

Miss Kat Harper & Ms Rosie Harper – written evidence (CIC0436)

House of Lords Constitution Committee Inquiry into the Constitutional Implications of COVID-19

1. Does the Coronavirus Act 2020 strike the right balance between powers for the Executive and parliamentary oversight and approval?

1. No. We believe the Act has been a desecration of democracy and gives more power to the Government and is difficult for Parliament to hold the Government to account. With the CV Act it appears the Ministers are accountable to no-one. They also have SAGE and their Government scientists who are accountable to no-one and their advice has been catastrophic to the country. They will not listen to any outside advice that is contrary to SAGE and those Government scientific advisers. The Act was rushed through in a matter of days, with no real scrutiny. Had the Tory backbench MPs not requested the Act to be reviewed and voted every six months, it would have meant the Coronavirus Act would not have been scrutinised for a period of two years. The Labour opposition have been poor and non-existent. They want more Lockdown and they are not doing their job. It has been left to the Tory Backbenchers to challenge the Government.
2. Statutory Instruments are a problem as the Minister can pass it without the need to debate with Parliament.

2. What existing powers (other than those in the Coronavirus Act 2020) might have been used to deliver the Government's response to the Covid-19 pandemic? Was the Coronavirus Act 2020 necessary to implement the Government's response to the pandemic?

3. The Government did not need to create a new Act, but alternatively, they could have used the Civil Contingencies Act 2004 and the Public Health Act 1984. The Civil contingencies Act would have permitted parliament to scrutinise the Executive every 28 days. Under the Coronavirus Act it has forced healthy people to be locked away in their homes. Never before have healthy people been locked away by their Government for a virus that has a 0.05% fatality rate, and a 99.97% recovery rate. Therefore it was not necessary to implement this Coronavirus Act, it is clear that this Coronavirus Act has initiated more serious draconian powers to the Government against its people.

3. How have the measures taken by the Government to address the pandemic been implemented, i.e. which aspects of the lockdown were set out in legislation, regulations and guidance? What effect has this had on the clarity of the measures?

4. The measures have been draconian, forceful and inflicted psychologically destructive behaviour against the UK Citizens. A great many people believe that everything declared by the Government is law and do not realise the difference between law and guidance. Everything forced on the public has been confusing and has been psychologically destructive. People have become nasty and vindictive towards non-mask wearers. The government have not carried out a risk assessment to the dangers of mask wearing. What are the long term effects to physiological and mental health of its citizens? It is an extremely bleak and dark outlook. A great number of people do not realise that they should declare themselves exempt from wearing the mask, particularly the elderly, children and vulnerable adults. PPE specialists and scientists are concerned masks have been forced on the public.

Many people do not realise the risks masks pose on their health. The media have been peddling fear and has caused a great deal of ignorance amongst the general public.

4. Has the use of emergency powers by the Government to address the pandemic been proportionate?

5. The draconian measures have been the cause of calamitous and catastrophic events that has caused increased deaths and neglect of the elderly in care homes and in their own homes. The NHS has become the National Covid Service, with near empty hospitals, cancellation of outpatient hospital appointments and operations, no dental access, a rise in suicides, humans being treated as biohazards, a complete destruction of small and medium businesses, hotels, restaurants, gyms and cinemas going bankrupt that has forced a dramatic rise in unemployment.

Criminalisation and enforcement

5. What new criminal offences have been introduced as part of the Government's response to the pandemic? Is criminalisation a proportionate, justified and appropriate response?

6. Extortionate fines up to £10,000 given to family and friends meeting in their home, as well as issuing fines up to the value of £6,400 to people travelling on public transport without a mask.
7. Police going into supermarkets and confronting non-mask wearers and using unnecessary aggressive behaviour forcing the individual to leave the store when they are exempt, which contravenes the Equalities Act.
8. Removing, damaging and seizing personal equipment from people and keeping the items in custody for a prolonged period of time.
9. Arresting people attending peaceful demonstrations as well as an eminent German Professor who was a guest at an event in protest against the Lockdown held at Trafalgar Square in September 2020.

6. Have the new criminal offences introduced in response to the pandemic been sufficiently clear to: (a) members of the public and (b) the public authorities responsible for their interpretation and enforcement (including the police and the Crown Prosecution Service)?

10. No. The police have been violent and aggressive to British citizens during peaceful protests against the Lockdown. The TSG have been violent to the point of battering protesters on the head and body as well as pepper spraying people in the face causing injuries and pain. Cressida Dick for her incitement to hatred against non-mask wearers during an interview with Nick Ferrari on LBC radio show. She empowered mask-wearers and storekeepers to shame and confront non-mask wearers in shops or call the police. In the meantime, we have seen a number of people being attacked and scorned by mask wearers both in shops and on public transport. Please see link to video below.
11. <https://www.lbc.co.uk/radio/presenters/nick-ferrari/facemasks-cressida-dick-police/>
12. In sharp contrast to the way the police had a softly softly approach to the Black Lives Matter and Extinction Rebellion protests in London.

7. What factors led to wrongful arrests and convictions under the emergency powers and how might these have been avoided?

13. Why did the Police commissioners initiate the use of the Territorial Support Group during peaceful protests in London and elsewhere around the UK? They have been unnecessarily heavy handed and brutal against men and women for no reason other than to disperse the peaceful crowds.

14. What will the new Covert Human Intelligence Bill, which is currently going through the committee stage in the House of Lords, impact the peaceful protesters and anyone that speaks out against the Government? Will it be carte blanche to dispose of people seen as not complying to Government diktat?

Promulgation

8. To what extent have the legal requirements imposed on people during lockdown been clear and accessible to members of the public? How should the new measures introduced in response to the pandemic be communicated and explained to authorities (e.g. local government, police, border force, regulators), businesses and members of the public?

Devolved and local government

15. Many workers/public servants are unaware of relevant health exemptions regarding masks. This ranges from hospital staff forcing people to wear masks in a hospital environment when they find it uncomfortable to wear them. Pregnant women being forced to wear them during labour. How healthy and safe is this for mother and baby? Police demanding customers in stores to leave the premises because they do not have a mask on or demanding to know why they are not wearing the mask. This contravenes the 2010 Equalities Act, discriminating against people. These draconian measures have made the general public more frightened and fearful, but appear to be happy to have more draconian measures put in place by the Government. So much so that if anyone steps out of line these people are happy for others to be severely punished.

16. Concerns about Government scientific advisers (ie, Vallance and Whitty, who have connections to Big Pharma) are being alarmist in their latest modelling based on 'scenarios' rather than on scientific evidence. The government are refusing to use evidence from other scientists, epidemiologists and virologists who are not within the Government circles. There is a serious concern that the government insist utilising the services and incorrect mathematical models from Ferguson at Imperial College. He has managed to project his data and models incorrectly that has had a devastating impact to the UK and the Rest of the world through his erroneous modelling.

9. What have been the consequences of legal divergence between the constituent parts of the United Kingdom in responding to the pandemic?

17. Disjointed and draconian. All the rules and regulations have been pulled out of a hat and off the cuff decisions made.

10. Have local authorities been granted adequate powers to respond to the pandemic in their local area? Have the emergency measures taken by the Government struck the right balance of power between national and local governments?

18. The phenomenal waste of money to the tune of billions of pounds with the high number of empty test centres around the country. There are concerns around the

validity of the PCR tests which the creator of the test, Kary Mullis, stated that it should never be used to diagnose a disease. There are also concerns that the PCR test has a 93% false positive rate, and, therefore, should be scrapped as it is an absolute waste of tax payer money. Dr Mike Yeadon, former Vice-President of Pfizer has discussed this subject extensively and the Government will not heed his advice.

11. How well have intergovernmental relations worked during the crisis through established mechanisms and through the Civil Contingencies Committee (COBR)?

19. There are concerns that the World Health Organisation have given incorrect advice and keep changing their mind in connection with Lockdown, spread of infection and masks. They dictate policy which is filtered down to member states worldwide. Incidentally, concerns should also be raised that Bill Gates is one of the largest contributors to the WHO and therefore he has a big influence on policy. Although he is a 'philanthropist' he is not a medically trained Doctor, scientist, immunologist or virologist.

12. Are there examples from other countries that are instructive as to the management of the virus between national and regional/state legislatures and executives?

20. Sweden is not in Lockdown and life has returned to almost normal - no masks or social distancing.

Parliamentary scrutiny

13. To what extent has Parliament been able effectively to scrutinise the statutory instruments related to the pandemic measures? What additional steps ought to be taken to ensure effective scrutiny of emergency statutory instruments in future?

21. Parliamentary members have been given very little time to discuss or debate changes. Recently MPs were given 90 minutes to discuss the current lockdown which started on 5th November 2020. There is a major concern that many of the MPs are not voting at all and many are abstaining or not turning up to vote on issues that are causing great hardship and psychological distress to the UK citizens. This is not a democratic process.

14. To what extent are safeguards on emergency powers (such as provisions for 21-day reviews) undermined when Parliament is not sitting, or when sittings are restricted? How might the law and/or parliamentary procedure need to adapt to such circumstances?

22. It is imperative that MPs have to come into Parliament for the 21 day review. Otherwise it allows the Government to roughshod over the people of their country, and therefore become even more authoritarian.

15. What processes are there for securing renewed Parliamentary oversight and control of the legislative agenda once the urgency of a given emergency has diminished? Are the sunset provisions and other safeguards provided for in the Coronavirus Act 2020 and associated regulations sufficient for this purpose?

23. There needs to be continuous Parliamentary scrutiny in how the Executive are carrying out their agenda. The Government cannot be allowed to make the Coronavirus Act permanent as it is clearly undemocratic in many areas of the Act as have been outlined in our answers above.

16. What lessons can be learned from the (1) Government's preparation, and (2) Parliament's constrained scrutiny of the fast-tracked Coronavirus Bill? What should be done differently the next time there's a need for substantial emergency legislation?

24. The Government cannot be allowed to do this again. The Parliament has to have complete scrutiny of the Bill, proper debate and discussion in the Chamber, especially when Human Rights and liberties are being eroded, along with people's livelihoods, health and health care being destroyed by Government Policy.

17. How does and should the Sewel/Legislative Consent convention operate in relation to emergency legislation?

25. n/a

18. Is there a case for reworking or consolidating emergency powers legislation? Should safeguards and scrutiny processes be standardised and, if so, how should they be designed to operate during a crisis?

26. Difficult to say because some regions are not affected by the virus, ie Cornwall has a very low rate of infection and deaths so it would be very unfair to have such draconian measures put in place.

18/11/2020