that reducing the Earth's population by four-fifths would help protect the planet. The National Extremism Tactical Co-ordination Unit was concerned that a lone maverick might attempt a terrorist attack. It had also warned several companies they were being targeted as major polluters by the group and had offered them advice on how to withstand attack.*

*It's perfectly legitimate to report police security concerns, but none of the statements were substantiated. No website links were offered, no names were mentioned, no companies identified and no police source would go on the record...*

*While the paper had no intention of suggesting that every activist was a potential terrorist, several climate campers wrote to protest. 'If a journalist is told by a single anonymous source that a movement of people has among it individuals who would take the lives of men, women and children in a terror attack, what standard of evidence does that journalist require? In this case: no evidence whatsoever. The claim itself was the story.'*

As noted in the extract above, the content of the article led to a number of outraged responses, especially from green campaigners, a number of whom wrote articles in the press in the days that followed (for example, [Bibi van der Zee](#)<sup>51</sup> and [George Monbiot](#)<sup>52</sup>).

In his article George Monbiot used a recent case to highlight the anti-protest bias that existed within the information produced by NETCU. He told the story in the context of some typically “middle England” residents, living in a small village south of Oxford. They were campaigning to stop a wildlife site being in-filled with pulverised fuel ash from npower's Didcot power station and had received various legal assaults from npower's

<sup>49</sup> For a biography see <http://www.guardian.co.uk/global/2008/oct/22/mark-townsend>

<sup>50</sup> <http://www.guardian.co.uk/commentisfree/2008/nov/23/readers-editor-climate-change>

<sup>51</sup> *Is Eco-terrorism Really a Threat?*, Bibi van der Zee, Guardian Environment Blog, 10<sup>th</sup> November 2008 – <http://www.guardian.co.uk/environment/blog/2008/nov/10/activists-kingsnorth>

<sup>52</sup> *The Paranoia Squad*, George Monbiot, The Guardian, 23<sup>rd</sup> December 2008 – <http://www.monbiot.com/archives/2008/12/23/the-paranoia-squad/>

## Police warn of growing threat from eco-terrorists

*Fear of deadly attack by lone maverick as officers alert major firms to danger of green extremism*

Mark Townsend, The Observer, Sunday November 9th 2008.



*The aftermath of a claimed attack by the Earth Liberation Front on a 4x4 car dealership in California.  
Photograph: Sarah Reingewirtz/AP*

Police have warned of the growing threat of eco-terrorism after revealing they are investigating a group which has supporters who believe that reducing the Earth's population by four-fifths will help to protect the planet.

Officers from a specialist unit dedicated to tackling domestic terrorism are monitoring an eco-movement called Earth First! which has advocates who state that cutting the Earth's population by 80 per cent will ease pressure on other species. Officers are concerned a 'lone maverick' eco-extremist may attempt a terrorist attack aimed at killing large numbers of Britons.

The National Extremism Tactical Co-ordination Unit, which collates intelligence and advice to police forces, has revealed that eco-activists are researching a list of target companies which they believe are major polluters or are exacerbating the threat of climate change.

The unit is currently monitoring blogs and internet traffic connected to a network of UK climate camps and radical environmental movements under the umbrella of Earth First!, which has claimed responsibility for a series of criminal acts in recent months.

A senior source at the unit said it had growing evidence of a threat from eco-activists. 'We have found statements that four-fifths of the human population has to die for other species in the world to survive.

'There are a number of very dedicated individuals out there and they could be dangerous to other people.'

Earth First! says its mission is 'about direct action to halt the destruction of the Earth' and advocates 'civil disobedience and monkey-wrenching', tactics that include sabotage and disruptive behaviour. The movement has links to US environmental extremists which have waged a campaign of violence in America, including the fire-bombing of a string of 4x4 car dealerships in California in 2003 and alleged arson attacks on other property.

The anti-extremist unit has already alerted a number of major companies which have been accused of being carbon polluters with advice on how they can withstand being targeted by eco-terrorists. Companies are thought to include airport operator BAA, an international mining conglomerate BHP Billiton and firms connected to UK coal-fired power stations.

'They are doing research of possible targets, looking at shareholders and financiers. For example, they could research an airline and see how many of its aircraft are not environmentally friendly,' said the NETCU source.

Although green extremists have yet to embark on an orchestrated campaign of violence in the UK, officers warn that they may be about to launch a campaign of intimidation and fear aimed at disrupting businesses. 'For some people, if they can justify it in their minds, then it's a noble cause even if it's a criminal action. They haven't started yet, but we believe they will come up with a strategy and tactics,' said the source at the unit, who described the movement as well-funded and organised.

A spate of recent attacks, for which Earth First! supporters have claimed responsibility, has included vandalism of branches of seven German banks such as Deutsche Bank and Allianz AG. The actions were apparently because the banks hold shares in UK Coal, which plans to build new coal-fired power stations.

A statement on the Earth First! website explains the attacks by saying: 'Exploitation of the environment and people by the state and industry go hand in hand. They cannot be separated and both must be attacked. Social war, not climate chaos.'

Another attack hit a quarry in Staffordshire which belongs to Bardon Aggregates, a company that also owns a controversial quarry at Glensanda on the north-west coast of Scotland. The Scottish quarry is accused of spoiling the Highlands environment. The Earth First! website states: 'We slashed tyres, stripped paint jobs, glued locks and trashed conveyor belts. All the earth movers were hit and many of the cement and aggregate trucks. This action cost us very little but should cost Bardon thousands.'

Among the network of groups under the Earth First! umbrella are various climate camps. Last August police found a stash of knives and weapons beside one such camp in Kent. Protesters, however, said they had nothing to do with the weapons and accused police of launching a 'smear campaign'.

A spokesman for Derby Earth First! said the movement was strictly non-violent, if not always law-abiding. He said: 'If someone does ecological damage we would perhaps break the law and protect the ecology, but the ecology also includes humans.'

'We're all about communities. Capitalism is the problem and we want to return to a more sustainable time. But we are not about reducing the population, that is just scare-mongering by the police.'

The rise of eco-extremism coincides with the fall of the animal rights activist movement. Police said the animal rights movement was in 'disarray' and that its ringleaders had either been prosecuted or were awaiting prosecution, adding that its 'critical mass' of hardcore extremists was sufficiently depleted to have halted its effectiveness. Last Thursday a prominent animal rights activist accused of planting petrol bombs at Oxford University was cleared of possessing an explosive substance with intent.

Reports on the Earth First! Journal website, which tells users how to send encrypted emails, reveals connections to the Earth Liberation Front (ELF) which has been linked to a series of violent attacks in the US. ELF was classified as the top domestic terrorism threat in the US by the FBI in March 2001.

The ELF was founded in 1992 in Brighton by members of the Earth First! movement who wanted to form a break-away group that would use more extreme tactics.

legal team as a result –

*The National Extremism Tactical Co-ordination Unit (NETCU) is the police team coordinating the fight against extremists. To illustrate the threats it confronts, the NETCU site carries images of the people marching with banners, of peace campaigners standing outside a military base and of the Rebel Clown Army (whose members dress up as clowns to show that they have peaceful intentions). It publishes press releases about Greenpeace and the climate camp at Kingsnorth. All this, the site suggests, is domestic extremism.*

*NETCU publishes a manual for officers policing protests. To help them identify dangerous elements, it directs them to a list of “High Court Injunctions that relate to domestic extremism campaigns”, published on NETCU’s website. On the first page is the injunction obtained by npower against the Radley villagers, which names Peter Harbour and others. Dr Harbour wrote to the head of NETCU, Steve Pearl, to ask for his name to be removed from the site. Mr Pearl refused. So Dr Harbour remains a domestic extremist.*

*It was this Paranoia Squad which briefed the Observer last month about “eco-terrorists”. The article maintained that “a lone maverick eco-extremist may attempt a terrorist attack aimed at killing large numbers of Britons.” The only evidence it put forward was that someone in Earth First! had stated that the world is overpopulated. This, it claimed, meant that the movement might attempt a campaign of mass annihilation. The same could be said about the United Nations, the Optimum Population Trust and anyone else who has expressed concern about population levels.*

Curiously, ever since the incident, NETCU's web site – including the injunctions served under the *Protection from Harassment Act* that George Monbiot highlights – has been “temporarily unavailable” whilst it is “being redeveloped” (this is still the situation as of the writing of this report, 25<sup>th</sup> April 2009). The site has been “temporarily unavailable” for so long that it has led to [questions being raised in Parliament](#)<sup>53</sup>; and technically the minister responding, Lord West of Spithead (Parliamentary Under-Secretary of State, Home Office), misled Parliament because the “new sections” that he promised failed to appear at the stated time, “in March”.

For those wishing to get more up-to-date information on the activities of NETCU from the perspective of the activists who experience contact with NETCU you should consult the [NETCUWatch](#) blog<sup>54</sup> (the site is run by activists opposed to NETCU).

### ***The policing of demonstrations and NETCU's 'Policing Protest Pocket Guide'***

NETCU had also come to a slightly less prominent level of attention earlier in 2008 as a result of the Kent police's [raid](#)<sup>55</sup> on the [Camp for Climate Action](#)<sup>56</sup> at Kingsnorth Power Station. The ferocity of the raid was condemned by both protesters, some members of the media and local politicians. The complaints made during the policing actions at the Climate Camp are still being assessed, but the events surrounding the G20 protests have re-opened many of the points made at that time – especially issues such as the use of repressive tactics that provoke confrontation, the restriction of the public's right to

<sup>53</sup> *National Extremism Tactical Co-ordination Unit*, Column WA235, Hansard, March 10th 2009 – <http://www.parliament.the-stationery-office.com/pa/ld200809/ldhansrd/text/90310w0002.htm>

<sup>54</sup> NETCUWatch – <http://netcu.wordpress.com/>

<sup>55</sup> *Climate Camp policing condemned*, BBC News, 5<sup>th</sup> August 2008 – <http://news.bbc.co.uk/1/hi/england/kent/7544233.stm>

<sup>56</sup> See Wikipedia: 'Camp for Climate Action' – [http://en.wikipedia.org/wiki/Camp\\_for\\_Climate\\_Action#Kingsnorth\\_2008](http://en.wikipedia.org/wiki/Camp_for_Climate_Action#Kingsnorth_2008)

expression, and the unaccountable nature of the police action itself (for example, the covering-up of the police officer's identification numbers – in fact this tactic has been happening for many years, such as during the Selar opencast mine site evictions that were documented on video by *Undercurrents*<sup>57</sup> over a decade ago).

During the policing of the Climate Camp one of the officers dropped a copy of the guide that NETCU issues to police officers – *Policing Protest Pocket Legislation Guide*. A person at the camp managed to make a **photographic copy**<sup>58</sup> of the guide. In order to aid a more detailed examination of the *Guide*, in the context of the points being made in this report, we've created a facsimile copy **to accompany this report**<sup>59</sup>.

The most significant aspect of the NETCU *Guide* is not what it contains *but rather that which it does not contain*. At no point in the *Guide* is any information provided on the legal requirement of the police to balance the right to free expression and assembly with the qualified powers provided by the law to restrict these rights. If the powers outlined in the *Guide* are exercised without such a consideration then that act in itself represents a breach of the law by the police; specifically **Section 6** of the *Human Rights Act 1998* –

- (1) *It is unlawful for a public authority to act in a way which is incompatible with a Convention right.*
- (2) *Subsection (1) does not apply to an act if–*
  - (a) *as the result of one or more provisions of primary legislation, the authority could not have acted differently; or*
  - (b) *in the case of one or more provisions of, or made under, primary legislation which cannot be read or given effect in a way which is compatible with the Convention rights, the authority was acting so as to give effect to or enforce those provisions.*
- (3) *In this section “public authority” includes –*
  - (a) *a court or tribunal, and*
  - (b) *any person certain of whose functions are functions of a public nature, but does not include either House of Parliament or a person exercising functions in connection with proceedings in Parliament.*

As stated in **the guidance**<sup>60</sup> issued by the Department for Constitutional Affairs –

*It makes it unlawful for public authorities (these include central and local government, **the police** [our emphasis] and the courts) to act in a way that is incompatible with a Convention right. ...*

*All public authorities in the UK have an obligation to respect the Convention rights. That means that you must understand those rights and take them into account in your day-to-day work. That is the case whether you are delivering a service directly to the public or devising new policies or procedures.*

It is here that we reach the nub of the accountability problems related to the operation of NETCU. As a *private body*, NETCU is not subject to the same restrictions on its actions as a “public body” under the Human Rights Act. However, when individual police officers as members of the police service, a *public body*, use the guidance provided by NETCU as

<sup>57</sup> A campaigner demands the identity of a police officer who has covered up his identification number, and receives no reply – see *Celtic Enemy*, *Undercurrents* 5, May 1996 – <http://www.undercurrents.org/altvideos/issue5.htm>

<sup>58</sup> *Police drop top secret NETCU guide to policing protest*, *Indymedia*, 4<sup>th</sup> August 2008 – <http://www.indymedia.org.uk/en/2008/08/405393.html>

<sup>59</sup> The *Guide* is available from the *electrohippies* publications section of the FRAW web site – <http://www.fraw.org.uk/download/ehippies/netcu/index.shtml>

<sup>60</sup> *Making Sense of Human Rights – A Short Introduction*, Department for Constitutional Affairs, October 2006 – <http://www.justice.gov.uk/guidance/docs/hr-handbook-introduction.pdf>

part of their work then they are legally bound to consider the effect their actions have on the rights of the public. **For this reason, if individual officers follow the information in the Guide without applying the test of proportionality and balance, then arguably they are infringing the rights of the public to expression and assembly.**

In the light of the House of Lords/Commons Joint Human Rights Committee report we can also review the *Guide* and see how the advice of NETCU not only goes against the principles that the Committee sought to define, but also how the information in the *Guide* can be seen to promote some of the problems that the Committee highlight in their report. For example, relating various sections of the *Guide* to the Committee's report:

- ◆ *Use of abusive language/behaviour* (pages 11 to 19) – the guide advocates the use of the police's wide powers under public order legislation to control any use of “insulting” language, but in contrast the Committee state that (paragraph 85) –  
*Section 5 of the Public Order Act gives the police a wide discretion to decide what language or behaviour is “threatening, abusive or insulting”. Whilst arresting a protestor for using “threatening or abusive” speech may, depending on the circumstances, be a proportionate response, we do not think that language or behaviour which is merely “insulting” should ever be criminalised in this way.*

and state that the law should be changed (recommendation 5, echoing the conclusions at paragraph 85) –

*We recommend that the Government amend section 5 of the Public Order Act 1986 so that it cannot be used inappropriately to suppress the right to free speech, by deleting the reference to language or behaviour that is merely “insulting.” This amendment would provide proportionate protection to individuals’ right to free speech, whilst continuing to protect people from threatening or abusive speech.*

- ◆ *Anti-Social Behaviour* (pages 34 to 36) – the Guide urges the use of anti-social behaviour powers enacted under the *Police Reform Act 2002*, not just to address the “behaviour” of the protesters, but also as a means of obtaining the names and addresses of those questioned, and failure to do so is an arrestable offence – the Committee's report notes (paragraph 74) the use of these powers as a means of limiting protest;
- ◆ *Trespass* (e.g., trespass/aggravated trespass, pages 42 to 49) – in the Guide trespass is viewed as incontestably wrong, and therefore a legitimate means of controlling or removing protesters – however the Committee make it clear in their report (paragraph 103) that –  
*“A number of witnesses were unconvinced that criminalising trespass... was proportionate, nor that it added anything to existing criminal law.”*
- ◆ *“Breach of High Court Injunctions”* (pages 51 to 53) – this relates to how the police can enforce injunctions under Section 3 of the Protection of Harassment Act, despite the fact that use in this context is specifically cited (paragraph 49) by the Committee as representing “function creep” of the powers in the Act beyond that which Parliament intended;

In the same way that George Monbiot notes that NETCU do not respect the right of the individual to protest, we can see by the wording of the Guide that at no point does NETCU provide the balance that individual officers must apply in discharging their duty under the law. It then follows that, if officers act in the way indicated by the Guide, that they are bound to act unjustly in the policing of protest actions. In terms of the general issue of human rights and the action by the police to limit or restrict protest actions, the Committee concluded that –

*67. There is a clear need for the rights of those protested against – however*

*unpopular their own cause may be – to be safeguarded such that they are able to go about their lawful business and that their own rights to free expression are not disregarded by those responsible for policing protests. **There is some evidence that the police do not always get this balance right, perhaps by failing to identify the fundamental liberties at stake.** (our emphasis)*

A policy guide issued for the assistance of police officers in their duties, if the *Guide* had been written by a public body then the content could be challenged, or reviewed, to remedy the problem – under [Section 8](#) of the Human Rights Act. As NETCU is a private body it is not possible to challenge the content of the guide that they produced, only the unjust acts that result from the police's use of it.

### **The Welsh Extremism and Counter-Terrorism Unit** (WECTU – Uned Atal Terfysgaeth ac Eithafiaeth Cymru)

Formally established on 1<sup>st</sup> April 2009, WECTU is the Welsh equivalent to NETCU and it liaises between police forces and the Welsh Assembly Government. Before this date WECTU was [run informally](#)<sup>61</sup> from within South Wales Police.

WECTU's role in Wales is subtly different to that of NETCU; it was set up to counter terrorism *and* extremism. In England the terrorism role belongs to the [National Counter Terrorism Security Office](#) (NaCTSO)<sup>62</sup> who also report to ACPO in their role of implementing the Home Office's *CONTEST* counter terrorism strategy (referenced earlier). Looking at the Government's terrorism agenda we might assume that the terrorism role is more important, and that WECTU is less involved with the policing of protest – but this isn't the case.

The anti-protester bias in WECTU was illustrated in April 2009 when the Dyfed-Powys police authority's "[local policing summary](#)"<sup>63</sup>, sent to all council tax payers in Carmarthenshire, painted a very similar picture to NETCU's statements to The Observer newspaper –

***Terrorism and Domestic Extremism** – During 2007/8, much attention has been focussed on enhancing protection of the key economic sites in the Force area. Work undertaken is not solely focussed on the threat from international terrorists. Attention has also been paid to the potential threat that domestic extremists and **campaigners** (our emphasis) can pose."*

Seemingly we have another "Observer NETCU story" scenario, but since it mentions not just "extremists" but also "campaigners" it actually goes much further in bending the meaning of "extremism". Of course this information was produced and at the expense of, and delivered to, local council tax payers – some of whom may be the these very same campaigners mentioned. Due to the use of the "campaigners" phrase we dug a little further and discovered the full report on the [Dyfed-Powys Police](#)<sup>64</sup> web site –

#### **National Priority 5:**

##### **Protect the country from both terrorism and domestic extremism**

*During the course of the year, much attention has been focused on enhancing protection for the key economic sites around the Milford Haven Waterway in*

<sup>61</sup> *How Wales leads the way in counter-terrorism*, Western Mail, 20<sup>th</sup> May 2008 – <http://www.walesonline.co.uk/news/wales-news/2008/05/20/how-wales-leads-the-way-in-counter-terrorism-91466-20934309/>

<sup>62</sup> National Counter Terrorism Security Office – <http://www.nactso.gov.uk>

<sup>63</sup> Copies of the "local policing summary" are available from the FRAW web site in Index/Information page for this report – <http://www.fraw.org.uk/download/ehippies/q02/>

<sup>64</sup> *National Priorities 2007/08*, Dyfed-Powys Police, 12<sup>th</sup> March 2009 – <http://www.dyfed-powys.police.uk/en/publications/policingplan/08-11/6/>

*Pembrokeshire, particularly the LNG plants at that location. This area is likely to be the focus for significant additional economic development over the next few years and force staff will be working with partners to ensure that it is protected. Work is also ongoing to understand the changing make up of our communities and effectively profile the changes so that we can adapt our policing services appropriately. Neighbourhood policing teams have a key role in this respect in obtaining and recording community intelligence that can be actioned where necessary. This work is not, however, simply about the threat from international terrorists. Attention has also been paid to the potential threat that domestic extremists and campaigners can pose. In this context, **the Force was praised for its management of the slaughter of what was felt to be a sacred animal from the Skanda Vale religious community in Carmarthenshire** (our emphasis) and has had to put in place specific contingencies in relation to a property in the county purchased by The Prince of Wales.*

From this emphasis it would appear either “religious extremism” must form part of the remit of WECTU, or that the Skanda Vale community, in relation to the culling of [Shambo the bull](#)<sup>65</sup>, is encompassed within the term “campaigners” (in which case the more than 4,000 people who [signed a petition](#)<sup>66</sup> to save Shambo must also be included within the term “domestic extremism”).

Clearly this is *far worse* than The Observer story; instead of off-the-record claims we have actual people, and documented evidence, that can attest (in George Monbiot's terms) “to the paranoia” of this situation. During the police's “management” of the removal of Shambo, which can be seen in a number of clips on [YouTube](#)<sup>67</sup>, the police had to contend with “the domestic extremist threat” of up to [one hundred](#)<sup>68</sup> religious devotees *singing and praying!*

In fact, the events that took place on the day were in no way surprising given that the Skanda Vale community represents a specifically non-violent spiritual community [who stated](#)<sup>69</sup> –

*We have a duty and responsibility not to allow Shambo's life, our religion and our Temple to be desecrated by the forces of Adharma. It's simple as that, you also have that duty, that obligation to uphold Dharma, to support in any way you can every effort to uphold Dharma, the sanctity of life and your religious way of life.... Look what happened when we had the foot and mouth disease. How many millions of cows did they slaughter and most of them were not sick. The same mass slaughter occurred in the B.S.E crisis. Why did they not try and vaccinate? Why did they not spend money trying to develop a treatment? Because it would economically hurt meat export....That is the reason. Once killing takes place it becomes the viable easy solution.*

*We do not want in any way to be involved in violence or aggression. This is a peaceful protest but protest we must, because if we do not make every effort to save his life where is religion, where is spirituality?*

<sup>65</sup> *Slaughter fight for 'sacred' bull*, BBC News, 9<sup>th</sup> May 2007 – [http://news.bbc.co.uk/1/hi/wales/south\\_west/6637359.stm](http://news.bbc.co.uk/1/hi/wales/south_west/6637359.stm)

<sup>66</sup> *Slaughter call over 'sacred' bull*, BBC News, 11<sup>th</sup> May 2007 – [http://news.bbc.co.uk/1/hi/wales/south\\_west/6643729.stm](http://news.bbc.co.uk/1/hi/wales/south_west/6643729.stm)

<sup>67</sup> See <http://www.youtube.com/watch?v=ycxBiy19PtA> and [http://www.youtube.com/watch?v=\\_FI8NgCF94o](http://www.youtube.com/watch?v=_FI8NgCF94o) (there are a whole string of videos which show the events during the day)

<sup>68</sup> *Temple bull Shambo slaughtered*, The Independent, 27<sup>th</sup> July 2007 – <http://www.independent.co.uk/news/uk/crime/temple-bull-shambo-slaughtered-459200.html>

<sup>69</sup> *Discourse by Swami Suryananda*, 6<sup>th</sup> May 2007 – [http://www.skandavale.org/articles/discourse\\_by\\_swami\\_surya.htm](http://www.skandavale.org/articles/discourse_by_swami_surya.htm)

It would appear that WECTU, or the police services with whom they work, take the viewpoint that *all protests*, from any quarter, are threatening. The obvious outcome of this viewpoint of this is that any public demonstration must be policed in a manner that reduces the threat to society from the “message” that such extremism promotes. This approach would seem to arise not from any kind of case-by-case risk assessment, but rather from a more deep seated prejudice against campaigners.

Then again, if we look at the internal communications of the police services in Wales, we might see some indications of how such prejudice might arise. Even routine internal communications focus specifically on “eco-terrorism” –

***All Wales Environmental Scanning Monthly Bulletin November 2008***

*The Environmental Scanning bulletin contains data relating to issues that may affect the policing of Forces in the Welsh Region (North Wales; Gwent; South Wales and Dyfed-Powys) in the future. It is designed to assist with project planning and it is for Divisional Commanders and Departmental Heads to decide to what extent they pursue the information within this document....*

***Why read the Environmental Scan?***

- *It is a Source of relevant quality information which is up to date*
- *It means that new Challenges and changes can be known about in advance*
- *Then an Activity and action can be for the right reasons and in the right place*
- *The result being that No-one is left in the dark*

*The information within the document has been collated using the PESTELE model enabling us to identify the specific implication each issue will have on our Force.*

- *Political (including issues of accountability, governance)*
- *Environmental (**eco-terrorism**, [our emphasis] congestion charging)*
- *Social (demographics, family structures)*
- *Technological (communication, internet)*
- *Economic (resourcing, budgetary control, increasing affluence and inequality)*
- *Legal (legislative changes, growth in litigation)*
- *Ethical (Freedom of Information, Human Rights)*

The above extract was taken from an [internal news clippings service](#)<sup>70</sup> operated by the police services in Wales. It would appear that in relation to “the environment” the focus of the police services is not wildlife crime, or assisting the Environment Agency in stopping serious pollution, but rather “eco-terrorism”. Given the scale of crime which might be called “eco-terrorism” against the background of all other crimes the police service in Wales deal with, this approach perhaps characterises a rather obsessional attitude on this issue.

It follows from the [paradox of rules](#)<sup>71</sup> that if the police service sets out with the general principle that “campaigners are bad” (which itself is a fallacious argument) then that is what they will ultimately find. More problematically in following such a rule they may inadvertently, through their own pre-emptive activity to curb the problem they believe to exist, create this outcome by their own actions. As we have seen in the way that the police services seek to control large demonstration, using practices such as “Kettling”<sup>72</sup>, to some

<sup>70</sup> *All Wales Environmental Scanning Monthly Bulletin*, November 2008 – <http://www.dyfedpowys.policeauthority.co.uk/documents/EnvironmentalScanning/env-scan-nov-08.pdf>

<sup>71</sup> As stated by Ludwig Wittgenstein in his book, *Philosophical Investigations* (1953), this is a paradox which states that, “no course of action could be determined by a rule, because any course of action can be made out to accord with the rule”; see Wikipedia: ‘Wittgenstein on Rules and Private Language’ – [http://en.wikipedia.org/wiki/Wittgenstein\\_on\\_Rules\\_and\\_Private\\_Language](http://en.wikipedia.org/wiki/Wittgenstein_on_Rules_and_Private_Language)

<sup>72</sup> See Wikipedia: ‘Kettling’ – <http://en.wikipedia.org/wiki/Kettling>

extent the police themselves *are* creating a confrontational atmosphere through their methods. The Joint Human Rights Committee raise this same issue in their report (paragraph 203) –

*We are concerned by the numerous reports that policing of protest has become more heavy-handed in recent years. We appreciate that the police should not be placed in potentially dangerous situations without appropriate support and note that the police sometimes question protestors with the intention of opening dialogue. However, people who wish to protest peacefully should not have the impression that police are attempting to stop protest going ahead.*

It is obvious that by combining together “terrorists”, “extremists” and “campaigners” in a local authority publication, distributed to all households in the Dyfed-Powys Police area, the police service hopes to convince local residents that these groups represent an “equivalent threat” – that they pose the same risk to society. This is the practice of “guilt by association”; for campaigners in the Dyfed-Powys area it is a libel, and has been engineered in the same vein as the libels perpetrated by NETCU against campaigners in England (see George Monbiot's article, referenced earlier). Also, there is no qualification of the term “campaigner”. It could be someone taking violent action against people, but it could just as easily be the slow hand-clapping of politicians by the local Women's Institute.

WECTU, via its relationship with individual police forces, is obviously following the principles of “The Big Lie” – *If you tell a lie big enough and keep repeating it, people will eventually come to believe it* – in order to progressively paint the picture that all campaigners are “extremists” or “terrorists”.

### ***The National Public Order Intelligence Unit (NPOIU)<sup>73</sup>***

The NPOIU is the most difficult of the three groups in this report to find clear evidence about. This is because of their historical origins. Whilst NETCU and WECTU have evolved from the support of civilian policing responsibilities, the functions of the NPOIU emerged from the **rationalisation<sup>74</sup>** of the political and counter-espionage functions of the police force – the former “industrial” and “subversion” duties of the Special Branch that caused so much concern about the politicisation of policing during the **1970s and the 1980s<sup>75</sup>**. For example, despite the fact that Special Branch considered many “activists” to be a threat in the 1970s a number of them have since moved on to become **well known actors<sup>76</sup>** and even present/former cabinet ministers in the Labour government.

In October 2006, the Metropolitan Police's **Special Branch<sup>77</sup>**, who worked closely throughout the Cold War with the **Security Service<sup>78</sup> (MI5)**, were merged with the Anti-Terrorist Branch and restructured to form the new **Counter Terrorism Command<sup>79</sup>**. However, right up until before their formal closure, they were still involved with a number

<sup>73</sup> See Wikipedia: 'National Public Order Intelligence Unit' – [http://en.wikipedia.org/wiki/National\\_Public\\_Order\\_Intelligence\\_Unit](http://en.wikipedia.org/wiki/National_Public_Order_Intelligence_Unit)

<sup>74</sup> *Secret State: Timeline*, BBC, 17<sup>th</sup> October 2002 – [http://news.bbc.co.uk/1/hi/programmes/true\\_spies/2337091.stm](http://news.bbc.co.uk/1/hi/programmes/true_spies/2337091.stm)

<sup>75</sup> *Subverting the Subversives*, BBC, 23<sup>rd</sup> October, 2002 – [http://news.bbc.co.uk/1/hi/programmes/true\\_spies/2351169.stm](http://news.bbc.co.uk/1/hi/programmes/true_spies/2351169.stm)

<sup>76</sup> *Tomlinson 'gobsmacked' by secret files*, BBC, 27<sup>th</sup> October 2002 – [http://news.bbc.co.uk/1/hi/programmes/true\\_spies/2361313.stm](http://news.bbc.co.uk/1/hi/programmes/true_spies/2361313.stm)

<sup>77</sup> See Wikipedia: 'Special Branch' – [http://en.wikipedia.org/wiki/Special\\_Branch#United\\_Kingdom](http://en.wikipedia.org/wiki/Special_Branch#United_Kingdom)

<sup>78</sup> See Wikipedia: 'MI5' – <http://en.wikipedia.org/wiki/MI5>; or goto the MI5 web site at – <http://www.mi5.gov.uk/>

<sup>79</sup> *Special Branch to close in merger*, BBC News, 9<sup>th</sup> September 2005 – <http://news.bbc.co.uk/1/hi/uk/4227476.stm>

of controversial surveillance cases – such as the [bugging of privileged discussions](#)<sup>80</sup> between a Member of Parliament and one of his constituents in a prison. It would appear that the role of the NPOIU is subtly different, but it has inherited many of the aspects of Special Branch's former role.

The [National Public Order Intelligence Unit](#)<sup>81</sup> was set up by ACPO in 1999, and again it is outside of the ordinary legislative oversight that such a body would be subject to if operating within the mainstream police force. It is possible that a large part of its role evolved out of the Metropolitan Police's *Public Order Intelligence Unit* which, although initially being set up to counter football hooliganism in the 1980s, was often seen at the policing of [environmental protests](#)<sup>82</sup> through the 1990s – especially in relation to *Reclaim the Street* demonstrations and some of the major anti-roads protests. There have, since the inception of the NPOIU in 1999, been a number of news stories that continue to document the overtly political nature of the NPOIU's work:

- ◆ In the announcement of its formation by ACPO it specifically targeted the threat from campaigners – [one report stated](#)<sup>83</sup> that,

*Among the people to be targeted are campaigners against road building and live animal exports, protesters at industrial disputes, hunt saboteurs and far-right groups. The unit will also draw up action plans that chief constables can introduce to head off potential disorder. The move follows growing concern among police chiefs that so called eco-warriors are becoming increasingly organised and creating an ever growing threat to public order.*

- ◆ In 2006 it was announced that the NPOIU would engage in “tackling extremism” on [university campuses](#)<sup>84</sup>
- ◆ [Andrew Gilligan](#)<sup>85</sup>, the BBC reporter who lost his job after breaking the story of the Government's exaggeration in the “[dodgy dossier](#)”<sup>86</sup> that took Britain into the Iraq War, wrote in a story in the Evening Standard in 2005<sup>87</sup> which stated that NPOIU was, “*a secretive, Scotland Yard-based police taskforce*” whose “*role in controlling dissent is central*”;
- ◆ Seumas Milne, writing on the [use of the term “extremist”](#)<sup>88</sup> within ACPO and government statements, commented on a number of operations that the NPOIU was involved with over the first few weeks of 2009, especially in relation to the protests around the Israeli invasion of Gaza – he stated that,

*Since ACPO operates as a private company outside the Freedom of Information Act – and the budget and staffing of its confidential intelligence unit are, well, confidential – who's going to hold them to genuine account? It is this kind of blurring of the distinction between political violence and non-violent protest that has seen catch-all anti-terrorist legislation routinely abused*

<sup>80</sup> *Widespread bugging by authorities*, The Sunday Times, February 10th 2008 – <http://business.timesonline.co.uk/tol/business/law/article3341761.ece>

<sup>81</sup> See Wikipedia: 'National Public Order Intelligence Unit' – [http://en.wikipedia.org/wiki/National\\_Public\\_Order\\_Intelligence\\_Unit](http://en.wikipedia.org/wiki/National_Public_Order_Intelligence_Unit)

<sup>82</sup> *Public Order Intelligence Unit* – <http://tash.gn.apc.org/intellig.htm>

<sup>83</sup> *Police unit to target green protesters*, The Independent, 7<sup>th</sup> November 1998 – <http://www.independent.co.uk/news/police-unit-to-target-green-protesters-1183182.html>

<sup>84</sup> *Counter-terrorism unit to tackle campus extremism*, The Daily Telegraph, 24<sup>th</sup> October 2006 – <http://www.telegraph.co.uk/news/uknews/1532087/Counter-terrorism-unit-to-tackle-campus-extremism.html>

<sup>85</sup> See Wikipedia: 'Andrew Gilligan' – [http://en.wikipedia.org/wiki/Andrew\\_Gilligan](http://en.wikipedia.org/wiki/Andrew_Gilligan)

<sup>86</sup> See Wikipedia: 'Iraq Dossier' – [http://en.wikipedia.org/wiki/Iraq\\_Dossier](http://en.wikipedia.org/wiki/Iraq_Dossier)

<sup>87</sup> *Spooks on the trail of 'Captain Gatso'*, Andrew Gilligan, Evening Standard, 12<sup>th</sup> September 2005.

<sup>88</sup> *We are all extremists now*, Seumas Milne, The Guardian, Monday 16<sup>th</sup> February 2009 – <http://www.guardian.co.uk/commentisfree/2009/feb/16/extremism-arrests-police-liberty-central>

*in recent years. That's exactly what seems to have happened over the weekend, when police arrested nine people on the M65 motorway near Preston allegedly on their way to join George Galloway's Viva Palestine aid convoy to Gaza."*

In February 2009, reports also emerged that ACPO was changing the role of the NPOIU, and extending its mandate on "domestic extremism". A new *Confidential Intelligence Unit* was being set up within the NPOIU (or this seems to be the case, given the data provided as part of the [job advertisement](#)<sup>89</sup>) and according to a report in the *Daily Mail*<sup>90</sup> –

*The Confidential Intelligence Unit (CIU) has the power to operate across the UK and will mount surveillance and run informers on 'domestic extremists'. Its job is to build up a detailed picture of radical campaigners. Targets will include environmental groups involved in direct action such as Plane Stupid, whose supporters invaded the runway at Stansted Airport in December. The unit also aims to identify the ring-leaders behind violent demonstrations such as the recent anti-Israel protests in London, and to infiltrate neo-Nazi groups, animal liberation groups and organisations behind unlawful industrial action such as secondary picketing. The CIU's role will be similar to the 'counter subversion' functions formerly carried out by MI5. The so-called reds under the bed operations focused on trade unionists and peace campaigners but were abandoned by MI5 to concentrate on Islamic terrorism.*

Given the information available the NPOIU is clearly far more of a problem than NETCU or WECTU – who, it would seem, act as the liaisons between NPOIU and the police services. Put simply, NETCU and WECTU are the "public end" of the "domestic extremism" agenda that the NPOIU and its new Confidential Intelligence Unit are now pursuing, organised and controlled by ACPO.

### ***NETCU, WECTU, NPOIU and their relationship to ACPO***

Whilst news stories, such as those relating to the extension of the NPOIU's "domestic extremism" role in February this year, raise some comments about the nature of ACPO and its [unaccountability to the public that it serves](#)<sup>91</sup>, no one in the mainstream of politics or the Government has yet raised the creeping "secretive policing" role of the NPOIU, NETCU and WECTU. Recently the commercial activities of ACPO have been highlighted too. A [Mail on Sunday investigation](#)<sup>92</sup> into ACPO's finances revealed the scale of the private trading that the organisation is involved in, and which creates a profit of around £18 million per year. Although in response [ACPO's press release](#)<sup>93</sup> it queried the cost of the criminal record check service, it did not engage with the central argument of the investigation of ACPO's conflicting roles, nor did it address the points raised that such activities, being carried out by police officers, could potentially be unlawful.

Returning again to the issue of the democratic deficit of our politicians, raised in Section 1

<sup>89</sup> *Head of Confidential Intelligence Unit (CIU) National Public Order Intelligence Unit (NPOIU)*, [theexperteer.co.uk](http://www.experteer.co.uk) – [http://www.experteer.co.uk/job\\_catalog/job/215984](http://www.experteer.co.uk/job_catalog/job/215984)

<sup>90</sup> *Secret police unit set up to spy on British 'domestic extremists'*, *The Daily Mail*, 7<sup>th</sup> February 2009 – <http://www.dailymail.co.uk/news/article-1138755/Secret-police-unit-set-spy-British-domestic-extremists.html>

<sup>91</sup> *The secret police are watching you*, Henry Porter's Blog, *The Guardian*, 10<sup>th</sup> February 2009 – <http://www.guardian.co.uk/commentisfree/henryporter/2009/feb/10/police-civil-liberties>

<sup>92</sup> *Body in charge of UK policing policy is now an £18m-a-year brand charging the public £70 for a 60p criminal records check*, *The Mail on Sunday*, 15<sup>th</sup> February 2009 – <http://www.dailymail.co.uk/news/article-1145581/Body-charge-UK-policing-policy-18m-year-brand-charging-public-70-60p-criminal-records-check.html>

<sup>93</sup> *ACPO response to article in the Mail on Sunday*, ACPO Press Release 32/09, February 15<sup>th</sup> 2009 – [http://www.acpo.police.uk/pressrelease.asp?PR\\_GUID={643410BC-7C11-4F41-8F1C-8BD733545E0E}](http://www.acpo.police.uk/pressrelease.asp?PR_GUID={643410BC-7C11-4F41-8F1C-8BD733545E0E})

of this report, should we ever wish to express our democratic will and hold accountable the politicians who are creating this system we will have a difficult time exercising our votes:

- ◆ there is no one, directly responsible for these actions, who we can “remove” from office – *the members of ACPO are not elected*;
- ◆ the Government, whilst tacitly accepting these policies and systems is not directly responsible for their instigation and operation; and
- ◆ at the moment all the mainstream political parties accept the role of ACPO within policing in the UK, and so as voters we will never be given this choice in the first place.

To understand the subtle effects of ACPO's changes to the “policing of disorder” we need only look at the policing of protest actions since the early 1990s – in particular, the increasing use of surveillance against protesters, journalists, and the general public at these events. Anyone who has regularly attended protests over last two decades, certainly since the CND protests of the late 1980s, cannot help but notice the level of surveillance now practised by the police (the web site in reference 82 above, in relation to the Met's *Public Order Intelligence Unit*, illustrates with a number of photographs the extent to which police surveillance has become far more organised since the early 1990s).

Legal challenges from the group Liberty over the policing of protest, and the use of surveillance at protests, have also highlighted the extent to which information is being collated by “the police” (the extent to which this is individual police forces, or NPOIU, is not clear). Liberty's recent report on Britain's “[surveillance society](#)”<sup>94</sup> also highlights the potential for misuse of surveillance data, not just against “protesters” but against unrelated individuals, due to the lack of support for the work [Office of the Information Commissioner](#)<sup>95</sup>. In any case, the Information Commissioner has no such role in relation to ACPO and its subsidiary groups, as outlined in ACPO's guidance on its [freedom of information undertakings](#)<sup>96</sup> –

*ACPO is a private company and the Office of the Information Commissioner has confirmed that the Freedom of Information Act does not apply to the Association, since Schedule 1 of the Act does not include a definition which covers ACPO.*

*Nonetheless, ACPO is very willing to place much of its information in the public domain. Some of this information is already published on this web site, mainly in the section headed 'Policies'.*

*What ACPO is unable to do is to respond to requests for information under the Act. The organisation is just too small and there are too few members of staff to be able to conduct the necessary research and to compile the responses. Accordingly, ACPO is adopting a policy of responding to requests for information only if it is readily available and can be swiftly transmitted to the inquirer; that implies requests by e-mail to [info@acpo.police.uk](mailto:info@acpo.police.uk) for single, clearly identified documents which do not contain sensitive material. Other requests for information will be politely refused.*

More recently there have been a number of admissions that the use of surveillance tactics by the police at protests, especially against journalists, [have been excessive](#)<sup>97</sup>. Answers to questions posed by Jenny Jones, the Green Party member of the London Police Authority,

<sup>94</sup> *Overlooked: Surveillance and personal privacy in modern Britain*, Liberty, December 2007 – <http://www.liberty-human-rights.org.uk/issues/3-privacy/pdfs/liberty-privacy-report.pdf>

<sup>95</sup> See the Office of the Information Commissioner web site – <http://www.ico.gov.uk/>

<sup>96</sup> *ACPO Freedom Of Information Manual (Public Facing Version v1)*, ACPO, 2005 – <http://www.acpo.police.uk/asp/policies/Data/PublicFacingVersion-v11.doc>

<sup>97</sup> *We were wrong to film journalists covering protest, say Kent police*, The Guardian, 10<sup>th</sup> March 2009 – <http://www.guardian.co.uk/media/2009/mar/10/climate-camp-surveillance>

also confirm that<sup>98</sup> –

*the Metropolitan Police regularly monitor people who are not suspected of committing any offence. Images and supporting information are kept in anticipation that certain individuals might be involved in protests in the future. This can include filming civil rights monitors who are themselves monitoring the actions of the police.*

A recent investigation<sup>99</sup> by The Guardian found that –

*Police are targeting thousands of political campaigners in surveillance operations and storing their details on a database for at least seven years...*

*Photographs, names and video footage of people attending protests are routinely obtained by surveillance units and stored on an "intelligence system". The Metropolitan police, which has pioneered surveillance at demonstrations and advises other forces on the tactic, stores details of protesters on Crimint, the general database used daily by all police staff to catalogue criminal intelligence. It lists campaigners by name, allowing police to search which demonstrations or political meetings individuals have attended.*

*Disclosures through the Freedom of Information Act, court testimony, an interview with a senior Met officer and police surveillance footage obtained by the Guardian have established that private information about activists gathered through surveillance is being stored without the knowledge of the people monitored.*

We also have to look at the history of the “excesses” of policing protest. Many of the recent problems of protestors having their rights disregarded relate to the activities of the Territorial Support Group<sup>100</sup> (TSG). This was set up to support local policing with officers who had been specially trained for public order duties. The TSG developed from the Special Patrol Group<sup>101</sup> (SPG), which it replaced in 1986<sup>102</sup>, and which had a very bad reputation from policing protest in London during the 1970s and 1980s – such as their involvement in the deaths of Kevin Gately<sup>103</sup> and Blair Peach<sup>104</sup>.

In some ways the excesses of that era are now being replicated through the guidelines that have been developed for the policing of protests, and the prevention of “disorder”, by police units such as the TSG. The incidents of police brutality that took place at the G20 protests, and the death of Ian Tomlinson<sup>105</sup>, are a clear echo of the excesses of the SPG. As David Gilbertson, a former Metropolitan Police Commander and Assistant Inspector at HMIC wrote in The Guardian<sup>106</sup> following the revelations of police brutality at the G20 protests –

<sup>98</sup> *London Mayor confirms that police record and monitor innocent people*, London Green Party, 31<sup>st</sup> March 2009 – <http://london.greenparty.org.uk/region/london/news/2009-03-31london-mayor-confirms-that-police-record-and-monitor-innocent-people.html>

<sup>99</sup> *Revealed: police databank on thousands of protesters*, The Guardian, Friday 6<sup>th</sup> March 2009 – <http://www.guardian.co.uk/uk/2009/mar/06/police-surveillance-protesters-journalists-climate-kingsnorth>

<sup>100</sup> See Wikipedia: 'Territorial Support Group' – [http://en.wikipedia.org/wiki/Territorial\\_Support\\_Group](http://en.wikipedia.org/wiki/Territorial_Support_Group)

<sup>101</sup> See Wikipedia: 'Special Patrol Group' – [http://en.wikipedia.org/wiki/Special\\_Patrol\\_Group](http://en.wikipedia.org/wiki/Special_Patrol_Group)

<sup>102</sup> See Metropolitan Police: 'Territorial Support Group' – [http://www.met.police.uk/co/territorial\\_support.htm](http://www.met.police.uk/co/territorial_support.htm)

<sup>103</sup> See Wikipedia: 'Kevin Gately' – [http://en.wikipedia.org/wiki/Kevin\\_Gately](http://en.wikipedia.org/wiki/Kevin_Gately)

<sup>104</sup> See Wikipedia: 'Blair Peach' – [http://en.wikipedia.org/wiki/Blair\\_Peach](http://en.wikipedia.org/wiki/Blair_Peach)

<sup>105</sup> See Wikipedia: 'Ian Tomlinson' – [http://en.wikipedia.org/wiki/Ian\\_Tomlinson](http://en.wikipedia.org/wiki/Ian_Tomlinson)

<sup>106</sup> *At the Core of this Policing Crisis is a Leadership Failure*, David Gilbertson, The Guardian, 20<sup>th</sup> April 2009 – [www.guardian.co.uk/commentisfree/2009/apr/20/policing-relations-general-public](http://www.guardian.co.uk/commentisfree/2009/apr/20/policing-relations-general-public)

*An audit trail can be drawn between misconduct at the G20 protests, such as concealing identity and unprovoked assault, and each standard in the regulations. The responsibility to "challenge and report improper conduct" was clearly honoured in the breach. In circumstances reminiscent of the death of Blair Peach in a 1979 anti-racism demonstration, it must be assumed that misplaced loyalty within groups such as the Met's Territorial Support Group has a bearing on the situation the force faces.*

Returning to the report of House of Lords/House of Commons Joint Committee on Human Rights, they make reference to evidence on the use of surveillance by the police –

*...the National Union of Journalists told us that the police were conducting surveillance of journalists, denying them reasonable access to protests, ordering photographers or camera crews away from marches, moving photographers into marches, preventing journalists from leaving demonstrations (claimed to be justified sometimes by the police by reference to the Terrorism Act), not recognising press cards, and even assaulting journalists.*

The House of Lords Constitution Committee also looked at the issue of *The Surveillance Society*<sup>107</sup> but they too limited their view to the powers of the current regulatory system. By not stepping outside the confines of the present role of local authorities and police services they failed to consider the role of quasi-official groups such as ACPO. Most importantly, their considerations were largely confined to the *functional* uses of surveillance technology rather than the specific *operational* uses that it is being put to at the present; for example, the application of policing powers to protest and political expression, and ACPO's role in policing "domestic extremism", did not feature at all.

The House of Commons Home Affairs Committee also carried out an investigation, entitled *A Surveillance Society?*<sup>108</sup>, in 2008. With the exception of the case of the bugging of an MP, referenced earlier, once again the Committee limited its consideration to the technical and procedural uses of surveillance technology rather than looking at the extent of its operational use by the police and security services. As was the case with the Constitution Committee, the sensitive issue of the collection of data on "domestic extremists" or "campaigners", and the extent and justification for this process and ACPO's private and independent role in it, was not considered.

### *The language of security versus the everyday reality*

ACPO did not set up NETCU, WECTU and NPOIU in a vacuum – they did so in response to a growing dependence upon the "public order agenda" to justify politicians' enactment of restrictive laws. However, when we look at the actual reality of what these policies mean then no such justification applies. We are merely left with the fact that increasingly politicians feel compelled to support their actions by playing upon the public's fears, and use public order policy as a means to support that view. This is an issue that we could examine within its own right, but ultimately it is about how politicians express the concepts of *economic progressivism*<sup>109</sup>, and frame modern politics in terms of people's "freedoms" or "liberty" (and how this relates to the concepts of *positive*<sup>110</sup> and *negative*<sup>111</sup> liberty).

<sup>107</sup> *Surveillance: Citizens and the State*, House of Lords Select Committee on the Constitution, Second Report (Session 2008/09) HL18-I/II, 6<sup>th</sup> February 2009 – <http://www.publications.parliament.uk/pa/ld200809/ldselect/ldconst/18/1802.htm>

<sup>108</sup> *A Surveillance Society?*, House of Commons Home Affairs Committee, Fifth Report (Session 2007/08) HC58-I/II, 8<sup>th</sup> June 2008 – <http://www.publications.parliament.uk/pa/cm200708/cmselect/cmhaff/58/5802.htm>

<sup>109</sup> See Wikipedia: 'Economic Progressivism' – [http://en.wikipedia.org/wiki/Economic\\_progressivism](http://en.wikipedia.org/wiki/Economic_progressivism)

<sup>110</sup> See Wikipedia: 'Positive Liberty' – [http://en.wikipedia.org/wiki/Positive\\_liberty](http://en.wikipedia.org/wiki/Positive_liberty)

<sup>111</sup> See Wikipedia: 'Negative Liberty' – [http://en.wikipedia.org/wiki/Negative\\_liberty](http://en.wikipedia.org/wiki/Negative_liberty)

Despite this complexity let's pull out one recent example – *the debate on CCTV*. In June 2008, the Prime Minister gave a [speech on the “security agenda”](#)<sup>112</sup>, in which he stated that –

*So let us not pretend that CCTV is intrinsically the enemy of liberty. Used correctly, with the right and proper safeguards, CCTV cuts crime, and makes people feel safer – in some cases, it actually helps give them back their liberty, the liberty to go about their everyday lives with reassurance.*

This statement bears no relationship to the actual evidence that has been collated by criminologists and statisticians. To a large extent CCTV displaces rather than eliminates crime, but in the context of much of the town centre “disorder” that affects society it has little deterrent effect. Even evidence from the [police themselves](#)<sup>113</sup>, available *before* the Prime Minister made this speech, throws doubt upon the validity of these statements. The issue was also considered in the the House of Lords Constitution Committee report on [The Surveillance Society](#) (referenced earlier) which stated that (paragraph 80) –

*In an effort to improve the effectiveness of CCTV, the Home Office and ACPO have developed a national strategy to overcome technical, organisational and human problems. Whilst noting the usefulness of research into the prevention and deterrent effects of CCTV, the Home Office and ACPO said that “little formal research has been undertaken to establish the impact that CCTV has on the investigation of crime.”*

We can take the other topics of the Prime Minister's speech – *DNA technology and the extension of pre-charge detention to 42 days* – and provide other examples which show that the justifications provided by politicians to support “the security agenda” are not based upon fact. In effect, policy is being made to fit the political needs of the State rather than addressing the best available evidence of each case. As the Second President of the United States, [John Adams](#), so clearly observed over two hundred years ago –

*Facts are stubborn things; and whatever may be our wishes, our inclinations, or the dictates of our passions, they cannot alter the state of the facts and evidence.*

***If we abandon the facts, then we abandon any concept of consistent justice.*** This is where we can return to the issue of the policing of protest. ACPO may exist as a means of “providing an insurance” against central domination of the police service by government, but that does not mean that the police are immune from political bias. One of the reasons that the present policing system was set up in the 1960s were a number of cases of corruption, including political corruption, that occurred in the 1950s.

The most high profile of these political corruption cases involved the Chief Constable of Nottingham, [Athelstan Popkess](#)<sup>114</sup>. Popkess was a former member of the [Black and Tans](#)<sup>115</sup>, and his appointment was controversial at the time as he had been photographed giving the [Nazi salute](#)<sup>116</sup> in a Stuttgart boxing ring in 1936. In 1959, he launched an investigation of twenty Labour councillors on the local council, and after having that investigation halted as “unreasonable” he launched another inquiry on allegations that two Labour councillors had been bribed on a visit to East Germany. This caused a clash between the locally elected 'watch committee' (the forerunner of local police authorities) and the Home Secretary. As a result, when the Labour Party was re-elected in 1964,

<sup>112</sup> *Speech on Security and Liberty*, 17<sup>th</sup> June 2008 – <http://www.number10.gov.uk/Page15785>

<sup>113</sup> *CCTV boom 'failing to cut crime'*, BBC, 6<sup>th</sup> May 2008 – <http://news.bbc.co.uk/1/hi/uk/7384843.stm>

<sup>114</sup> *Britain's police forces: forever removed from democratic control?*, Chris A. Williams, History and Policy, November 2003 – <http://www.historyandpolicy.org/papers/policy-paper-16.html>

<sup>115</sup> See Wikipedia: 'Black and Tans' – [http://en.wikipedia.org/wiki/Black\\_and\\_Tans](http://en.wikipedia.org/wiki/Black_and_Tans)

<sup>116</sup> *Famous Residents of The Park Estate*, TheParkNottingham.co.uk – <http://www.theparknottingham.co.uk/module-htmlpages-display-pid-5.html>

reform of local policing was high on their agenda.

Today, whilst the standards guidelines that cover the police services ensure that such excesses cannot easily happen (for example, the ban on members of the British National Party *working in the police service*<sup>117</sup>), this does not mean that ACPO – *which, as an organisation which sits outside of these controls* – could not take on a “political” role as an independent body outside of the police service. If we look at the security agenda, and in particular the attitude of certain senior police officers such as *Ian Blair*<sup>118</sup>, then we can see that there exists the possibility for a “*coalescence of views*” between the political establishment and ACPO to initiate policies which could restrict our freedoms (as the *Ian Blair* case demonstrated). The recent arrest of an *opposition shadow minister*<sup>119</sup>, and the disclosure that police sought to spuriously link that investigation to a more general campaign by the police against one of Britain's leading *civil rights lawyers*<sup>120</sup>, illustrate the extent to which this authoritarian attitude has developed within the British State.

At present this *coalescence of views* is centred on the agenda of “disorder”. As witnessed during recent high profile protests, if you *treat peaceful protesters as criminals*<sup>121</sup> then you will create criminals; the tragic events at the G20 protest show what can happen when, stoked by the changing policy towards all forms of direct (rather than representative) protest, the police's contempt of peaceful protest spills over into casual violence. This negative attitude was clearly expressed within the reasons stated by ACPO when establishing both NETCU/WECTU and the NPOIU. Certainly ACPO, in *responding to the policing of the G20*<sup>122</sup> and other protests, did not see any problems but instead, “welcomes a debate on this difficult area of policing”. The most worrying question, yet to be answered in the present debate, is to what extent the Government (or, at least, the Home Office) and politicians tacitly support or initiate, by proxy, the efforts of ACPO in fostering a wholly negative attitude towards groups who protest in public.

As noted earlier in Section 1, when we look at the various laws and guidelines applied by the State, within the the debate about the policing of extremism, “extreme” is not a matter of the *mode of action* of the protesters but rather the point they are trying to highlight. For example, the 2008 Climate Camp raised unpleasant questions in the debate over the permitting of a new coal-fired power station at Kingsnorth in Kent, and the wider ramifications of this debate in relation to the growth economy and carbon emissions. Hence it's the point that the protests are seeking to make that represents the challenge to the political consensus, not so much the act itself. In fact if you look at some protest or action theory, such as the *Situationists*<sup>123</sup>, the symbolic nature of the action is intended to highlight the issue of concern rather than of itself creating change. However, from the State's point of view, this door can swing both ways; in the way that the media portrays the protest action to the public, tackling the protestors as “extremist” creates an association in the public's mind that the issue itself is also “extreme”. Through the repeated association with negative imagery the protester's progressive symbolism becomes inverted.

<sup>117</sup> *Police scour BNP membership to find officers breaching ban*, The Guardian, 19<sup>th</sup> November 2008 – <http://www.guardian.co.uk/politics/2008/nov/19/police-bnp-far-right-list>

<sup>118</sup> *Spare no pity for Sir Ian Blair, a most political policeman*, Brian Coleman, The Independent on Sunday, 4<sup>th</sup> November 2007 – <http://www.independent.co.uk/opinion/commentators/brian-coleman-spare-no-pity-for-sir-ian-blair-a-most-political-policeman-398888.html>

<sup>119</sup> *Damian Green: arrested for doing his job*, The Guardian, 28<sup>th</sup> November 2008 – <http://www.guardian.co.uk/politics/blog/2008/nov/28/damian-green-conservatives>

<sup>120</sup> *Shami Chakrabarti was Target in Police Search*, The Times, April 18th 2009 – <http://www.timesonline.co.uk/tol/news/politics/article6116023.ece>

<sup>121</sup> *New G20 Video Shows Police Hitting Protesters*, Guardian Online, Sunday 19<sup>th</sup> April 2009 – <http://www.guardian.co.uk/world/2009/apr/19/g20-police-video-climatecamp-tomlinson>

<sup>122</sup> *ACPO Response on Police Public Order Tactics*, Press Release Ref:45/09, 19<sup>th</sup> April 2009 – [http://www.acpo.police.uk/pressrelease.asp?PR\\_GUID={6435E06C-AAAA-49F4-BBA0-A0C7DC4C837A}](http://www.acpo.police.uk/pressrelease.asp?PR_GUID={6435E06C-AAAA-49F4-BBA0-A0C7DC4C837A})

<sup>123</sup> See Wikipedia: 'Situationist International' – [http://en.wikipedia.org/wiki/Situationist\\_International](http://en.wikipedia.org/wiki/Situationist_International)

As noted throughout this section of the report, it would appear that environmental activists are such a threat that the police must routinely characterise them as “extremists”, carry out routine surveillance of individual environmentalists in order to mount *well-planned pre-emptive actions*<sup>124</sup> against their campaigns, and government departments can pass sensitive information about protesters to *private companies*<sup>125</sup> in order to counteract their work. There is a fine line between the current “secretive” role of ACPO, NETCU, WECTU and NPOIU, and the truly “secret” role of a *Stasi-style*<sup>126</sup> police force that we see in repressive states; but ACPO, with its independent funding sources, and ability to work outside of the regular policy and accountability systems, could easily form the nucleus of such an organisation if it wished. The events of the last few days, where *Plane Stupid*<sup>127</sup> activists *recorded “police officers”*<sup>128</sup> trying to recruit them as informants, demonstrate the way in which ACPO (through the stated objectives of NETCU, WECTU and NPOIU) could easily be subverted by groups within the State to perform such a function. These actions cannot of course be taking place without a more substantive motive than “preventing disorder”. So we must ask, *just what is it about environmentalism that has the government and the political consensus so fearful?*

In practice the recent official attitude taken towards environmentalists and environmental protest is an issue of *perception management*<sup>129</sup> by the State, and to some extent, the wider coalition of States, international agencies and multinational companies who support the consensus on economic globalisation – and this has been the case since the anti-capitalist protests dominated the news agenda since the late 1990s (culminating in the *Seattle protests*<sup>130</sup> in 1999). *But what is it within the the environmental debate that so seriously threatens the British state?* If we look at the various options, given the recent evidence over future projections of the state of the nation – from climate change to resource use – there is one aspect we cannot ignore; *the debate on economic growth*.

<sup>124</sup> *Police Arrest 114 People in Pre-emptive strike Against Environmental Protesters*, The Guardian, 13<sup>th</sup> April 2009 – <http://www.guardian.co.uk/environment/2009/apr/13/nottingham-police-raid-environmental-campaigners>

<sup>125</sup> *Secret Police Intelligence was Given to E.ON Before Planned Demo*, The Guardian, Monday 20<sup>th</sup> April 2009 – <http://www.guardian.co.uk/uk/2009/apr/20/police-intelligence-e-on-berr>

<sup>126</sup> See Wikipedia: 'Stasi' – <http://en.wikipedia.org/wiki/Stasi>

<sup>127</sup> *Police caught on tape trying to recruit Plane Stupid protester as spy*, The Guardian, 24<sup>th</sup> April 2009 – <http://www.guardian.co.uk/uk/2009/apr/24/strathclyde-police-plane-stupid-recruit-spy>

<sup>128</sup> *'We don't discuss money, we don't talk salaries'* (MP3 files of recorded conversations), The Guardian, 24<sup>th</sup> April 2009 – <http://www.guardian.co.uk/uk/audio/2009/apr/24/police-surveillance-intelligence-1>

<sup>129</sup> See Wikipedia: 'Perception Management' – [http://en.wikipedia.org/wiki/Perception\\_management](http://en.wikipedia.org/wiki/Perception_management)

<sup>130</sup> See Wikipedia: 'WTO Ministerial Conference of 1999 protest activity' – [http://en.wikipedia.org/wiki/WTO\\_Ministerial\\_Conference\\_of\\_1999\\_protest\\_activity](http://en.wikipedia.org/wiki/WTO_Ministerial_Conference_of_1999_protest_activity)

## Section 4. “The era of Economic Change”

*Why should the present economic and political consensus be so afraid of the challenge posed to its dominance by environmental protesters? After all, at least before the recent economic crash, do we not live in the best of all possible worlds? With our modern culture, so enamoured of the clearly un-ecological trends that define the modern **Consumer Society**<sup>131</sup>, what possible worry can the political establishment have about the general public taking the ecological message seriously?*

*However, what if current trends indicated that the economic well-being of our society – from high levels of personal consumption, to **hypermobility**<sup>132</sup> and growing material wealth – could possibly come to an end within the next twenty to thirty years? Not the end of human society, but rather the end of **consumer culture** as we know it today (although to some these might be synonymous). There are various people advocating the thesis that consumer culture and the “Western” way of living will effectively end due to the convergence of different trends in human society, some time between now and 2030. The three most significant factors that will govern our future well-being are:*

- ◆ **Resource depletion**, especially, in the context of the UK economy, the depletion of our own and the world's energy resources;
- ◆ **Climate change**, and the unpredictable impact that this will have on agriculture, the environment and the economy; and
- ◆ **Population growth**, which is not a problem so much within itself, but rather that resource depletion and climate change will so exacerbate the problems of feeding/meeting the needs of the projected population of the planet within the next fifty years.

Of course, *these are all environmental factors*; they represent the limits of human ecology and the growth of the human economy. Of the movements in society advocating change the one whose message most closely conforms to both the nature of these problems, and the direction of change that they dictate, are the *environmentalists*.

If the concepts that underpin the Consumer Society – such as growth, consumption and, linking it all, free trade – are endangered by these trends then it also represents a severe crisis for the political establishment that defends them. If the politicians of Western states are increasingly seeking to manage the perceptions of the public, rather than engaging them in a particular ideological outlook, then the most critical aspect of managing change is to manage the popular agenda. If we are going to experience a global resource crisis of the type that the environmental movement has been speaking of – since Paul Ehrlich' *The Population Bomb*<sup>133</sup> (1968) and the Club of Rome's *Limits to Growth* report (1972, referenced earlier) – then it's the debate over our environment, especially climate change and resource depletion, that politicians must keep control over. If the perception that politicians are in control and represent the best interests of the public is to be maintained then it is the environmental movement which must – like *Al-Qaeda* after “11/9” or the nefarious “*forces of Communism*” during the Cold War – be attacked and vilified as a matter of policy.

**Of course, this point of view is merely a speculation. What possible evidence is there that such a crisis will occur in Britain, and what possible evidence is there that these trends will lead to the general public questioning the validity of the present political consensus over the economy and social policy? This is the topic that we will examine in this section.**

<sup>131</sup> See Wikipedia: 'Consumer Society' – [http://en.wikipedia.org/wiki/Consumer\\_society](http://en.wikipedia.org/wiki/Consumer_society)

<sup>132</sup> *Hypermobility*, John Adams, Prospect Magazine, March 2000 – [http://www.prospect-magazine.co.uk/article\\_details.php?id=3716](http://www.prospect-magazine.co.uk/article_details.php?id=3716) ; see also *The Social Consequences of Hypermobility*, RSA Lecture, John Adams, 21<sup>st</sup> November 2001 – <http://john-adams.co.uk/wp-content/uploads/2006/hypermobilityforRSA.pdf>

<sup>133</sup> See Wikipedia: 'The Population Bomb' – [http://en.wikipedia.org/wiki/The\\_Population\\_Bomb](http://en.wikipedia.org/wiki/The_Population_Bomb)

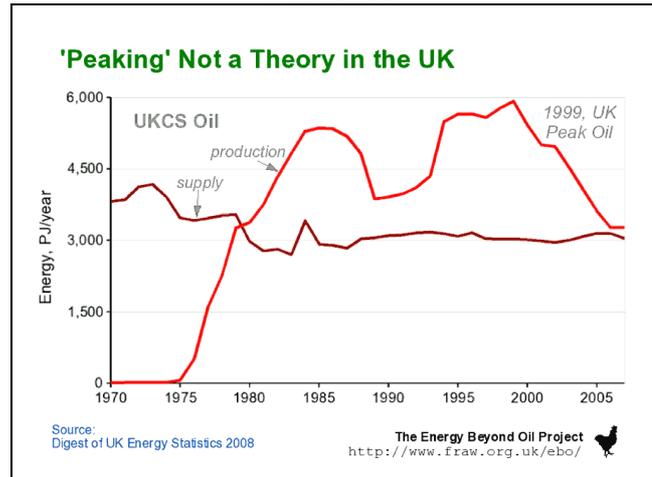
## Britain's energy resources

The UK faces a severe energy-induced economic crisis, far greater than the much publicised “electricity gap” that has been in the media recently, because we're running out of indigenous energy sources – both oil, gas and coal. This is totally unprecedented in the history of Britain since, even before the use of coal was widespread, Britain was largely self-sufficient in both food and firewood (Britain's major resource before the Industrial Revolution). Over the next decade we are moving to a position where not only will we be importing the majority of our energy resources, but for a variety of reasons we'll also be importing the majority of our material resources too. Quite apart from the trends that are happening at the global scale, this inevitable future renders the operation of the economic paradigm that underpins British State wholly unsustainable. This change will not take place over a very long period of time – *it's almost certain to occur within the next ten to fifteen years.*

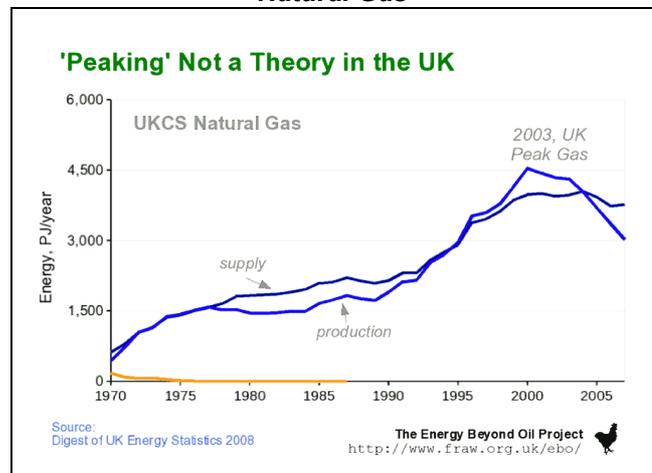
The [graphs on the right](#)<sup>134</sup> show, using the government's own data, the problem that is developing within the UK energy economy. Indigenous production of all energy resources is falling. Consequently the level of energy imports is rising and the consequential outflow of money from the national economy is beginning to have a drag on the operation of the economy. This is especially true in relation to our [level of debt](#)<sup>135</sup>, which is itself increasingly external because of the low level of savings held by the UK population. For example, about

## UK indigenous resource slides

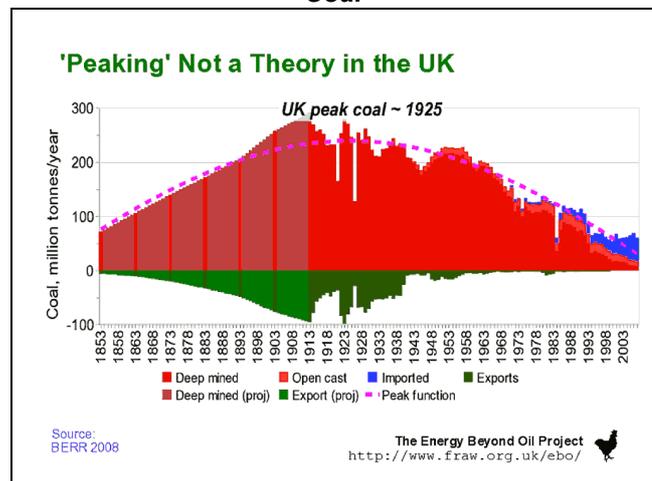
### Petroleum



### Natural Gas



### Coal



Sources: Oil – Table 3.1.1, DUKES 2008; Gas – Table 4.1.1, DUKES 2008; Coal – Coal 1853 to 2007, BERR 2008.

<sup>134</sup> Section 15, *The Energy Beyond Oil Presentation* (2008 edition), Paul Mobbs, The Free Range Network, September 2008 – [http://www.fraw.org.uk/ebo/presentation/ebo\\_2008-section-15.shtml](http://www.fraw.org.uk/ebo/presentation/ebo_2008-section-15.shtml)

<sup>135</sup> *Can the UK government stop the UK banking system going down the snyrting without risking a sovereign debt crisis?*, Willem Buiters, FT Blogs, January 20, 2009 – <http://blogs.ft.com/maverecon/2009/01/can-the-uk-government-stop-the-uk-banking-system-going-down-the-snyrting-without-risking-a-sovereign-debt-crisis/>

45% of the lending in the UK in 2008 was financed externally, and the loss of this external lending is what is driving the lack of credit available in the UK.

The economic crisis of the 1970s was due in large part to the rising price of oil which, in the UK, was nearly all imported at that time. The development of North Sea production from the mid-70s onwards not only saved the UK from bankruptcy but, as Andrew Marr outlines at length in his *History of Modern Britain*<sup>136</sup>, the finance generated by oil and gas during the 1980s (and since that date) was the force which allowed Margaret Thatcher to overhaul the UK economy without regard to the immediate economic impacts (e.g., industrial action such as the Miners' Strike). Now, with declining indigenous production, we are returning to the same trends that appeared in the economic crises of the early 1970s – and we have no such valuable indigenous wealth resource to fall back upon to enable a similarly dramatic transition in the structure of our economy.

From the mid-70s British oil production rose, interrupted only by a short-term shut down of production following the Piper Alpha disaster (see top slide on the previous page). Then in 1999, about a decade ahead of a number of forecasts (including the International Energy Agency) oil production in the British sector of the North Sea peaked and went into decline. Natural gas production underwent a similar trend (middle slide), and again peaked about 6 to 8 years before a number of the government's forecasts. This is why there has been such a rush to build liquefied natural gas importation terminals and a high pressure distribution network because the original completion date for these projects assumed the 2009-2011 peak envisaged by the Government's advisors.

Coal production is more complex. Britain has a myth about having “200 years” of coal reserves; we might have had significant quantities of coal a century or so ago but today the estimates of UK reserves vary between 200 million tonnes (the latest government figure reported to the World Energy Council) to 1,500 million tonnes (used by some coal analysts who include the less economic reserves). With current consumption ranging between 62 (2007) and 67 (2006) million tonnes per year<sup>137</sup> that's only 4 to 23 years of indigenous supply left. If we look at the BERR's long-term data (see bottom slide on previous page) British production peaked in the mid-1920s, and has in fact been following a clear statistical bell curve of production for at least the last 200 years. Consequently, from being one of the world's leading coal exporters one hundred years ago (illustrated by the area shown in green) we are now importing almost two-thirds of our coal consumption. This proportion will increase as we build more coal-fired plants over the next decade and coal consumption once again rises.

To bring these trends together we have used data from the government's Joint Energy Security of Supply (JESS) Committee. This was disbanded after their *Seventh report*<sup>138</sup> caused such unwelcome ripples in the energy industry. They produced graphs for future *electricity*<sup>139</sup> and *gas supply*<sup>140</sup>, and *tabulated data*<sup>141</sup> for oil and coal (together this represents about 90% of UK energy consumption). To this we've added data for renewable energy and uranium (as we have no suitable indigenous uranium resource) and then graphically 'stacked' the data to give a complete profile of how our energy

<sup>136</sup> *A History of Modern Britain*, Andrew Marr, Pan Books, 2008.

<sup>137</sup> Table 2.1.2 – *Inland consumption of solid fuels 1970 to 2007*, *Digest of UK Energy Statistics 2008*, BERR – [http://stats.berr.gov.uk/energystats/dukes/dukes2\\_1\\_2.xls](http://stats.berr.gov.uk/energystats/dukes/dukes2_1_2.xls)

<sup>138</sup> *Long-Term Security of Energy Supply*, Seventh Report, JESS Committee, December 2006 – <http://www.berr.gov.uk/files/file35989.pdf>

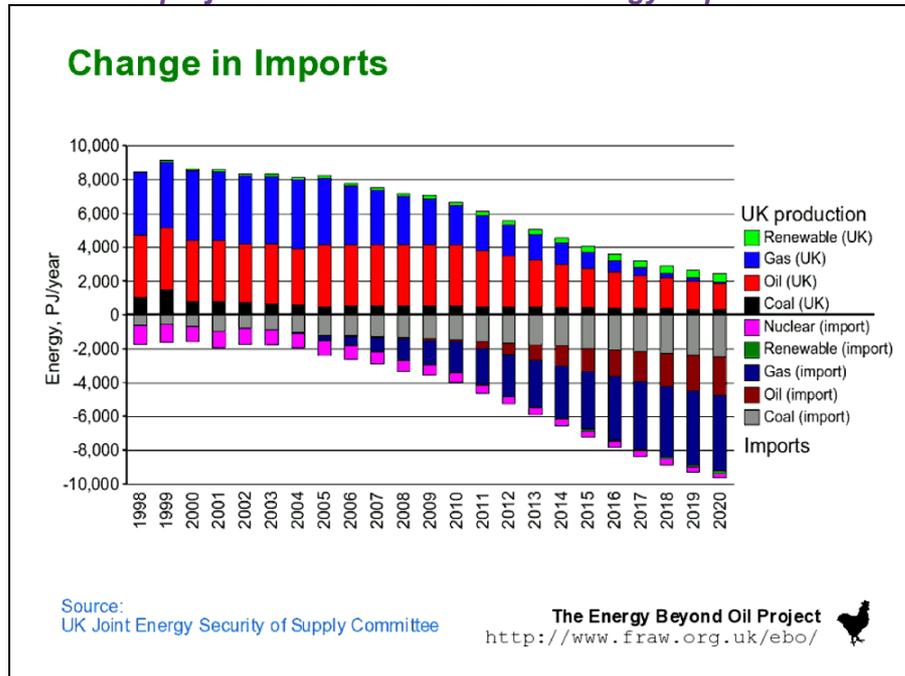
<sup>139</sup> *Electricity annex*, Seventh Report, JESS Committee, December 2006 – <http://www.berr.gov.uk/files/file36031.pdf>

<sup>140</sup> *Gas annex*, Seventh Report, JESS Committee, December 2006 – <http://www.berr.gov.uk/files/file36030.pdf>

<sup>141</sup> *Tabulated data*, Seventh Report, JESS Committee, December 2006 – <http://www.berr.gov.uk/files/file36028.xls>

imports are projected to change between 2005 (the last year of real data in JESS' projection) and 2020. The results of this analysis are shown in the graph below – anything above the '0' line is indigenous production, and anything below the line is imported.

### A projection of the UK's future energy imports



Over the next decade or so we'll move from importing just 20% of our energy needs to importing over 80%. There is only one other major industrial nation that does this – *Japan*. However, in contrast to the UK, Japan is a primarily an export-based economy (like Germany, another large energy importer) and so it is able to pay for its energy imports without creating a large imbalance in the value of trade. The only other large industrial economy to import large quantities of energy whilst maintaining a primarily service-based economy is the USA – *but the USA only imports around 30% of its total energy supply* (in 2007 the US imported two-thirds of its oil, about a sixth of its natural gas, but it's self-sufficient in coal and uranium, and it has a large hydro-power capacity). However the USA, because the Dollar is the reserve currency that most of these resources are traded in, is protected from the economic consequences of a high imports policy because of the global demand for Dollars (but if the world shifted to Euros for trade, which has been happening in a number of markets recently, this would imperil the US economy). Even so, like the UK, energy has been one of the largest growth areas of the USA's trade imbalance over the last decade or so.

### Global energy resources

The “peaking” of energy/mineral production is not a *theory* in the UK – *it's a fact*. For the rest of the world peaking is still a theory until the global production data demonstrates that a peak has taken place in accordance with the [statistical bell curve of production](#)<sup>142</sup>. As yet there is still no official recognition of these trends from the UK government, and officially the [stated position](#)<sup>143</sup> is that –

“there is sufficient global capacity to meet our future needs.”

<sup>142</sup> *The End of Cheap Oil*, Colin J. Campbell and Jean H. Laherrère, Scientific American, p78-83, March 1998 – [http://www.fraw.org.uk/library/peakoil/campbell\\_1998.pdf](http://www.fraw.org.uk/library/peakoil/campbell_1998.pdf)

<sup>143</sup> *Oil-depletion – e-petition response*, Prime Minister's Office, Monday 15<sup>th</sup> September 2008 – <http://www.number10.gov.uk/Page16833>

Over the last few months statements from officials at the International Energy Agency have significantly amended their [global projections](#)<sup>144</sup> on the availability of energy resources, [particularly oil](#)<sup>145</sup>, issued in November 2008. Even so, there has still been no movement from the UK government on the issue, and even recent enquiries by journalists have [resulted in a similar response](#)<sup>146</sup> –

*The government does not feel the need to hold contingency plans specifically for the eventuality of crude oil supplies peaking between now and 2020.*

The peaking of gas supplies has been obliquely acknowledged by the [Parliamentary Office of Science and Technology](#)<sup>147</sup> and the National Assembly for Wales now has a [briefing for its members on peak oil](#)<sup>148</sup>. To date the most significant governmental report is that from the US General Accounting Office on the "[crude oil peak](#)"<sup>149</sup> (produced in 2007) which was in part inspired by previous work carried out on behalf of the US Department of Energy in 2005 (the much talked about [Hirsch Report](#)<sup>150</sup>). Other commentators have expressed concern about present trends, especially the relationship between the diminishing level of spare production capacity and the influence this has on oil prices, albeit they describe these trends as a "[supply crunch](#)"<sup>151</sup>.

There are few detailed studies of the peaking of global gas resources, but there are some recent detailed reports from the European Energy Watch Group (EWG) on [coal](#)<sup>152</sup> and [uranium](#)<sup>153</sup>. These are significant because they dispel the idea that either coal or nuclear can be the fall-back position of energy policy if either oil or gas supply becomes problematic. The EWG's report on coal is significant because it was the first of a number of recent studies to question the stated availability of coal, and it demonstrates some interesting trends – such as the fact that declining coal quality means that although the USA is digging up more coal each year, the value of the energy extracted is not increasing.

There are a number of reports that highlight the small level of uranium resources – only perhaps 60 years of supply at current rates of use – and even the Organisation of Economic Co-operation and Development (OECD) [has reported that](#)<sup>154</sup> if the world went

<sup>144</sup> *World Energy Outlook 2008*, International Energy Agency (IEA), 2008 – <http://www.worldenergyoutlook.org/>

<sup>145</sup> *Global Oil Supply will Peak in 2020, says Energy Agency*, The Guardian, 15<sup>th</sup> December 2008 – <http://www.guardian.co.uk/business/2008/dec/15/global-oil-supply-peak-2020-prediction>

<sup>146</sup> *We spend millions on smallpox, but nothing on this far greater threat*, George Monbiot, The Guardian, 14<sup>th</sup> April 2009 – <http://www.guardian.co.uk/commentisfree/2009/apr/14/george-monbiot-smallpox-oil-supply>

<sup>147</sup> *The Future of UK Gas Supplies*, POST Note 230, UK Parliamentary Office of Science and Technology, October 2004 – <http://www.parliament.uk/documents/upload/POSTpn230.pdf>

<sup>148</sup> *Peak Oil*, National Assembly for Wales, July 2008 – [http://www.fraw.org.uk/library/peakoil/naw\\_2008.pdf](http://www.fraw.org.uk/library/peakoil/naw_2008.pdf)

<sup>149</sup> *Crude Oil – Uncertainty about Future Oil Supply Makes It Important to Develop a Strategy for Addressing a Peak and Decline in Oil Production* (GAO-07-283), GAO Report to Congressional Requesters, United States Government Accountability Office, February 2007 – [http://www.fraw.org.uk/library/peakoil/usgao\\_2007.pdf](http://www.fraw.org.uk/library/peakoil/usgao_2007.pdf)

<sup>150</sup> *Peaking Of World Oil Production: Impacts, Mitigation & Risk Management*, Robert L. Hirsch, SAIC, February 2005. [http://www.fraw.org.uk/library/peakoil/hirsch\\_2005.pdf](http://www.fraw.org.uk/library/peakoil/hirsch_2005.pdf)

<sup>151</sup> *The Coming Oil Supply Crunch*, Paul Stevens, Chatham House, 2008 – [http://www.chathamhouse.org.uk/publications/papers/download/-/id/652/file/11937\\_0808oilcrunch.pdf](http://www.chathamhouse.org.uk/publications/papers/download/-/id/652/file/11937_0808oilcrunch.pdf)

<sup>152</sup> *Coal: Resources and Future Production*, The Energy Watch Group, EWG-Paper No. 1/07, July 2007 – [http://www.fraw.org.uk/library/peakoil/ewg\\_2007.pdf](http://www.fraw.org.uk/library/peakoil/ewg_2007.pdf)

<sup>153</sup> *Uranium Resources And Nuclear Energy*, EWG-Series No 1/2006, Energy Watch Group, December 2006 – [http://www.fraw.org.uk/library/peakoil/ewg\\_2006.pdf](http://www.fraw.org.uk/library/peakoil/ewg_2006.pdf)

<sup>154</sup> *Towards a Sustainable Energy Future*, Dieter M. Imboden (Swiss Federal Institute of Technology) and Carlo C. Jaeger (Swiss Federal institute of Environmental Science and Technology); published in *Energy: The Next Fifty Years*, OECD, 1999. <http://www.oecd.org/dataoecd/37/55/17738498.pdf>

nuclear to reduce carbon emissions –

*...known uranium reserves would then last only for about a decade.*

In the USA some of the expert bodies that advise policy makers have also looked at the resource issue and foreseen problems in the future. There are a number of reports that have emerged from within the **US military**<sup>155</sup> that focus on this problem because it has grave implications for the USA, both internally, but more importantly externally, as it affects the ability of the USA to project force around the globe to support its foreign policy (and of course, acquiring energy resources is a significant factor in the USA's foreign policy).

One report from the **Strategic Studies Institute**<sup>156</sup> notes the importance of oil to the domestic economy –

*Absent efforts to reduce American consumption, these new demands will lead to soaring oil prices, inflation, and a loss of America's trade advantage. Both American consumers and the U.S. Economy are already suffering from the cumulative effect of recent increases in gas prices. Even now, fully one-quarter of the U.S. trade deficit is associated with oil imports. By some estimates, America loses 27,000 jobs for every billion dollars of additional oil imports. American dependence on foreign oil is a drain on our economy and leaves us vulnerable to unstable oil prices set by those without our best interests in mind. One needs only look at the impact of Hurricane Katrina to see how oil and our economy are inextricably linked.*

Another report from the **US Army War College**<sup>157</sup>, looking at the effects of restricted oil supplies on foreign policy, puts the problem even more starkly –

*The foregoing analysis demonstrates that our national strategy must identify the nation's access to adequate supplies of oil as a vital national interest. The dire economic, social, and political consequences associated with a severe reduction in imported oil justifies the use of military action, regardless of world opinion. We must act unilaterally if the circumstances hostilities, generate a tremendous amount of anti-American sentiment, lead to United Nations' sanctions, and fracture friendships and alliances. But compared to the economic effects of an oil shortage, such risks are acceptable.*

A report from the **US National Intelligence Council**<sup>158</sup> makes similar observations –

*Reduced oil demand would insulate the United States from its dependency on foreign sources of oil. On the [other] hand, nations reliant on petroleum as a major source of revenue would find that they would have to transition their economies, or risk a substantial reduction in living standards.*

The same principles apply to the UK economy which, as noted in the quote above, has for the last two decades been “reliant on petroleum as a major source of revenue”. But as a developed nation Britain in fact faces *both sides* of the problem – both a shortfall of revenue as we must import more energy, and the problematic shortages that a constraint

<sup>155</sup> *Pentagon and Peak Oil: A Military Literature Review*, Sohbet Karbuz, Energy Bulletin – <http://www.energybulletin.net/node/18056>

<sup>156</sup> *Addicted To Oil: Strategic Implications Of American Oil Policy*, Thomas D. Kraemer, Carlisle Papers in Security Strategy, Strategic Studies Institute of the US Army War College, 31 May 2006 – <http://www.strategicstudiesinstitute.army.mil/pdffiles/PUB705.pdf>

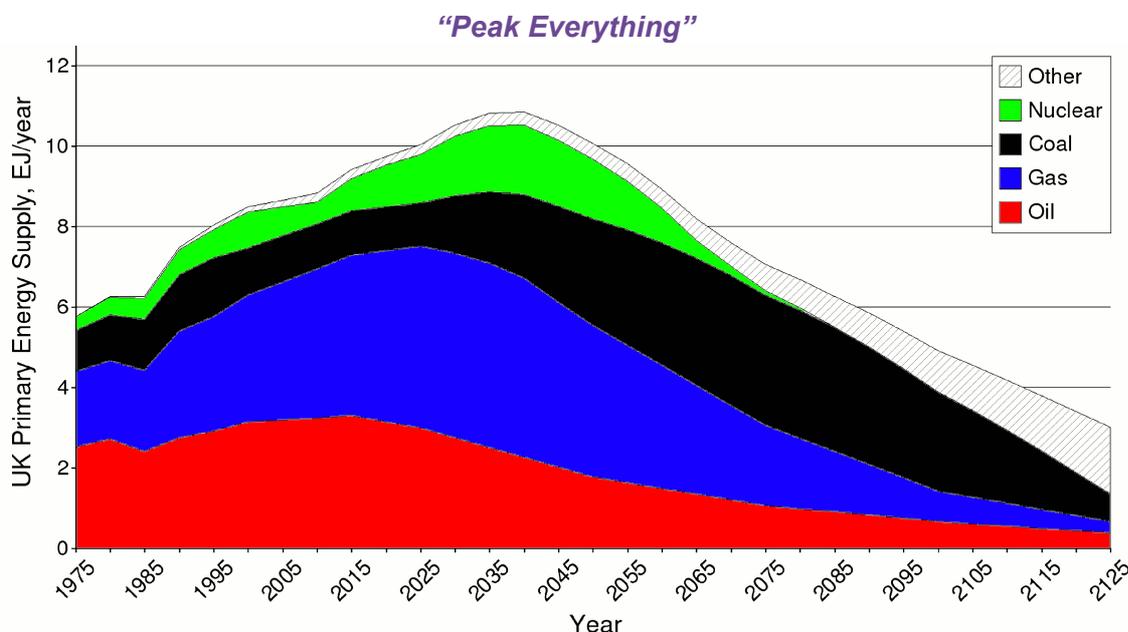
<sup>157</sup> *Pre-emptive Energy Security: An Aggressive Approach To Meeting America's Requirements*, Lieutenant Colonel Dennis D. Tewksbury/Captain Donald Root, USAWC Strategy Research Project, U.S. Army War College, 15<sup>th</sup> March 2006 – <http://stinet.dtic.mil/cgi-bin/GetTRDoc?AD=ADA448259&Location=U2&doc=GetTRDoc.pdf>

<sup>158</sup> *Disruptive Civil Technologies: Six Technologies with Potential Impacts on US Interests out to 2025 – Conference Report*, US National Intelligence Council, April 2008 -- [http://www.dni.gov/nic/confreports\\_disruptive\\_tech.html](http://www.dni.gov/nic/confreports_disruptive_tech.html)

on importation entail. At present the failure of the government to consider this issue “significant” means that there has been limited official research in this area by British governmental agencies.

Although much of the debate about 'peaking' tends to be related to oil, for the UK economy it's natural gas that's the greatest problem. The amount of oil used in the UK has hardly changed for 30 years and so it's significance has fallen, but about two-fifths of our energy supply is based upon natural gas. Quite apart from the problematic issue of peak oil, peak gas has the potential to completely cripple the UK economy because we are wholly reliant upon it for heat and power – *whatever the price we will have to pay to import it if we carry on our present economic policies.*

The most controversial aspect of the studies of the production peak in the world's major energy resources is the attempt to combine them – giving a view of what's come to be known as “peak everything”. Again, rather like the graphs above for the UK's imports, by combining the various estimates of resource availability, and the mathematical functions that will define their future production, we can produce a very general prediction of what the future availability of energy might be for the next century or so. The graph below is from the book, *Energy Beyond Oil*<sup>159</sup>. It was produced in 2004, but its results are broadly in agreement with more recent studies of resource availability subsequently produced.



### Energy and economics

The obvious implication of the above graph is that, from the 2030s onwards, the “modern” human species will have to undergo a contraction of economic activity because there will be physically less energy to support its present mode of existence (in practical terms it's the natural gas peak, not the oil peak, that will define the point of “peak everything”). The physical restrictions on other energy resources, but most importantly the thermodynamic restriction on how energy can be utilised and the relative physical “quality” of energy sources, does not permit the substitution of the “lost” energy from any other source.

Within the world of economics this point about the quantity and quality of energy was

<sup>159</sup> *Energy Beyond Oil*, Paul Mobbs, Matador Books, 2005. ISBN 978-1905237005 – <http://www.fraw.org.uk/ebo/book/index.shtml>

outlined by two of the significant figures in [ecological economics](#)<sup>160</sup>, [Charles Hall and Kent Klitgaard](#)<sup>161</sup> –

*Thus what all of these “mainstream” production functions fail to emphasize is what every biophysical economist knows to be the truth: it is the energy that does the work of producing wealth, and is essential for its distribution as well, whether that energy is derived from land, labor or capital-assisted fossil fuels. Ayres, Kuemmel and Hall and Ko have shown that the production of wealth in industrial societies is almost perfectly a linear function of the energy use in those societies, and that the correlation gets tighter and tighter when proper corrections are made for the quality of the energy used (e.g. coal vs. electricity) and for the amount of energy actually applied to the process (e.g. electric arc vs. Bessemer furnaces). Much, perhaps most, technology is ultimately about these things.*

They go on to summarise the issues that confront us by saying –

*Essentially no resources today can be viewed as truly sustainable at present rates of production, consumption, and growth because all are subsidized by cheap petroleum... As the supply of cheap petroleum is exhausted through the increased exploitation of the earth's highest quality and most accessible energy resources while demand for its products continues to grow, the world will likely be in for some very rough sledding ahead. We as a society must recognize the need for a more biophysically-based economic system, which includes a focus on material things such as land, water, soil, food, timber, other fibers and, most importantly, energy. The economy must focus once again on the most fundamental issues of providing food, clothing, shelter, basic transportation and other necessities. It must come up with real solutions to the critical problems we face (e.g. energy depletion and impacts, soil erosion, over fishing, water management, massive inequity in the distribution of wealth etc.) that have been neglected thus far due to our temporary patch up “solutions” of cheap oil. We must rethink very carefully what any increase in efficiency might bring because of Jevon's paradox. We must think about the critically-needed international development assistance in entirely new ways, and we cannot allow an unjustified faith in the supposed virtues of neoclassical economics mask where it is used to sanctify the massive neocolonialism sweeping the less developed world. If in fact the grim results of the Limits to Growth do come to pass do we castigate those politicians who for “moral” reasons removed population from the agenda of the United States Government? How about those economists who argued foolishly against that model's utility or, more generally, a biophysical approach to the Earth's problems? Do we put them in jail for the lives lost and for encouraging us to make investments in the wrong places?*

These seemingly depressing conclusions have been further reinforced by a recent re-evaluation of the “Limits to Growth” hypothesis, published by the Australian Commonwealth Scientific and Industrial Research Organization (CSIRO) in 2008. The [conclusion of the report](#)<sup>162</sup> states –

*As shown, the observed historical data for 1970-2000 most closely matches the simulated results of the LtG 'standard run' for almost all outputs reported; this scenario results in a global collapse before the middle of this century”...*

<sup>160</sup> See Wikipedia: 'Ecological Economics' – [http://en.wikipedia.org/wiki/Ecological\\_economics](http://en.wikipedia.org/wiki/Ecological_economics)

<sup>161</sup> *The need for a New, Biophysical-Based Paradigm in Economics for the Second Half of the Age of Oil*, Hall and Klitgaard, International Journal of Transdisciplinary Research 1(1), p4-22, 2006 – [http://www.peakoil.net/files/the\\_need\\_for\\_a\\_new\\_biophysical-based\\_paradigm\\_in\\_economics...pdf](http://www.peakoil.net/files/the_need_for_a_new_biophysical-based_paradigm_in_economics...pdf)

<sup>162</sup> *A Comparison of The Limits to Growth with Thirty Years of Reality*, Graham Turner, CSIRO Working Paper Series 2008-9, June 2008 – [http://www.fraw.org.uk/library/peakoil/csiro\\_2008.pdf](http://www.fraw.org.uk/library/peakoil/csiro_2008.pdf)

*contemporary issues such as peak oil, climate change and food and water security resonate strongly with the feedback dynamics of 'overshoot and collapse' displayed in the LtG standard scenario.*

The issues of “peak everything” or “overshoot and collapse” are of course a complete anathema to the strictures of neo-classical economics. Such options don't exist within their outlook because it is a sceptical hypothesis; *accepting the theory would invalidate the core of their growth-led economic philosophy* (even though, in any practical examination, this approach does not offend economic philosophy but rather the ideological and political concepts of the growth economy). The failure of the present economic and political system to consider these trends, because it represents a challenge to their present orthodoxy, is a far greater problem than the peaking of energy production itself – and it is in fact the greater challenge that we face. This transition is manageable, but only if we begin adaptation as soon as possible. If our political and business institutions try to maintain their delusion that continued growth is possible then we will be in a far worse position when “peak everything” finally comes.

In the UK we have had over two centuries of industrialised growth, albeit “economic growth” has only been at the heart of political policy for the last fifty years – *the first budget that set the policy of growth at the heart of all other considerations was the Conservative Chancellor Rab Butler's budget of 1954*. Against a fifty year history where government policy has sought economic growth as the core principle of governance, “producing more”, be that renewable or other forms of energy, is a far simpler option than initiating a programme to try and use less. The greater challenge that we face is how we adopt the opposite perspective to present economic policy – *and seek to use “less”* – as, psychologically, this transition necessitates not just a change of policy but also a fundamental change to the perceived role of the “human animal” within the Earth's finite ecosystem.

### **Renewable energy cannot substitute for the scale of fossil fuels use**

Of course, in the face of these seemingly insurmountable problems for conventional economics, the debate might then switch to energy efficiency or new green technologies, for example, the "Green New Deal", and its promotion by some groups within the environment movement. However, none of the energy efficiency measures of the last 50 years has reduced energy consumption within the economy as a whole; it might, at the micro-economic level, but at the macro-economic level these measures actually spur on growth. In any case, energy efficiency measures are a one-time saving, and due to the unfortunate realities of the Second Law of Thermodynamics energy efficiency is a diminishing return. However, despite such technical limitations, if we look at the present public dialogue it would appear that the media and politicians would rather present infeasible technological solutions rather than address the basic consumption trends that are driving these problems in the first place.

Over the last century we've done many of the “big” efficiency savings, and so set against a growing economy it can provide little in terms of future gains (we'll explain why in the “energy efficiency” sub-section below). Some new technologies might deliver a saving but *only against the background of a static or contracting economy*. This is because, in nearly all cases, the level of consumption growth exceeds the level of efficiency savings, and so a significant reduction can only be achieved with an impossibly large change in the intensity of use (as outlined in the recent [New Scientist special report on growth](#)<sup>163</sup>). Viewing the problem realistically, we will have to significantly cut not just economic growth

<sup>163</sup> *Why politicians dare not limit economic growth*, Tim Jackson – part of the New Scientist Special report, *How our economy is killing the Earth*, New Scientist, 16<sup>th</sup> October 2008 – <http://www.newscientist.com/article/mg20026786.100-special-report-why-politicians-dare-not-limit-economic-growth.html>

in the coming years, but also our present levels of consumption, in order to match the level of energy/resource utilisation and the likely levels of resource depletion that will arise of the decade or so following “peak everything”. This is because depletion levels are likely to exceed the levels of system-wide efficiency improvement that we can deliver technologically – or to put it more simply, without changing our patterns of living technological measures cannot reduce demand faster than the rate of depletion.

There are various ways in which we can compare energy consumption and growth, but often the results depend upon the indicators that you choose. Some indicators, such as *energy intensity*<sup>164</sup>, are unrealistic as they exclude the embodied energy of imported/exported goods. The more fundamental problem is that not all types of energy are equal. As part of their application by society some types, or rather *qualities*, of energy are better than others. During the Twentieth Century, through greater mechanisation, energy was used to replace human labour directly, in the process creating a more dependent link between the use of *energy and the growth of the economy*<sup>165</sup>. The problem is that the simplistic indicators use by economists, such as energy intensity, do not recognise this transition. Consequently they fail to give a realistic connection between our use of energy in the economy and the depletion of natural resources and our impact on the environment. Some more recent studies of the complexity of the *relationship between energy use and the economy* highlight this critical trend<sup>166</sup> –

*Together these results suggest that accounting for energy quality reveals a relatively strong relationship between energy use and economic output. This runs counter to much of the conventional wisdom that technical improvements and structural change have decoupled energy use from economic performance. To a large degree, technical change and substitution has increased the use of higher quality energy and reduced use of lower quality energy. In economic terms this means that technical change has been ‘embodied’ in the fuels and their associated energy converters. These changes have increased energy efficiency in energy extraction processes, allowed an apparent ‘decoupling’ between energy use and economic output, and increased energy efficiency in the production of output.*

In relation to renewable energy sources this is one of the critical points – *it's not just the scale of renewable energy that's the issue, it's also the physical quality of those sources compared to the quality of the fossil fuel sources that many advocates of renewable energy wish to replace.*

In terms of the development of renewable energy sources, the concentration of effort in many countries is on electricity-producing renewable sources. This is because, in terms of the current largely liberalised energy market, certain renewable energy sources (predominantly wind, tidal, hydro and biomass combustion – although photovoltaic power and concentrating solar power are still limited by market conditions) can be scaled up to a size where they can connect to the grid system and compete in commercial terms (albeit with varying levels of support).

Globally, and in the UK, electricity is only a minor constituent of energy consumption overall – it is heat (especially space heating) and motive power (transport fuels) that dominate the demand for energy globally. The systemic problem with the current conception of renewable energy is that we are not supplanting *actual* energy demand (as

<sup>164</sup> See Wikipedia: 'Energy Intensity' – [http://en.wikipedia.org/wiki/Energy\\_intensity](http://en.wikipedia.org/wiki/Energy_intensity)

<sup>165</sup> *Energy and the US Economy: A Biophysical Perspective*, Cutler J. Cleveland, Robert Costanza, Charles Hall and Robert Kaufmann, p890-897, Science Vol.225, No.4665, August 31<sup>st</sup> 1984 – <http://www.sciencemag.org/cgi/content/abstract/225/4665/890>

<sup>166</sup> *Aggregation and the role of energy in the economy*, Cutler J. Cleveland, Robert K. Kaufmann and David I. Stern, Ecological Economics 32 (2000) 301-317 – <http://www.bu.edu/cees/research/workingp/pdfs/9909.pdf>

shown earlier) but rather concentrating on those sources that produce an economic return within the present consumption-oriented system. The fact that we focus on one type of energy – *electricity* – also means that the decisions being taken today are at odds with the efficient use of renewable energy sources. For example, one of the growth areas in the UK's renewable energy sources has been plant biomass, but as the majority of this is being burnt in coal-fired plants at 35% efficiency (or less) this does not represent anywhere near the best possible return on the resource. If burnt on a smaller scale, we could get 70% of the energy embodied in the fuel if we used it in small-scale combined heat and power systems. As a result we could get twice as much renewable energy from the same amount of biomass fuel now burnt in conventional power plants.

This brings us to the next problematic point about the present system – it does not recognise that there is a hierarchy of renewable energy sources. Contrary to the conventional conception of a functional hierarchy, based on the source or technology involved (as is the case with the waste hierarchy), it's a hierarchy based on *application*. For example<sup>167</sup>: Plant biomass absorbs about 5% of the solar energy shining, per unit area, on a field each year; of the original solar irradiation only about 0.6% is fixed as extractable energy (biomass); using the most efficient methods, we can recover about 40% of this energy as electricity for export to the grid; consequently, we produce about 0.2% of the solar energy that shines on the field each year as electricity. Conversely, if we put a solar hot water panel on a roof we might get 4% to 6% of the solar energy that falls onto the panel each year converted into usable heat. Therefore, in terms of the comparative hierarchy, to heat hot water it's 20 to 30 times more ecologically efficient to use solar thermal heat directly than plant biomass to generate electricity and then heat the water electrically via the grid.

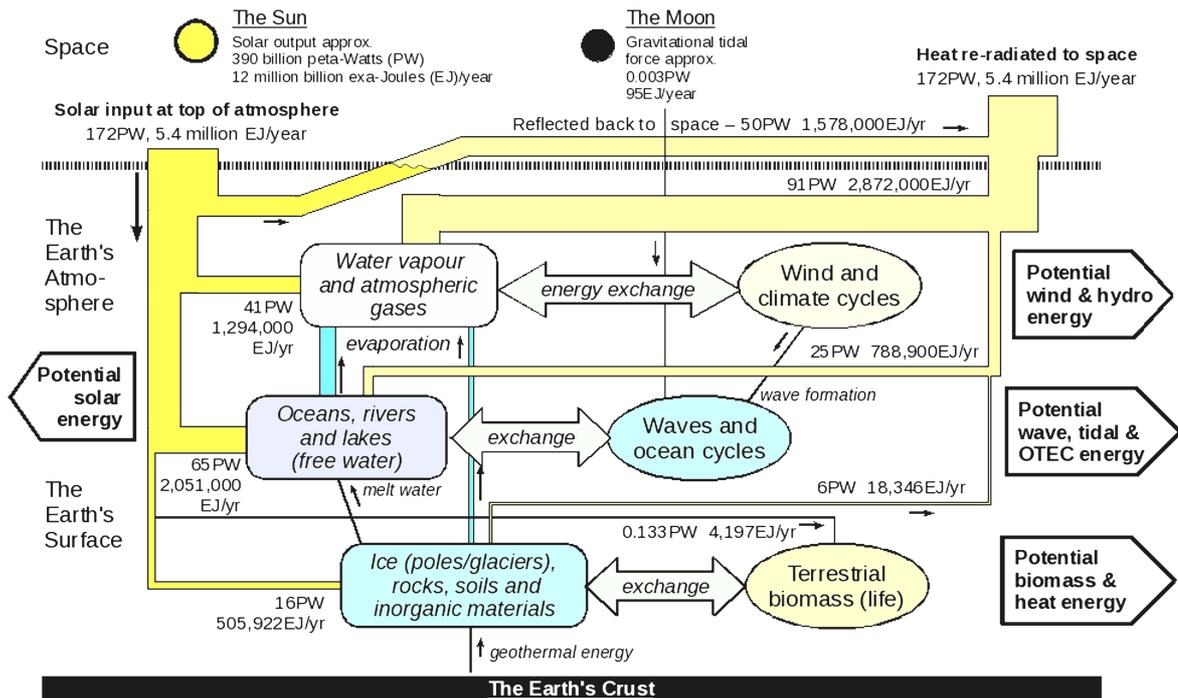
The above example illustrates a rather disturbing fact – when we look at current government policy and industry practice today it's the least ecologically efficient options that are favoured, both in policy and in economic terms. Present energy policy, following on the “growth” model that it underpins, favours large and centralised systems of production that represent the greatest economic efficiency, not the decentralised systems which represent the greatest ecological efficiency. From the use of road vehicles to the production of industrial plastics, we can carry out similar comparative analyses to find the most efficient means to convert the Earth's renewable energy flux into usable energy and materials – but such ideas are not leading the development of renewable energy sources today.

There is a fallacy promoted within the environment movement that *humans only use a minute fraction of the energy that falls onto the Earth from the Sun each year*. Whilst this may be true statistically, in practical terms only a small fraction of this energy is available for us – *the human species* – to use. That energy flow must be shared with all other organisms on the planet (i.e., if we utilised all that energy, the Earth would be dark and cold for any non-human life form), and, in reality, the relative amount of energy available is small when we consider the efficiency with which it can be captured (as shown in the biomass/solar hot water example above).

Practically we cannot know how much energy humans might be able to sustainably extract from the environment because such data – including the relative net energy of different options – does not exist. Just as there is an ecological hierarchy of technologies based upon application, there is also a hierarchy of locations where we get the best energy return (the highest net energy/EROEI) compared to others. The current policy of placing most of Britain's wind capacity on mountains or off-shore is an acknowledgement of this principle but, because the net energy varies from location to location, as we progressively develop in less favourable areas the net energy level falls. So as time

<sup>167</sup> Section 19, *The Energy Beyond Oil Presentation*, Paul Mobbs, The Free Range Energy Beyond Oil Project, September 2008 – [http://www.fraw.org.uk/ebo/presentation/ebo\\_2008-section-19.shtml](http://www.fraw.org.uk/ebo/presentation/ebo_2008-section-19.shtml)

## A Flow Model of the Earth's Energy Cycle



progresses, much like the level of conventional energy production peaks and falls, so the level of energy production from renewable sources – or rather, *the amount that we can incrementally increase production by over a fixed period of time* – will fall also.

There are various reports that try and assess the theoretical capacity of renewable energy production in the UK (for example, by the [Royal Commission on Environmental Pollution](#)<sup>168</sup> or [CAT](#)<sup>169</sup>). So far none looks systematically at the total level of renewable energy resources in the UK taking into account the various technological and geographical influences upon the net energy of production. In fact it is this difficult issue of the [Second Law](#)<sup>170</sup> or [exergy efficiency](#)<sup>171</sup> which is the foundation of answering the question, “how much renewable energy is there?”

The diagram above shows a model of the annual energy flux within the “Earth system”. Alongside each flux/reservoir the boxes at the edge illustrate where we can remove energy from this system using various types of renewable energy technology. In reality, whilst these figures show the scale of the natural energy flux, we cannot directly base our resource estimates on these figures. Due to the thermodynamic restrictions the utilisation of the flux entails a significant loss of energy, partly due to the relative inefficiency of collection, but primarily because of the low quality (in comparison to fossil fuels) of renewable energy sources. Each option, because it entails the use of energy to develop and use these resources, also has a *net energy* (or, [energy return on energy invested](#)<sup>172</sup> – also called *EROEI*, or *second law/exergy efficiency*) value that, like the present values for

<sup>168</sup> *Energy – The Changing Climate*, 22<sup>nd</sup> Report (Cm 4749), Royal Commission on Environmental Pollution, June 2000 – <http://www.rcep.org.uk/newenergy.htm>

<sup>169</sup> *Zero Carbon Britain – An Alternative Energy Strategy*, Centre for Alternative Technology (CAT) 2007 – <http://www.zerocarbonbritain.com/>

<sup>170</sup> See Wikipedia: 'Second Law of Thermodynamics' – [http://en.wikipedia.org/wiki/Second\\_law\\_of\\_thermodynamics](http://en.wikipedia.org/wiki/Second_law_of_thermodynamics)

<sup>171</sup> See Wikipedia: 'Exergy Efficiency' – [http://en.wikipedia.org/wiki/Exergy\\_efficiency](http://en.wikipedia.org/wiki/Exergy_efficiency)

<sup>172</sup> See Wikipedia – 'Energy Return On Energy Invested (EROEI)' – <http://en.wikipedia.org/wiki/EROEI>

fossil fuels, has a large influence on the overall efficiency of energy extraction<sup>173</sup>.

A related issue to the consumption of energy resources is the effect that consumption has on the world flows of financial capital. Presently oil and gas are not just sources of energy – *they are sources of wealth that finance the countries producing them*. Unlike conventional energy resources, large renewable energy projects do not produce the “pure profit” that conventional investment projects do (some figures I've seen suggest that land-based oil production produced a 10,000% rate of return on investment, when including government royalty payments) – the money must be commercially loaned and, depending upon the rate of risk, interest paid upon the loan. An associated flaw is therefore that within any debt-based system/project you must grow the economy otherwise you can't pay back the debt with interest, but it's precisely this unrestricted growth that is at the root of our present problems (and so in terms of the ecological impacts the levels off-set could be much less, depending upon the type of project, than that created by the project). Conversely, if we opt for systems which are localised, low tech., and locally maintained you have greater flexibility in both design, operation and maintenance. Not just in the systems adopted, but even how they are funded (e.g. a village water supply run on barter between suppliers and providers rather than an externally debt-based venture).

Another issue that research on our future capacity to produce renewable energy, or in fact energy in general, fails to consider is the issue of resource availability. The conversion of renewable sources into a transportable and diverse range of energy sources shares the same fundamental flaw as the development of conventional energy sources; from hydrogen fuel cells and battery powered vehicles to concentrating solar power and the large power grids required to utilise the energy they produce, the resources required, are running out, especially the rare earth metals which are an essential component of modern electronics and/or energy storage (e.g., the *copper–indium–selenium gate PV cell*<sup>174</sup> and the restrictions that resource depletion has on the future use of this technology<sup>175</sup>). Some of these essential elements in the production of modern electronic technologies and specialised materials, such as indium or germanium, may have only a decade or two of “viable use” remaining (that is, their price does not make them prohibitively expensive to utilise<sup>176</sup>).

Other estimates of how much renewable energy the UK can utilise assume that we will import significant quantities of renewable energy, as biofuels, electricity or processed raw materials. However, it's this type of resource colonialism that has created many of the problems, from geopolitical instability to environmental damage, and locking ourselves into plans that perpetuate this approach will only make matters worse. In a world where resource depletion and climate change will be potent drivers to create conflict, adding to this by placing our demand for energy and resource upon other nations will not help. The best example of this at present are the proposals for concentrating solar power schemes in *North Africa*<sup>177</sup>. The problem with initiatives like this is that they fail to tackle or even address the *underlying economic drivers* of environmental degradation and resource

<sup>173</sup> For example – *Net Energy From the Extraction of Oil and Gas in the United States*, Cutler J. Cleveland, Center for Energy and Environmental Studies and Department of Geography, Boston University (USA) – [http://www.ker.co.nz/pdf/Net Energy U.S. Oil and Gas.pdf](http://www.ker.co.nz/pdf/Net_Energy_U.S._Oil_and_Gas.pdf)

<sup>174</sup> See Wikipedia: 'Copper Indium Gallium Selenide Solar Cell' – [http://en.wikipedia.org/wiki/Copper\\_indium\\_gallium\\_selenide\\_solar\\_cell](http://en.wikipedia.org/wiki/Copper_indium_gallium_selenide_solar_cell)

<sup>175</sup> *Environmental Aspects of Solar Cell Modules – Summary Report*, E.A. Alsema, Netherlands Agency for Energy and the Environment (NOVEM), August 1996 – [http://www.nrel.gov/pv/thin\\_film/docs/alsema\\_environmental\\_aspects\\_of\\_solar\\_modules.pdf](http://www.nrel.gov/pv/thin_film/docs/alsema_environmental_aspects_of_solar_modules.pdf); and *Environmental Aspects of PV Power Systems*, Evert Nieuwlaar and Erik Alsema, Netherlands Organization for Energy and the Environment (NOVEM), December 1997 – [http://www.nrel.gov/pv/thin\\_film/docs/alsema\\_environmental\\_aspects\\_of\\_solar\\_modules.pdf](http://www.nrel.gov/pv/thin_film/docs/alsema_environmental_aspects_of_solar_modules.pdf)

<sup>176</sup> *Earth's Natural Wealth: An Audit*, David Cohen, New Scientist, 23rd May 2007 – <http://www.newscientist.com/article/mg19426051.200-earth-natural-wealth-an-audit.html>

<sup>177</sup> Trans-Mediterranean Renewable Energy Cooperation (TREC) – <http://www.desertec.org/>

depletion – *the growth in human resource consumption*. For this reason, instead of assisting change, such proposals often help to perpetuate the delusional views of politicians and the general public on the climate and resource crises, and the extent to which we can address these problems without significantly changing lifestyles.

### Climate change

We do not have a carbon problem, or for that matter an energy problem – *we have a consumption problem*. Whilst governments fail to tackle this essential reality we will never tackle the climate crisis. If we look at the problem historically we see some interesting, and in the context of today's debate perhaps unwelcome, facts.

From 1751 (the beginning of *The Industrial Revolution*) to 2005, the global use of

fossil fuels has released around **321 billion tonnes of carbon into the atmosphere**<sup>178</sup> (that's the weight of elemental carbon not molecular CO<sub>2</sub>). Given that it takes 30 to 50 years for that carbon to have an effect on the climate (because we release it at ground level and to have an effect it must migrate throughout the atmosphere) we need to look at emissions before and after 1976 (the **data in the slide**<sup>179</sup> above runs up to 2005) to judge the impacts today.

Before 1976 the world released 138 billion tonnes; from 1976 until 2005 the world released 183 billion tonnes. In short, 57% of all the carbon released from the use of fossil fuels is “in the post” and there's not a thing we can do about it. *We are going to get climate change* – much of the recent scientific literature on this subject makes this point clear because climatic positive feedback mechanisms are already coming into operation before the 30-year lag of carbon has taken its full effect. **Recent surveys of climate scientists**<sup>180</sup> also show a consensus that the present political process, with its economically based imperatives, will not succeed in avoiding a warming of less than 2°C. **The survey results**<sup>181</sup> set out the reality of our present situation, where the “factual” view of science does not accord to the “ideological” political outlook –

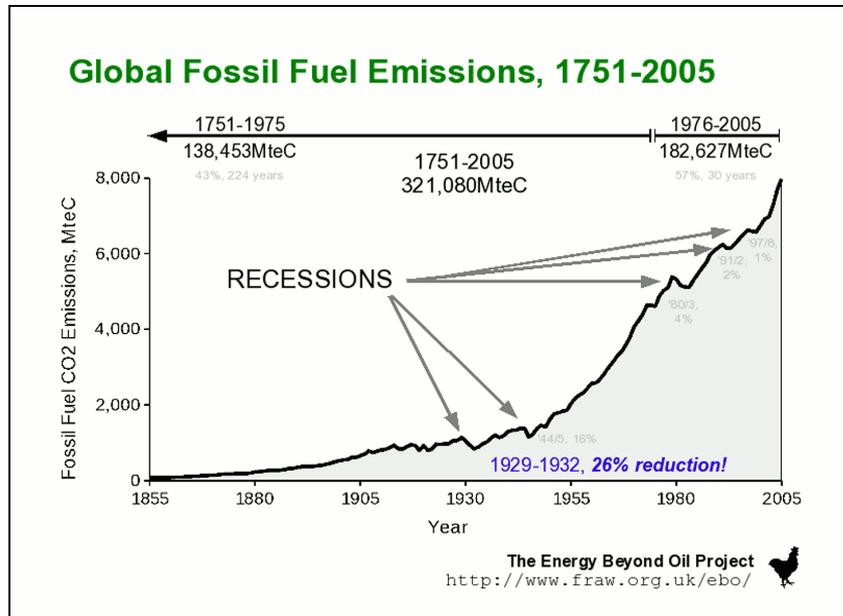
*The poll of those who follow global warming most closely exposes a widening gulf between political rhetoric and scientific opinions on climate change. While*

<sup>178</sup> *Global Fossil-Fuel CO<sub>2</sub> Emissions*, Carbon Dioxide Information Analysis Center (CDIAC), Oak Ridge National Laboratory, U.S. Department of Energy 2008 – [http://cdiac.ornl.gov/trends/emis/tre\\_glob.html](http://cdiac.ornl.gov/trends/emis/tre_glob.html)

<sup>179</sup> *Section 10 – Global Fossil Fuel Emissions, Energy Beyond Oil Presentation*, Paul Mobbs, Free Range Energy Beyond Oil Project, 2008 – [http://www.fraw.org.uk/ebo/presentation/ebo\\_2008-section-10.shtml](http://www.fraw.org.uk/ebo/presentation/ebo_2008-section-10.shtml)

<sup>180</sup> *Scientists fear worst on global warming*, The Guardian, 14<sup>th</sup> April 2009 – <http://www.guardian.co.uk/environment/2009/apr/14/scientists-global-warming-conference-poll>

<sup>181</sup> *World will not meet 2C warming target, climate change experts agree*, The Guardian, 14<sup>th</sup> April 2009 – <http://www.guardian.co.uk/environment/2009/apr/14/global-warming-target-2c>



*policy-makers and campaigners focus on the 2C target, 86% of the experts told the survey they did not think it would be achieved. A continued focus on an unrealistic 2C rise, which the EU defines as dangerous, could even undermine essential efforts to adapt to inevitable higher temperature rises in the coming decades, they warned.*

*The survey follows a scientific conference last month in Copenhagen, where a series of studies were presented that suggested global warming could strike harder and faster than realised...*

*Asked what temperature rise was most likely, 84 of the 182 specialists (46%) who answered the question said it would reach 3-4C by the end of the century; 47 (26%) suggested a rise of 2-3C, while a handful said 6C or more. While 24 experts predicted a catastrophic rise of 4-5C, just 18 thought it would stay at 2C or under.*

*Some of those surveyed who said the 2C target would be met confessed they did so more out of hope rather than belief. "As a mother of young children I choose to believe this, and work hard toward it," one said.*

*"This optimism is not primarily due to scientific facts, but to hope," said another. Some said they thought geo-engineering measures, such as seeding the ocean with iron to encourage plankton growth, would help meet the target.*

*Many of the experts stressed that an inability to hit the 2C target did not mean that efforts to tackle global warming should be abandoned, but that the emphasis is now on damage limitation.*

The issue we are working towards today is not "stopping" climate change but avoiding dangerous climate change – and that is a wholly different set and scale of concerns that are not reflected within the popular debate on climate policy. Present policy in fact create a **cognitive dissonance**<sup>182</sup> – climate change is presented to the public as a serious problem that imperils humanity but at the same time the Government and the media's policy focus, from plastic bags and low energy bulbs to roof-top wind turbines, in no way matches the scale of that problem. As a result, since the public see no change from the top of a scale to match the perceived crisis, what motivation do they have to change their own patterns of living?

### **Energy depletion and economic growth**

If we look at the trend of global fossil fuel emissions, shown in the graph above, we can see that apart from the obvious exponential increase in emissions *it's not a neat curve*. There are a number of pronounced "saw teeth" when emissions suddenly fell. Obviously this is the sort of trend we need to adopt in order to reduce emissions but unfortunately (for us as advocates for change, as much for our politicians who need to consider these options) every one of these instances was a *global economic recession*.

For example, in the years 1929 to 1932 global carbon emissions from fossil fuels fell by 26% – a quarter in just four years! However, from 1980 to 1983 the reduction was only 4% (which is probably a good model for the likely results of the present economic downturn). Even so, the present economic downturn will achieve far more to reduce global carbon emissions than a decade of work on the Kyoto Protocol.

What the data demonstrates is that if we're looking for a real and sharp reduction in carbon emissions then the only way to secure it is through a contraction of the global economy; **many academics know this**<sup>183</sup>; many environmentalists within the mainstream

<sup>182</sup> See Wikipedia: 'Cognitive Dissonance' – [http://en.wikipedia.org/wiki/Cognitive\\_dissonance](http://en.wikipedia.org/wiki/Cognitive_dissonance)

<sup>183</sup> *The facts about overconsumption* – part of the New Scientist Special report, *How our economy is killing the Earth*, New Scientist, 16<sup>th</sup> October 2008 – <http://www.newscientist.com/article/dn14950-special-report-the-facts-about-overconsumption.html>

campaign groups know this, even if they dare not acknowledge it in public; the greater problem for the future of our planet is that, even if most senior politicians are aware of this fact, they dare not publicly accept it because to do so would be the end of the one trend that they hold above all other performance indicators – *economic growth*.

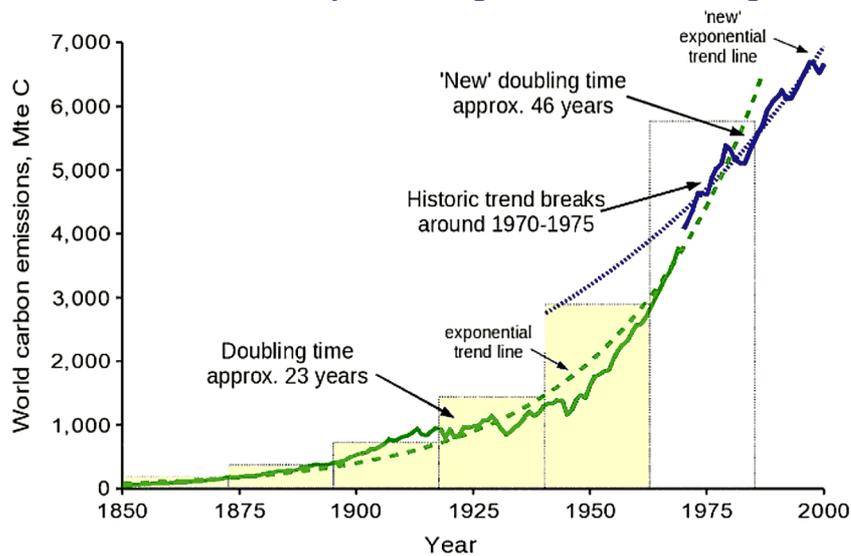
We recently saw a rather comical example, which illustrates the point made recently in the New Scientist that “politicians dare not limit economic growth”, when the Conservative shadow health spokesman, [Andrew Lansley](#)<sup>184</sup>, suggested that, “*on many counts, recession can be good for us*” – and was subsequently put into a 'media quarantine' for a few weeks by the Party's spin doctors as a result.

To illustrate the implications of economic growth in detail let's pick one measure of human development – *global carbon emissions*. There is good data on carbon emissions going back a few decades, and before this the scale of emissions can be estimated back to the beginning of the industrial revolution (primarily based upon the production and use of fossil fuels, which make up a large proportion of the anthropogenic [human created] emissions). This is the same data as shown in the graph above, but this time we've illustrated the *exponential trend as a curve*<sup>185</sup> and as a series of boxes to demonstrate the effects of the doubling time function within exponential growth.

The graph below shows the increase in global carbon emissions (in millions of tonnes of carbon per year) from 1850 to 2000. On top of this data are drawn the trends which identify that the growth in emissions has an exponential trend –

- ◆ *An exponential curve* – this is a smooth curve drawn through the data to show the average level of the exponential growth trend; and
- ◆ Boxes to illustrate the *doubling time* – the dimensions of the boxes show that in equal periods of time (the width of the box) the scale of emissions (the height of the box) doubles.

**Carbon emissions, exponential growth and doubling time**



Economic growth amplifies the amount of money, and hence consumption and resource use, in the economy. In turn, carbon emissions increase globally in step with the level of

<sup>184</sup> *Tories' Andrew Lansley apologises for saying recession good for the health*, The Times, 25<sup>th</sup> November 2008 – <http://www.telegraph.co.uk/finance/financetopics/recession/3519052/Tories-Andrew-Lansley-apologises-for-saying-recession-good-for-the-health.html>

<sup>185</sup> *Section 11 – Growth and Climate Change, Less is a Four Letter Word Presentation*, Paul Mobbs, Free Range Energy Beyond Oil Project, 2008 – [http://www.fraw.org.uk/less/presentation/less\\_2008-section-11.shtml](http://www.fraw.org.uk/less/presentation/less_2008-section-11.shtml)

global economic growth, and as fossil fuels make up 88% (in 2007) of the [global consumption of energy](#)<sup>186</sup> that is powering growth, the level of change will be significant. What is interesting about the change in carbon emissions over this period is that there are two identifiable trends; one running from the 1800s until around 1970 or 1975, and a second (the '*new trend*') that emerges after 1975. The change in the historic trend very nearly halved the rate of growth in carbon emissions, and the 'doubling time' doubled as a result. There is a clear reason why the trend changed at this point – *the 1973 Oil Crisis* (which some call the "[First Oil Crisis](#)"<sup>187</sup> in order to differentiate it with present trends in oil prices and production).

Before 1973 [oil prices had been historically very low](#)<sup>188</sup>, averaging \$13.81/barrel over the fifty years from 1924 to 1973, and \$12.77/barrel in the boom period between 1949 and 1973. Over the twenty-five years from 1974 to 1998 (before the current upswing in prices) oil prices averaged \$42.58/barrel – *over three times higher*. What happened to break the trend in emissions shown in the graph above was the sudden change in the average oil price, and the economic recession/high inflation this brought with it, and the knock-on effect this had on general energy/materials consumption. In the parlance of energy economists, high prices generated *demand destruction* – for many people oil was too expensive to burn in the same quantities as before. As we saw prices rise recently, from 2004 to 2008, up to and beyond the historic high prices seen in 1980, we also saw a fall in energy consumption in the western economies, followed by a break in the trend of increasing global carbon emissions, as global growth stalled and went into recession.

The relationship between economic growth and the wider environment is also interesting because, by and large, modern neo-classical economists can't fully explain where growth comes from. The standard view of growth (from Adam Smith and Marx until the late 20th Century) was that it is generated by applying capital (money) and labour (people) to produce profits. It was thought (under the [Cobb-Douglas production model](#)<sup>189</sup>) that every 1% of additional labour produced 0.7% of growth, and every 1% of additional capital produced another 0.3% of growth. In the 1950s, the US economist Robert Solow found that this view could only explain about a third of the observed growth in the economy – something else, not identified in the Cobb-Douglas model (and later called the [Solow residual](#)<sup>190</sup>) was driving growth.

More recent research by a German group led by Professor Reiner Kümmel, and other work by the American Professor Robert Ayres, have largely identified the [source of this residual growth](#)<sup>191</sup>: The majority of the value of growth is due to the actual increase in the level of energy consumption within the economy (where each 1% of energy growth produces around 0.5% of economic growth). Another significant contribution is made by improving the levels of energy efficiency, because improving the utilisation of energy in the economy overall has the effect of increasing productivity because it allows more work to be done with the same amount of energy, and this adds around another 0.2% for each 1% of average economic growth.

This seemingly miraculous role of energy in the economy makes sense because, in terms of thermodynamics, burning energy allows you to do/make more "stuff". In fact, one of the key trends of the Technological Revolution has been the replacement of human labour

<sup>186</sup> *BP Statistical Review of World Energy 2008*, BP, June 2008 – <http://www.bp.com/productlanding.do?categoryId=6929&contentId=7044622>

<sup>187</sup> See Wikipedia: 'The 1973 Oil Crisis' – [http://en.wikipedia.org/wiki/1973\\_oil\\_crisis](http://en.wikipedia.org/wiki/1973_oil_crisis)

<sup>188</sup> *Oil Prices – BP Statistical Review of World Energy 2008*, BP, June 2008 – <http://www.bp.com/productlanding.do?categoryId=6929&contentId=7044622>

<sup>189</sup> See Wikipedia: 'Cobb-Douglas Production Function' – [http://en.wikipedia.org/wiki/Cobb\\_douglas](http://en.wikipedia.org/wiki/Cobb_douglas)

<sup>190</sup> See Wikipedia: 'Solow Residual' – [http://en.wikipedia.org/wiki/Solow\\_residual](http://en.wikipedia.org/wiki/Solow_residual)

<sup>191</sup> *Two Paradigms of Production and Growth*, Professor Robert U. Ayres and Dr. Benjamin Warr, 2001 – [http://www.etsap.org/worksh\\_6\\_2003/2003P\\_Ayres.pdf](http://www.etsap.org/worksh_6_2003/2003P_Ayres.pdf)

with machines, and so we should expect that energy utilisation would have an impact upon growth in lieu of the value of human labour identified in the early industrial economy. For example the energy contained in one barrel of oil (or an equivalent 1,551 kilo-Watt-hours of electricity, 14 cubic metres of natural gas, or 215 kilos of coal) represents the equivalent of 25,000 hours of human labour – that's 12 people working 40 hours a week for an entire year. Increasing the level of energy in the economy represents the equivalent of adding more labour to the economy, but at a vastly cheaper rate than real human labour. For the energy value of one barrel of oil, which currently costs about £35.80 (at roughly \$53 per barrel and an exchange rate of £1:\$1.48), the equivalent amount of human labour, assuming a low rate of pay (£5.73/hour, equivalent to the minimum wage rate), is worth £143,250. *Oil-as-labour is four thousand times cheaper, and hence more productive, than direct human labour!* Of course, as oil prices rise, the “equivalent labour value” of oil drops, and thus in economic terms the economy is becoming “less productive” and growth reduces. As price of that energy rises it represents a drag on the economy because it increases production costs as productivity falls, which stokes inflation and in turn will drive labour costs, and overall these trends reduce the level of growth. This is the “new trend” effect that we can see illustrated in the graph above.

As unit costs rose following the 1973 oil crisis, inflation rose, and so profits fell and in turn this reduced the real value of economic growth across the economy. As these changes were internalised within the economic system over the decade or so that followed – and arguably the early 80s recession that was the readjustment that internalised the new energy prices – so the economy recovered and began to grow strongly again. Recently we've seen the same clear evidence that the present economic crisis was not ultimately due to “sub-prime mortgages”, but rather the [rise in oil prices](#)<sup>192</sup> and other resource costs. Other projections show that, once the world begins to grow again at the end of the present recession, [oil prices could rise once more](#)<sup>193</sup> and repeat the recession cycle far more quickly than governments might anticipate as part of the usual “business cycle” –

*The \$140/barrel price in the summer of 2008 and the \$60/barrel in November of 2008 could not both be consistent with the same calculation of a scarcity rent warranted by long-term fundamentals. Notwithstanding, the algebra of compound growth suggests that if demand growth resumes in China and other countries at its previous rate, the date at which the scarcity rent will start to make an important contribution to the price, if not here already, cannot be far away.*

The high energy prices of the last three years have once again generated an economic recession, and although it might be blamed upon the “sub-prime crisis”, to a large extent the sub-prime issue was initiated by high fuel and food prices hitting the domestic budget of those who held sub-prime mortgages.

### **Energy efficiency and renewable energy**

Of course, whenever the issues of carbon emissions or energy shortages are mentioned, there are always two ideas that are at the somewhere near the top of the list of solutions: *renewable energy* and *improving energy efficiency*. In fact, whenever the issue of carbon emissions or energy consumption is raised Government ministers will always make a great play of how new renewable energy sources, or energy efficiency schemes, will solve our problems. *Again, relating to the “reality of the political debate” issue raised at the end of the Sections 1 and 3, there is no clear proof that these “solutions” will have the significant impact proposed.*

<sup>192</sup> *Consequences of the Oil Shock of 2007-08*, Professor James Hamilton, Department of Economics, University of California, April 2009 – [http://www.econbrowser.com/archives/2009/04/consequences\\_of.html](http://www.econbrowser.com/archives/2009/04/consequences_of.html)

<sup>193</sup> *Understanding Crude Oil Prices*, Professor James Hamilton, Department of Economics, University of California, (revised) December 2008 – [http://dss.ucsd.edu/~jhamilto/understand\\_oil.pdf](http://dss.ucsd.edu/~jhamilto/understand_oil.pdf)

In physical terms we don't use energy, *we merely degrade its quality* – and once degraded we can never recover that 'quality' again. Under the Second Law of Thermodynamics although the amount of energy that goes into any system equals that coming out, the energy that comes out is of a lower quality and so is less useful. For example, a stream always flows down hill; we could pump the water back up the hill again but the inefficiency of the pumps and the production of energy to run the pumps means that we'll use more energy to send the water back up the hill than was released when it came down.

The practical implication of this law is that efficiency savings are limited, but more significantly because the effect of the Second Law on efficiency is a curve not a straight line, it's easy to save a certain amount of energy, but each time we try and save the same amount again it gets progressively harder. The application of the Second Law is directly related to the value and role of energy or ecological efficiency on the growth debate (or "exergy efficiency", as referenced earlier). The standard response of many experts in the energy and environment debate is that in response to rising energy prices, or energy shortages, efficiency savings can deliver meaningful benefits for the environment and society. In reality, many studies indicate that this is not always the case, and instead we have to look at the [total energy flows](#)<sup>194</sup> that support society and how changes in consumption affect consumption overall. Contrary to the position of many in the energy and environment debate, the available evidence from the last one hundred and fifty years is that against the background of a growing economy, energy efficiency does not produce the scale of savings that are anticipated.

This may seem paradoxical, but if you think about the origins of economic growth described earlier then it makes sense. Energy efficiency increases growth; growth increases consumption; therefore greater energy efficiency increases consumption. The only time that energy efficiency would work would be if the economy was continually contracting. This principle was first noted in the middle of the Nineteenth Century by [William Jevon](#)<sup>195</sup>, and was later called *Jevon's Paradox*<sup>196</sup>. He found that as steam engines became more efficient Britain burnt more coal. This was because more efficient steam engines produced a greater financial return, so more steam engines were bought and thus coal consumption increased overall. In the 1960s, economists discovered a similar principle in the economy in general called the *rebound effect*<sup>197</sup>. For example, people invest in energy efficiency measures in the home and save money. That money is then re-spent in the economy, so creating more consumption and increasing the consumption of materials and resources overall (e.g., someone puts low energy light bulbs into their home and then flies on Easyjet with the money saved).

The latest iteration of this concept is known as the *Khazzoom-Brookes Postulate*<sup>198</sup>. It uses various examples to show that whilst isolated actions might save resources (the micro-economic level) when translated to the economy as a whole (the macro-economic level) they create greater demand. [For example](#)<sup>199</sup>, the use of larger aircraft was supposed to reduce the number of aircraft flights, but the lower operating costs increased the total number of people travelling, resulting in more, larger aircraft in use. Studies have also shown that increasing the energy efficiency of social housing, in order to improve the lives of the residents, rarely has the impacts predicted because those who can't afford

<sup>194</sup> See Wikipedia: 'Maximum Power Principle' – [http://en.wikipedia.org/wiki/Maximum\\_power\\_principle](http://en.wikipedia.org/wiki/Maximum_power_principle)

<sup>195</sup> See Wikipedia: 'William Stanley Jevon' – [http://en.wikipedia.org/wiki/William\\_Stanley\\_Jevons](http://en.wikipedia.org/wiki/William_Stanley_Jevons)

<sup>196</sup> See Wikipedia: 'Jevon's Paradox' – [http://en.wikipedia.org/wiki/Jevons\\_paradox](http://en.wikipedia.org/wiki/Jevons_paradox)

<sup>197</sup> See Wikipedia: 'Rebound Effect' – [http://en.wikipedia.org/wiki/Rebound\\_effect\\_\(conservation\)](http://en.wikipedia.org/wiki/Rebound_effect_(conservation))

<sup>198</sup> See Wikipedia: 'Khazzoom-Brookes Postulate' – [http://en.wikipedia.org/wiki/Khazzoom-Brookes\\_postulate](http://en.wikipedia.org/wiki/Khazzoom-Brookes_postulate)

<sup>199</sup> *Does Energy Efficiency Save Energy: The Implications of accepting the Khazzoom-Brookes Postulate*, Horace Herring, Open University, 1998 – <http://technology.open.ac.uk/eeru/staff/horace/kbpot1.htm>

energy tend to use more when they can<sup>200</sup>. This is a [subject of much debate](#)<sup>201</sup> because its implications are so damaging to the [present position](#)<sup>202</sup> of both governments and many in the mainstream environmental groups.

There are many examples of the efficiency paradox (in relation to both [efficiency improvements](#)<sup>203</sup> and the change in [levels of consumption](#)<sup>204</sup>) – a variety of sources are listed below giving more detail of the debate. In the Free Range Network's "[Less is a Four Letter Word](#)" [presentation](#)<sup>205</sup> we cite three of the simplest:

- ◆ Over the last 12 years we've increased recycling by a factor of 5 by weight, and this has only increased the proportion of waste recycled by a factor of 4½ (from 7% to 31% of the total), but the amount going to final disposal (landfill or incineration) has only fallen by 11%. This is because, against the background of a strong growth in waste production during the 1990s, waste recycling barely kept up with the growth in household waste.
- ◆ It's a similar situation with carbon emissions. The government uses a measure called *carbon intensity* – the carbon emitted for each £1 in the economy. In line with the encouragement of government, carbon intensity has fallen by nearly a third as more efficient processes are used by society, but because the economy grew 39% in the interim period the overall reduction is only 4%.
- ◆ Finally cars have become more efficient to run in the UK, but, in part as a result of cheaper motoring, we now drive more cars further so the overall effect is still an increase of half a million tonnes of road fuel.

Looking at the issue of total carbon emissions and the relation to the *carbon density* (how much carbon is created by their production, use and disposal), the efficiency measures can also have a spurious impact. This is because efficiency measures create cost savings, and these savings will in turn be re-spent within the economy, but as these savings are likely to be re-spent on items – from food to foreign holidays – which are *more carbon dense* than direct energy consumption the overall effect is to promote an increase in consumption and carbon emissions. This is one of the significant flaws of the present eco-efficiency debate – it concentrates on *micro-economic* effects which, as we would expect, are wholly positive, when in fact the aggregate impact of these changes at the *macro-economic* level is at best negligible, or at worst negative.

The same is true of renewable energy sources – again because, returning to the argument of the source of economic growth above, adding energy to the economy increases growth. Today there is no proof that the development of any large renewable energy systems in Britain has ever led to a physical reduction in the use of fossil fuels, and, given the current economic realities of the UK economy, they will never be able to. Let's look at the historic data on the annual increase in both renewable energy and fossil

<sup>200</sup> See: *Making Cold Homes Warmer: The Effect of Energy Efficiency Improvements in Low Income Homes*, Geoffrey Milne and Brenda Boardman, *Journal of Energy Policy* vol.28, p411-424, 2000; *The Rebound Effect from Space Heating: Empirical Evidence from Austria*, Reinhard Haas and Peter Biermayr, *Journal of Energy Policy* vol.28, p403-410, 2000.

<sup>201</sup> Chapter 3, *Energy Efficiency*, 2<sup>nd</sup> Report of Session 2005/6, H. Lords Science and Technology Committee, 2005. <http://www.publications.parliament.uk/pa/ld200506/ldselect/ldsctech/21/2106.htm#a16>

<sup>202</sup> *Will energy plan lead to less energy use?*, Euractiv, 18<sup>th</sup> October 2006 – <http://www.euractiv.com/en/energy/energy-plan-lead-energy-use/article-158900>

<sup>203</sup> *The Efficiency Paradox*, Jeff Rubin, CIBC World Markets Bulletin, 27<sup>th</sup> November 2007 – [http://research.cibcwm.com/economic\\_public/download/snov07.pdf](http://research.cibcwm.com/economic_public/download/snov07.pdf)

<sup>204</sup> *Consuming myths*, New Scientist, 5<sup>th</sup> September 1998 – <http://www.newscientist.com/article/mg15921503.200-consuming-myths.html>

<sup>205</sup> Section 16 – *The Paradox of Efficiency*, The Free Range "[Less is a Four Letter Word](#)" Presentation (2008 edition), Paul Mobbs, Free Range Network, 2008 – [http://www.fraw.org.uk/less/presentation/less\\_2008-section-16.shtml](http://www.fraw.org.uk/less/presentation/less_2008-section-16.shtml)

fuel use. Rather than look at the use in any one year it's more meaningful to look at the average change in the scale of energy usage because this illustrates both the direction of policy and changing trends within the economy.

The problem we have is that the government's definition of "renewable energy" is flawed as it includes landfill gas and waste incineration which, on a net basis, are actually carbon sources not sinks. Even some seemingly 'renewable' sources of energy, such as the present use of biomass in coal-fired power plants, are flawed because of their inefficient utilisation compared to the best available techniques for utilising this material. For this reason the data on the UK's production of renewable energy has been sub-divided into the following categories –

- ◆ 'Total' renewable – the government's raw data on UK renewable energy production;
- ◆ 'True' renewable – the government's data less incineration and landfill gas; and
- ◆ 'Iconic' renewable – the 'true' data less plant and animal biomass.

<b>Increase in Renewable and Fossil Fuel Energy in the UK, 1990 to 2007</b>				
Year	<i>Annual increase/decrease in –</i>			
	<i>Total renewable</i>	<i>"True" renewable</i>	<i>"Iconic" renewable</i>	<i>Fossil fuels</i>
1991	-0.4	-1.6	-1.6	180
1992	7.6	4.9	4.2	-167.5
1993	9.8	8.2	6.8	16.7
1994	17.9	13.7	12.9	-129.8
1995	2.8	2	2	25.1
1996	-2.3	-4.7	-4.6	460.5
1997	7.5	3.4	3.4	-196.8
1998	8.7	1.1	0.8	169.1
1999	8.7	1.5	-1.9	21.5
2000	1	-6	-7.5	243.9
2001	5.1	-0.9	-4.7	64.8
2002	11.6	7.6	4	-245.7
2003	10.3	1	-4.6	109.4
2004	26.2	16.9	11.2	99.9
2005	28.4	24.6	3.4	6.6
2006	13.2	9.2	9.6	-58.3
2007	16.8	13	15.7	-135.1
Average	10.2	5.5	2.9	27.3
<b>Ratio</b>	<b>1:2.7</b>	<b>1:4.9</b>	<b>1:9.3</b>	
<i>All figures are in peta-Joules (PJ)</i>				

The data for this analysis is taken from the *Digest of UK Energy Statistics 2008* – [Table 7.1.1](#) for renewable energy sources<sup>206</sup> and [Table 1.1.1](#) for fossil fuels<sup>207</sup>. This information is reproduced in the table on the right in order to illustrate the annual increase (or decrease) in the levels of energy growth within the three renewable categories and of the fossil fuels. The penultimate line in the table gives a figure for the average annual change over the period, and the final line shows the comparative level of change as a ratio of the increase in renewable energy to fossil fuels (by dividing the average change in fossil fuel use by the various categories of renewable energy).

*What this data shows is that at no time over the period from 1990 to 2007 has the average increase in renewable energy sources exceeded the average increase in the use of fossil fuel sources. At best, for every 1 unit of new renewable energy (using the 'total' definition) fossil fuel use increases by a factor of 2.7; disregarding the contribution of landfill gas and waste incineration, because they are a net carbon source, we find that each 1 unit of 'true' renewable energy was outweighed by an increase of 4.9 units of fossil fuel; and finally, excluding plant and animal biomass as well, because of their highly questionable utilisation, 1 unit of the most iconic renewable energy (wind, hydro, geothermal and wood) was far outweighed by 9.3 units of new fossil fuel usage.*

The available data on energy trends in the UK leads us to only one possible conclusion – *this might be an unwelcome one for those promoting renewable energy, but it suggests that perhaps their strategy is flawed: the evidence of the last seventeen years suggest*

<sup>206</sup> Table 7.1.1 – *Renewable sources used to generate electricity and heat*, *Digest of UK Energy Statistics 2008*, BERR 2008 – [http://stats.berr.gov.uk/energystats/dukes7\\_1\\_1.xls](http://stats.berr.gov.uk/energystats/dukes7_1_1.xls)

<sup>207</sup> Table 1.1.1 – *Inland consumption of primary fuels and equivalents for energy use, 1970 to 2007*, *Digest of UK Energy Statistics 2008*, BERR 2008 – [http://stats.berr.gov.uk/energystats/dukes1\\_1\\_1.xls](http://stats.berr.gov.uk/energystats/dukes1_1_1.xls)

*that none of the renewable energy technologies deployed in the UK have ever displaced fossil fuels because the average annual increase in fossil fuel use has always been a number of times greater than the average annual increase in renewable energy sources.*

### ***Pulling this together – the process of transition***

We face major challenges to the future existence of our species. Climate change is only one of them, but if we act as if it is the primary challenge then we will collectively fail. To promote a more positive future we must find a solution that solves the climate, energy and resource issues simultaneously. Presently there is only one concept that can pull the present trends in a direction that addresses these problems – ***a managed contraction of the economy, and as a result a significant reduction in personal consumption.***

*Food is the most critical resource.* Although we might talk of the importance of oil or gas or coal, it is food that is the human species' most precious energy resource. A report from the [US National Intelligence Council](#)<sup>208</sup> highlights the relationship between energy, food and climate change, and the problems that are likely to arise over the next few decades –

*Resource issues will gain prominence on the international agenda. Unprecedented global economic growth – positive in so many other regards – will continue to put pressure on a number of highly strategic resources, including energy, food, and water, and demand is projected to outstrip easily available supplies over the next decade or so...*

*The World Bank estimates that demand for food will rise by 50 percent by 2030, as a result of growing world population, rising affluence, and the shift to Western dietary preferences by a larger middle class. Lack of access to stable supplies of water is reaching critical proportions, particularly for agricultural purposes, and the problem will worsen because of rapid urbanization worldwide and the roughly 1.2 billion persons to be added over the next 20 years. Today, experts consider 21 countries, with a combined population of about 600 million, to be either cropland or freshwater scarce. Owing to continuing population growth, 36 countries, with about 1.4 billion people, are projected to fall into this category by 2025.*

As outlined above, we need to use about four-fifths less energy within 30 to 50 years. Given the need to internalise the depletion of non-energy resources into the transition process, any plan will have to be based upon meeting essential needs through basic technologies, and of course that means that people must become more involved in providing the things that support their lives.

As the Free Range Network state in our presentations, *50 years of consumerism have de-skilled Britain citizens relative to their grandparents.* The essential component of living with less energy and resources is not gadgets, it's practical skills. For example, if you can cook your own food from local, seasonal, raw ingredients, that represents a significant reduction in energy consumption compared to the “modern” diet<sup>209</sup>; Swedish research suggests the difference of this approach, taking existing trends within Sweden, could be a factor of four difference in total energy consumption within the average diet<sup>210</sup>).

The difficulty is that “gadgetising” our response to environmental and economic problems

<sup>208</sup> *Global Trends 2025: A Transformed World*, US National Intelligence Council, November 2008 – [http://www.dni.gov/nic/PDF\\_2025/2025\\_Global\\_Trends\\_Final\\_Report.pdf](http://www.dni.gov/nic/PDF_2025/2025_Global_Trends_Final_Report.pdf)

<sup>209</sup> *The Low Carbon Diet: Reducing Energy Intensity and Greenhouse Gas Emissions in the Food System Using a Life Cycle Assessment Approach*, Sonja Brodt et. al., University of California Davis, 2008 – [http://asi.ucdavis.edu/Research/Energy\\_Food\\_System\\_Symposium/Brodt-Low\\_Carbon\\_Diet\\_-\\_Reducing\\_Energy\\_GHG\\_in\\_Food\\_Sys.pdf](http://asi.ucdavis.edu/Research/Energy_Food_System_Symposium/Brodt-Low_Carbon_Diet_-_Reducing_Energy_GHG_in_Food_Sys.pdf)

<sup>210</sup> *Food and Life Cycle Energy Inputs: Consequences of Diet and Ways to Increase Efficiency*, Annika Carlsson-Kanyama et. al, Ecological Economics 44, 2003 – <http://www.infra.kth.se/fms/pdf/food.i.ec.pdf>

is far sexier than achieving real change in our own lives: firstly there's the “new toy” issue – buying something that allows you to carry on your present lifestyle without change is far easier than having to actually change how you do something; secondly, and more significantly, buying a gadget, be that a wind-up radio or (through your energy bill) a wind turbine *externalises the problem* – you personally do not have to be the agent for change because you shift responsibility to some other agency who acts to provide a solution on your behalf. This involves far more than just economics or consumerism; as outlined by Theodore Roszak in an essay published in the anthology, *Ecopsychology*<sup>211</sup> –

*We can read out transactions with the natural environment – the way we use or abuse the planet – as projections of unconscious needs and desires, in much the same way we can read dreams or hallucinations to learn much about our deep motivations, fears and hatreds. In fact, our wishful, wilful imprint upon the natural environment may reveal our collective state of soul more tellingly than the dreams we wake from and shake off, knowing them to be unreal. Far more consequential are the dreams that we take with us out into the world each day and maniacally set about making “real” – in steel and concrete, in flesh and blood, out of the resources torn from the substance of the planet. Precisely because we have acquired the power to work our will upon the environment, the planet has become like that blank psychiatric screen on which the neurotic unconscious projects its fantasies.*

The fact is that to turn around the present consumption trend we have to stop the outsourcing of responsibility for our personal ecological footprint – be that through asking “Government” to solve the problem, or by deflecting the need for change by promoting different options for existing consumption patterns (e.g., “green” or “sustainable consumption”). *Consumption is the problem* – adopting different methods of consumption will not change the overall outcome of the system as a whole. Also, if we look at the weight of the impacts of consumption overall, and given that the largest proportion of the impacts of consumption are as a *result of the supply chain, not direct use*<sup>212</sup>, seeking direct local solutions to our needs will enable the impacts to be more easily managed because they will be a local problem that people can see and directly relate to their personal choices.

In his recent book, *The Politics of Climate Change*<sup>213</sup>, Anthony Giddens proposes various solutions to the problems of climate change, and he acknowledges issues such as peak oil and resource depletion too. Giddens was very influential during the 1990s in framing the “Third Way” philosophy that influenced Tony Blair and New Labour – in that sense we can look on his words as representing the status quo that exists within mainstream politics today. However, his approach is essentially that climate change is *too important to be left to the environmentalists*, and instead he advocates the promotion of “political and economic convergence wherever possible” to counteract the influence of “the Greens” and their “mystical reverence of nature” (historically some have called the union of political and economic power 'fascism', and quite where the public fit into Giddens' ideas, in any way other than consumers, is not explicitly clear).

Despite his support for mainstream solutions, in the 'Afterword' Giddens summarises the issues we face today as follows –

*In the shape of the controversy between optimists and the doomsday thinkers, the debate continues today and is unresolved. Our civilisation could self-destruct – no doubt about it – and with awesome consequences, given its global reach.*

<sup>211</sup> *Where Psyche Meets Gaia*, Theodore Roszak, published in *Ecopsychology – Restoring the Earth, Healing the Mind*, Theodore Roszak (editor), Sierra Club Books, 2005.

<sup>212</sup> *Environmental Load from Dutch Private Consumption: How Much Damage Takes Place Abroad?*, Durk S. Nijdam et. al., *Journal of Industrial Ecology* 9(1-2) 147-168, 2005 – <http://www3.interscience.wiley.com/cgi-bin/fulltext/120129086/PDFSTART>

<sup>213</sup> *The Politics of Climate Change*, Anthony Giddens, Polity Press, 2009.

*Doomsday is no longer a religious concept, a day of spiritual reckoning, but a possibility imminent in our society and economy. If unchecked, climate change alone could produce enormous human suffering. So also could the drying up of the energy resources upon which so many of our capacities are built. There remains the possibility of large-scale conflicts, perhaps involving the use of weapons of mass destruction. Each could intersect with the others...*

In Giddens' interpretation, there is a serious problem that the markets need to address, but in this process those within the environmental movement who have "argued against further economic growth on the grounds that it is too damaging" must be marginalised. This might sound familiar – essentially it's the policy on "domestic extremism" that we see portrayed by NETCU, WECTU and NPOIU.

In our appreciation of these issues we must take a wholly opposing position: We have to stop being "reasonable" in our actions and instead challenge the "reason" of those who advocate perpetuating the current economic growth paradigm, in any form (green or otherwise), for it has no basis in reality. We must work directly for the outcomes we know must be adopted if we are to avoid the inevitable outcome of the present economic and political policy of growth and consumption. Practically this means that the mainstream of the environmental lobby has to stop vacillating about the "need for change"; unless they start strategically "annoying the system", by making that system justify itself according to the evidential standards it claims to represent, then they might as well not bother as what they are likely to achieve will not make a significant enough difference to avoid the obvious outcome. The fundamental truth of this process to date is that you cannot have a reasonable, consensus-based dialogue when government and the economic lobby *will not negotiate*<sup>214</sup> on the fundamental trend that's driving the environmental crisis – *growth*. We have to move beyond this and take charge of the agenda by influencing the public directly.

There is no way that the current level of demand can be sustained in the near future, and to ignore this point defies the current weight of evidence that supports this conclusion (we believe that the "peak everything" or "anti-growth" issue is currently in the position where climate change was in the mid-80s). Once we have a confirmation of a global peak in oil production (even Fatih Birol of the IEA is now placing the '*supply crunch*' *just a decade or so away*<sup>215</sup>) then the economy will stagnate because oil and gas are not just energy sources; the finance produced by their production and sale fuels the global financial economy. Environmentalists must promote the only practical outcome of what the trends tell us, and the fundamental truth for how we must transform our lifestyles to address these problems; *in the future we'll have to get by with less* – *full stop, end of paragraph*.

As environmentalists we must use our talents to highlight the reality of the present economic model and the trends that flow from it; essentially, that a major shift in our ability to consume must take place because there is simply no other option – *it is inevitable*: Within a century, *definitely*; within fifty years, *quite likely*; within twenty years, *perhaps*. Even reducing the time-scale to the next decade, for UK citizens the transition from consuming mostly indigenous energy resources to relying on almost entirely imported energy resources is going to have a significant effect of the structure and well-being of the UK economy. To summarise, *the human species needn't go to a self-imposed hell on Earth, only the current form of the globalised human economy*.

<sup>214</sup> *Growth isn't working: The unbalanced distribution of benefits and costs from economic growth*, David Woodward and Andrew Simms, New Economics Foundation, January 2006 – <http://www.neweconomics.org/gen/uploads/hrfu5w555mzd3f55m2vqwt502022006112929.pdf>

<sup>215</sup> *When will the oil run out?*, George Monbiot, The Guardian, 15<sup>th</sup> December 2008 – <http://www.guardian.co.uk/business/2008/dec/15/oil-peak-energy-iea>

## Section 5. Conclusions

Environmentalism is a threat to the current economic and political consensus that defines current national policy towards the growth economy, trade liberalisation and the ascendancy of the market. The difficulty, and therefore the threat, that environmentalism represents to the present consensus is that the solutions which environmentalists promote are antithetical to the concentration of economic and political power, and wealth, that characterise the Western model of society today. Not because it represents a risk of violence or revolution, or because in some way it will create an insurrection against the state; *the problem for the consensus is that the arguments of environmentalism have been proven "right"* – the trends of human ecological overshoot and collapse that environmentalists have been discussing since the 1960s are now coming to pass.

This is the reason why the State, both from the political point of view, and from the security stance of groups such as ACPO, has shifted its position and now opposes the idea of *non-representative* protests (i.e., outside of "the usual channels"). Environmental protest especially, from the roads protests of the 1990s to the more recent anti-capitalist protests at the G20 conference, represent a threat because its message might receive a wider audience and greater appeal when the present trends emerge as an unavoidable crisis on society.

The greatest threat to the consensus is that people will finally understand that the concept of continual growth – *that we can continue to consume without consequence* – is a "great lie" that has no basis in reality. Returning to the quote on the front of this report, and the extracts from Herbert Marcuse earlier, mainstream politics today seeks to shield the people from the political and economic consequences of that lie, but resource depletion, peak oil and the impacts of climate change threaten the continuation of this deception. It thus becomes vitally important for the State to use all of its powers to repress dissent, which might expose the greater truth of our present position, from becoming a significant debate within politics and society. In this context, the fostering of a new attitude towards protest and dissent, through the more authoritarian way in which it deals with those involved, could be seen as a result of the inevitable outcome of present policies. When the day finally comes that the "lie" is exposed, and politicians can no longer sustain the delusion of our present economic and social policies, the State will already have the apparatus in place to deal with the resulting backlash; people will be either too scared to engage in dissent, or will be effectively silenced if they do.

In this report we have sought to trace a thread of activity that represents the gradual politicisation of the police force against environmentalism, not directly through the individual public police services, but through the private and independent offices of the Association of Chief Police Officers. The bodies that they have set up in recent years – NECTU, WECTU and the NPOIU – under the guise of supporting work on "terrorism" and "extremism", in fact represent a slow, creeping change in attitude towards the public's rights to protest against national and international governmental policies. This has enabled a coalescence of views on the "problems" of protest and dissent within the modern management of public perception by party politics. At the same time the exploitation of the issues of "terrorism" and "anti-social behaviour" by the police services has permitted a more authoritarian approach towards the rights of the public to collectively exercise pressure in society.

The outcome of this process is a tacit, unspoken agreement between the government and the police services – through ACPO – to enable a more authoritarian approach within public policy:

- ◆ The recent arrest of an opposition shadow minister, and the disclosure that police sought to spuriously link that investigation to a more general campaign by the police against one of Britain's leading civil rights lawyers,

- ◆ The repression and use of violence against protestors (in the case of the G20 protest, in a manner that may have contributed to a death) show the extent to which the State's negativity towards public protests has spilled over into state violence,
- ◆ The use of the fear of an undefined “threat”, used by both NETCU in their briefing of The Observer newspaper, and WECTU/Dyfed-Powys police's demonising of “campaigners” in their priorities for policing in Wales, show the extent to which the manipulation of public perception has become a tool within modern policing,
- ◆ The circulation of NETCU's guide for the policing of protest without the consideration of the balance and proportionality of action taken by police officers (as required by law),
- ◆ The routine harassment of environmental campaigners and the mass arrest of campaigners before any actions have taken place under 'conspiracy' charges, and,
- ◆ The continued ratcheting-up of public order, anti-social behaviour and surveillance powers both at the UK and now the European level

– all demonstrate the extent to which this authoritarian attitude against environmentalism, and progressive politics generally, has developed within the British State. The guidelines and briefings developed by NETCU and WECTU, and the stated objectives of the NPOIU (given we have not been able to obtain any of the private briefings that they produce) deliberately seek to classify protestors as “extremists”. In turn this has led to the development of a heavy-handed approach to the policing of protest in the UK over the past two decades.

In considering the effect of these policies we have to consider the significant difference that the operation of the policy has from the objectives of the policy. When police officers punch, beat and attack members of the public who are not offering violence, that is a problem of police discipline – *it is a legal matter that arises in each case*. When the Government acts with the police services to develop an application of the law or the application of certain informal policies by the police, that seeks to view any collective action by the public as extreme, *that is a problem of state oppression – it is a matter that every civilian should be concerned about as it affects them directly*. The difficulty for the members of the public is that these issues do not form the agenda of any one political party or the present government. Instead they have been developed from within a private organisation – ACPO – that has access to the State at the highest levels and yet has no obligation to transparency or accountability in its actions to the public.

It must be possible for us to believe that at some level ACPO are working “in the public interest” (as their Articles of Association claim), and we can probably believe that the individual members of ACPO consider that they themselves are working in the public interest. However, such considerations are beside the point. In an open and democratic society anyone holding positions of power, with the ability to influence and dictate public policy, should be open to a transparent external auditing and accountability process; whilst that process need not necessarily be directly accountable to individual members of the public, such an organisation should at the very least be answerable to those whom the public do hold accountable through the process of election. In relation to the operation of ACPO, no such transparency or accountability mechanisms exist; for this reason, the policy and policing support functions that ACPO administers are also operating outside of public accountability, and by their nature cannot be in the public's interest.

If we look at the activities of NETCU, WECTU and NPOIU, these groups clearly have a political dimension to their operation. This is not, nor need it be, a party political bias, but rather it is clearly a bias against individuals or groups who hold whose views do not accord with the present economic, social and political consensus of the State. Fifty years ago, at the beginning of the Cold War, limited technological capabilities meant that it was not possible for the state to exercise more than a fragmentary network of surveillance

because the costs and logistical demands made it impossible to support. Today, information technology and electronic networks enable such a system to be maintained far more simply, at a low cost, and involving fewer staff. For this reason the unaccountable model of ACPO that was developed from the policing reforms of the 1960s onwards, is no longer suitable for the 21<sup>st</sup> Century since it holds within it the potential for administrative excess, and ultimately repression.

Today we face a conflict over the control of the policing policy of the UK similar to that of the 1950s – not from the exercise of politically motivated powers against elected officials but rather the exercise of less overtly political, more authoritarian powers over the population in general. However, unlike the excesses of the 1950s that led to the reforms of policing in the 1960s, today the elected politicians appear to tacitly accept the role of ACPO in deciding policy, and promoting the agenda for technological surveillance and control measures. It allows them to deliver a populist law and order agenda whilst at the same time not having to take the responsibility for that policy. Whilst the laissez faire attitude may have fitted with the general policy consensus that has developed within British society over the last fifty years, maintained by the consumer boom that followed the Second World War, the economic outcomes of resource depletion, especially for the UK economy, do not offer such comfort. In a worsening economic situation there will be greater strife, and potentially great conflict within society – and in these circumstances the will of the public is likely to be to change this consensus irrespective of the will of those who currently have authority in society. In such an environment having an unaccountable, controlling body in charge of policing powers is not in the democratic interests of the British public.

Finally, we have to look at the motivations behind this process, and why in particular “protestors” or “campaigners” have been singled out for the special attention of ACPO's investigative agencies.

The imminent peak of global oil production, and then gas and coal production, and the economic difficulties that these trends create, against a background of climate change and the problems that this will create for global agriculture, cannot be avoided. **Unless we radically change the values at the heart of the world's economic policies these trends are inevitable – it's a matter of when, not if.** This need not be an apocalyptic crisis for the human race if we are able to make changes in global economic policy to accommodate these trends, but such action is essential in the short-term if we are to avoid a convergence of trends that *would* portend a crisis for humanity. However, if the response of the governing bodies around the globe is to try and seize the remaining resources, erect barriers to co-operation, and become more authoritarian in order to protect the economic power and wealth of their states, then this will merely exacerbate the inevitable crisis that will result from present policy.

For the organisations and groups which support the ideology of the “Western” economic consensus, as this inevitable crisis develops the nightmare scenario is that a contrary point of view will gather support and supplant the present consensus; *this will not take place by a revolution or force of arms, but instead, within a democratic society, it only requires enough people to stop believing that the present economic consensus represents their best interests.* There is one group in society that has been forecasting the convergence of these trends for the last forty years – *environmentalists*. In the process they have also developed a number of different practical and policy solutions to these problems, but as in most cases these solutions run counter to the core values of the present political and economic consensus in the West they are a threat to the present consensus. In this way we can see why environmentalists might be singled out as being “extreme”; they have not only correctly identified the problems that face humanity, but they have also developed a set of ideas for how to tackle it.

Those groups who, in Herbert Marcuse's view, have been co-opted into supporting the

present system through measures which reinforce its dominance, are not a direct problem (green consumerism, carbon trading, 'Green New Deal', etc.). Such incremental, co-opted ideas will not change the core values of the present economic consensus, and in fact they can reinforce and extend its operation. The difficulty is that, backed up by recent scientific research on the extent of the human ecological crisis, a more "rejectionist" movement is developing (encompassed by issues such as permaculture, Transition Towns or open source information) that seeks to find a separate path for societies to develop in a manner that rejects the core values of the economic consensus (e.g., economic growth). This strand in environmentalism, which also corresponds to the types of individuals/groups that use protest and action within public space in order to convey their message, represents a threat to the present economic consensus. Therefore it should come as no surprise that the State should seek to repress these groups in some way since their actions question the power of the State to be "in control" of the public agenda on these issues.

It is inconceivable that the British government has not considered – *in private, if not in public* – the risks these trends present. As outlined in section 4 of this report, those with an interest in the well-being of the state and the economy have conducted a number of studies on the impacts of peak oil (and resource depletion in general) and have found the results very challenging to our present ideas of "normality". But if the Government has not considered these issues then this fact alone should invalidate any claim that they might have to "leadership" since, given the weight of evidence, any reasonable person could not ignore the potential hazards of these trends to society.

However if, as we believe, the Government is seeking to deflect any debate or criticism on these issues, and ensure that "non-representative" means of dissent are also closed through limiting the rights of the public to protest, then they are endangering our freedoms and survival. There is a fine line between the current "secretive" role of ACPO, NETCU, WECTU and NPOIU, and the truly "secret" role of a Stasi-style police force that we see in repressive states. Seeking to avoid debate over these vital problems will not make them go away; in fact it exacerbates the problem. Instead what we need is an open debate, but if the State does not wish this then public protest will be our only guarantee that we can, as a society and as individuals, meet these challenges and find a way past the difficulties they will create for us.

**Paul Mobbs**

25<sup>th</sup> April 2009

