**Lord Sumption (former Supreme Court judge) 31.03.20**

Draconian police crackdowns on drivers and walkers during the Covid-19 outbreak are disgraceful, a former Supreme Court judge said yesterday.

Lord Sumption said that the UK was in danger of becoming a “police state” if other chiefs mirrored the recent approach taken in Derbyshire as he warned of forces becoming a “disciplined hierarchy” operating at the command of ministers.

Dominic Raab, the foreign secretary, defended the police. “I back the police doing a difficult job in unprecedented circumstances,” he said, before adding that “there needs to be common sense in the way the [government] guidance is interpreted.”

Martin Hewitt, chairman of the National Police Chiefs’ Council, insisted forces were deploying a proportionate response. “We have adopted a very clear position about dealing with this as we police normally — we will engage with people and encourage them to go home, and as a very last resort we will enforce,” he told *Today*on BBC Radio 4.

Derbyshire police have been criticised for monitoring walkers with drones and dumping [black dye in a lagoon](https://www.thetimes.co.uk/article/coronavirus-lockdown-police-turn-the-blue-lagoon-black-xqx626zqc) to discourage people from travelling to the countryside.

Other forces have also provoked controversy. It was reported yesterday that Lancashire police had issued more than 120 fixed penalty notices to people deemed to have breached government rules restricting freedom of movement.

Several other forces including Humberside, Greater Manchester, Avon and Somerset and West Midlands are reported to be operating online portals for the public to report those who appear to be flouting the rules. Durham and North Yorkshire police have placed checkpoints on the roads.

Lord Sumption said it was “frankly disgraceful” that the Derbyshire police had attempted “to shame people from using their undoubted right to travel to take exercise in the country and wrecking beauty spots in the fells so that people don’t want to go there”.

Lord Sumption, 71, who retired from the highest bench in the UK in 2018 and is known for controversial opinions, told Radio 4: “This is what a police state is like. It’s a state in which the government can issue orders or express preferences with no legal authority and the police will enforce ministers’ wishes.”

He said that “in some parts of the country the police have been trying to stop people from doing things like travelling to take exercise in the open country — which are not contrary to the regulations — simply because ministers have said that they would prefer us not to”. While he acknowledged that most police forces had behaved in a “sensible and moderate” fashion in the crisis so far he said “there is a natural tendency and a strong temptation for the police to lose sight of their real functions and turn themselves from citizens in uniforms into glorified school prefects”.

Lord Sumption said that the public had to take responsibility for its role in the reaction to the pandemic. “The pressure on politicians has come from the public,” he said.

He accepted that coronavirus was “clearly serious for those with other medical conditions, especially if they are old”. However, he added: “The real question is: is this serious enough to warrant putting our population into house imprisonment, wrecking our economy for an indefinite period, destroying businesses that honest and hardworking people have taken years to build up?”

Lord Anderson, a former independent reviewer of terrorism legislation, said: “Police in their words and actions need to be clear about the difference between rules and guidance, both to maintain public confidence in their role and to discourage snoopers, snitches and vigilantes. Serious breaches should attract fines, but news reports of over-enforcement by police and public are deterring the timid from exercising even the limited freedoms they have.”

Neil Basu, the assistant commissioner of the Metropolitan Police, called on the public to show understanding towards the police amid growing criticism. “Everyone in policing is acutely aware that how we police this pandemic will be remembered for many years to come,” he wrote in *The Daily Telegraph*.

“Preserving the trust and confidence of the public by policing by consent is our mantra, and has been since 1829. There will be a period of readjustment to our new responsibilities, which no police officer ever thought they would have.”

Grant Shapps, the transport secretary, warned against driving to the countryside for walks for daily exercise, saying that people should stay near their homes. “The best advice is not to jump on your car and walk your dog,” he told the BBC.

Peter Goodman, the chief constable of Derbyshire, defended his force’s recent action. “Following reports that there was an unprecedented number of people, most of whom we believe not to be from Derbyshire, visiting the popular beauty spot Curbar Edge, a drone team were instructed to take footage to establish the extent of the activity,” he said, adding that it “captured images of individuals who were not identifiable”.

He said the water dyed at Buxton “has a PH level similar to bleach, is deceptively cold and highly harmful should anyone swim in it”. He said the dyeing of the water had taken place for seven years “and is certainly not as a result of the coronavirus outbreak”.