



LIBERTARIAN

THE RULE OF LAW

Freedoms won for us by the blood of our ancestors have been seriously eroded over the decades, and this erosion is gaining speed and must be halted and reversed. It is a core responsibility of the State to enable the citizens to go safely about their lawful business without let or hindrance.

A central tenet of Libertarianism is that we are all equal before the Law from the mightiest to the poorest. This is the Rule of Law

We have car insurance, we have life assurance, yet so few of us carry Legal insurance. Going to Law to protect an interest or to defend yourself is frustrating and seriously injurious to your wealth.

The Libertarian Party will advocate an insurance scheme to balance out the individual against the State or the wealthy abusing the legal system.

County prosecutors elected at the same time as MP's will defend the individual or prosecute the powerful and the State on behalf of the individual, paid for by this insurance scheme.

Unenforceable Law is bad Law, the Libertarian Party will advocate that after thirty years each Law on the statute book is reviewed and has a sunset on its provisions.

Law that is clearly not understood by the Layman is bad law. It should not need a thousand pages of Civil Procedure Rules to enable any citizen to obtain both Justice and redress

The Libertarian Party wants less Law and regulation, replacing it with enforceable Laws. This is on the basis that what which is not proscribed is free to do. Rather than the State 'giving freedom or licence to carry out and activity.

Police

Chief Constables to be locally elected, and given a large amount of autonomy.

We expect this to:

- Drastically simplify and reform Police/CPS targets, now the remit of the Chief Constable, and to remove the desire to prosecute innocent parties.
- A reduction in paperwork to enable more beat officers to remain on patrol for as long as possible.
- We will undertake a review of the PCSO concept, with the potential to recruit those capable into the main police force, and to disband the remainder.
- Limit retention of DNA only in the event of a conviction, and to discard after that conviction is spent.

We will reaffirm the Nine Peelian Principles. These are:

- 0 The basic mission for which the police exist is to prevent crime and disorder.
- 1 The ability of the police to perform their duties is dependent upon the public approval of police actions
- 2 Police must secure the willing co-operation of the public in voluntary observation of the Law
- 3 The degree of co-operation of the public that can be secured diminishes proportionately to the necessity of the use of physical force.
- 4 Police seek and preserve public favour not by catering to public opinion, but by constantly demonstrating absolute impartial service to the law
- 5 Police use physical force to the extent necessary to secure observance of the law or to restore order only when the exercise of persuasion, advice, and warning is found to be insufficient.
- 6 Police, at all times, should maintain a relationship with the public that gives reality to the historic tradition that the police are the public and the public are the police; the police being only members of the public who are paid to give full-time attention to duties which are incumbent upon every citizen in the interests of community welfare and existence.
- 7 Police should always direct their action strictly towards their functions, and

never appear to usurp the powers of the judiciary.

8 The test of police efficiency is the absence of crime and disorder, not the visible evidence of police action in dealing with it.

Furthermore-

- Disorder to be handled via the courts, not on-the-spot fines, which we believe are unconstitutional as laid out in the 1689 Bill of Rights.
- Repeal inhibitions to "right to lawful assembly".
- Wiretap evidence to be permitted as evidence in court cases if obtained with a warrant.
- Undertake a review to consider returning juries to all criminal trials.
- Immediate repeal of Control Orders.
- Implement a maximum period for detention without charge of 48 hours; arrests should be evidenced based, not fishing expeditions.
- Decriminalisation of all sexual activity related to between consenting adults
- Roll back the right of government agents to enter property without a warrant issued by a judge.

Prisons

We will ensure that sufficient prison places are available to make capacity not a factor in detention, bail or sentencing decisions.

Make prison harsher for uncooperative inmates as necessary while rewarding cooperation.

End the practice of using regular prisons for the incarceration of the mentally ill.

Life to mean life, and an end to early release of the violent or abuser.

No consideration for age or gender should influence sentencing, especially with access orders for children.

We will undertake a review to examine the options available for the provision of training and educational facilities within prisons, and also investigate the possibility of prisoners being able to perform paid work whilst incarcerated should they wish.

Ensure first time remand prisoners are kept separate from other inmates.

Capital Punishment

The Libertarian Party is unequivocally opposed to the death penalty by the State.

Torture

The Libertarian Party believes that the use of torture is against the Rule of Law.