

## Hammersmith Magistrates' Court 12.10.16

### Statement read out by Mike Buchanan

I am pleading 'Not Guilty' today because I had a lawful excuse for being in the road in Parliament Square on the first of June, during a large demonstration against the circumcision of male minors. Before I outline that legal excuse, I need to provide some background.

I'm the leader of the political party Justice for Men and Boys, the only political party in the English-speaking world campaigning for the human rights of men and boys. In the UK today there are at least 20 areas in which the state assaults the human rights of men and boys, usually to advantage women or girls, and no areas in which the state specifically assaults the human rights of women and girls. None.

For many unfortunate males the assaults start early in life, with circumcision on non-therapeutic grounds, often on religious or cultural grounds - at 8 days of age, in the case of one religious tradition. I'd like to quote a few words spoken by a prominent barrister, at a conference in 2013:

The default position of the criminal law is that circumcision is a crime, and it requires a parliamentary override to stop it being a crime. **There is no such parliamentary override.**

End of quote. In plain English, circumcising male minors on non-therapeutic grounds – often called Male Genital Mutilation, or MGM – is a criminal offence. However, the criminal justice system doesn't prosecute those carrying out the crimes. We estimate some of these criminals earn over £2 million over their criminal careers. You will be aware of the principle that religious or cultural considerations cannot override the law, so the fact that the practice is endorsed by adherents of Judaism and Islam is not of the slightest legal consequence.

Circumcision of male minors is also a breach of several Articles of United Nations and European Union human rights conventions. Ethicists at Oxford University and elsewhere have described it as being equally as unethical as the circumcision of female minors.

Circumcision of male minors is known to often lead to physical and psychological suffering, sometimes death, either as a result of the operation, or later suicide. Circumcision has no compensating medical benefits for the males who suffer it, or for their sexual partners.

Ending circumcision of male minors in the UK is my party's #1 campaigning issue. We've held a number of protests in the past year, including the one in Parliament Square in the course of which I walked across the road on two occasions, which is why I'm here today.

I'm pleading 'Not Guilty' today because I have a 'legal excuse' for my action. There are a number of elements to my defence:

1. I was only in the road for a short time before PC <name redacted> physically guided me back to the pavement.
2. I was protesting against the failure of the criminal justice system to prosecute the criminals carrying out circumcisions of male minors, as one of the two large placards I was holding made clear.
3. Article 11 of the European Convention of Human Rights guarantees the right to peaceful protest. The right to peaceful assembly cannot be interfered with merely because there is disagreement with the views of the protesters, or because it is likely to be inconvenient and cause a nuisance, or there might be tension and heated exchange between opposing groups.

4. There is a positive obligation on the State to take reasonable steps to facilitate the right to freedom of assembly, and to protect participants in peaceful demonstrations from disruption by others.
5. As there had been no imminent threats of a breach of the peace, the police's actions in limiting my right to protest was not done in accordance with law. It was also an indiscriminate and disproportionate restriction on my right to protest, as there was no reason to view me as anything other than a committed peaceful demonstrator.
6. My right to peaceful protest was interfered with by the Policeman in arresting me. The obstruction of the highway was so minimal, and for such a short period of time, that the arrest was a disproportionate response to the inconvenience to the traffic.
7. I turn to case law, and specifically the case of *Hirst & AGU versus the Chief Constable of West Yorkshire*, in 1987, almost 30 years ago. The defendants, both anti-fur protesters, were arrested after distributing leaflets outside a fur retailer, and successfully appealed against their convictions for obstructing the highway. I shall now quote from the lead judgement, by Lord Justice Glidewell:

"I emphasise that for there to be a lawful excuse for what would otherwise be an obstruction of the highway, the activity in which the person causing the obstruction is engaged must itself be inherently lawful. If it is not, the question whether or not it is reasonable does not arise. So an obstruction of the highway caused by unlawful picketing in pursuance of a trade dispute cannot be said to be an activity for which there is a lawful excuse. But in this case it is not suggested that the activity itself – distributing pamphlets and displaying banners in opposition to the wearing of animal furs as garments – was itself unlawful.' "

That's the end of Lord Glidewell's remarks.

I would remind you that I was doing something which was inherently lawful, holding placards in a protest. In protest against the failure of the police and the CPS to bring prosecutions for something which is illegal, unethical, unnecessary, physically damaging, and breaches human rights – the mutilation of male minors' genitals on religious or cultural grounds.

The hypocritical, irrational, and disproportionate prosecution of me, rather than of the criminals mutilating male minors' genitals, needs to be recognized, and this vexatious prosecution dismissed. Thank you.