



In Protest

David Lintern

Why we broke the byelaw

David Lintern explains why he and three friends challenged the new rules on wild camping in the Loch Lomond & the Trossachs National Park



Illegal camping in the Loch Lomond & the Trossachs National Park

IN EARLY MARCH, soon after the so-called 'camping ban' came into place in the Loch Lomond and the Trossachs National Park, three friends and I went into the Park with a deliberate intention to break the new byelaw and test its limits.

Under the byelaws, there are now 'management zones' in the National Park, including around 150km of the most popular loch shores, where informal camping is prohibited. We pitched our tents at one of these lochside locations. The following morning, the Ranger Service approached us and asked some questions. We gave our details and left. It was a polite but surreal encounter and it now seems unlikely that any legal action will be taken against us, but that was certainly unclear at the time.

Tellingly, mainstream media coverage of our small act of civil disobedience was wholly absent, despite the byelaw introduction making national news 10 days previously. Online, we received praise (even, confidentially, from within the Park's own ranks), and a little criticism. Some argued we should have refused to give our details, others suggested we were goading the Park by not 'stealth' camping.

In our defence, I'll say that our experiment was carefully planned, with a set of questions prepared and with an agreed course of action, should we be approached, which everyone present was comfortable with. Some of my friends did not want to risk the criminal record that refusing to give personal details might entail. Of course, just the legal obligation to give one's details is punitive, and what's more, the Park has admitted it's designed to be so.

As to whether our choice of site was deliberately provocative, the point of the exercise was to wild camp exactly as we would normally do, following best practice as responsible and experienced outdoorspeople, in order to understand the new rules. Would the Rangers be on patrol, and what would happen if they were? We had no idea – to our knowledge, this was the first test of the byelaw. So, this was no spur of the moment, hot-headed decision to go into the woods and rage at the Rangers. It was a symbolic gesture, but it was also a precise, premeditated test.

I'd like to place my own motives in some context. Firstly, our 'wee trespass' follows the footsteps of a much bolder effort – the Mass Trespass on Kinder Scout in April

1932. Previously denied access to Bleaklow by gamekeepers, 400 ramblers marched on the Peak District's highest point, resulting in a scuffle, some arrests and even prison sentences... but ultimately in public awareness and sympathy for the right to roam without restriction or harassment, a right which is, for the moment at least, enshrined in law.

Secondly, there is precedent elsewhere. Many American National Parks control visitor stays with permit-only formal campsites – exactly what Lomond and Trossachs have attempted to establish. Those exceeding the seven-day visitor limit in Yosemite Valley, for example, risk playing cat and mouse with Rangers using tasers, night vision and assault rifles. Of course, this is not most people's experience of the Park. The vast majority are relaxing in expensive restaurants and luxury hotels. They are not outdoors folk who have been rendered outlaws by virtue of not spending enough money.

This could never happen here, surely? The trouble with boundaries is they need protecting, the trouble with rules is they need policing. But by and from whom? No one joins the Ranger Service to become

part of a pseudo police force. If day-trippers set fires and leave litter, then by all means, prosecute them with existing laws, but don't make enemies of us all.

Perhaps most significantly for me, this byelaw flies in the face of mountain values. A restriction of movement reduces individual autonomy and personal liberty. How will the adults of the future learn self-reliance if everything is dictated to them, and their responsibility and joy in engaging with the natural world safely and wisely is choked at its root by permits and legalese? I take this personally; raising kids to think for themselves in our current climate is not an easy business.

When I asked the Rangers what the Park's CEO, Gordon Watson, had meant when he told the BBC "our approach is education first – always has been, always will be", I was struck cold by their answer. They told me this meant educating the public about the new byelaw and achieving compliance with it. How horribly limited and limiting this new vision of 'education' is. No mention of enjoying responsible access; learning to navigate, self-rescue, or even the principles of leave no trace. I felt awful for them... and for us.

There is also a cultural dimension to this. In Scotland the Land Reform Act of 2003 only formalised a much older tradition of the joyful, aimless wander – the stravaig. Just beyond the southern edge of the current National Park boundary was the Craigallian Fire, where Tom Weir, Bob Grieve and others in the Scottish access movement



Clipboard capers: my friend giving his personal details to the Ranger

would scheme and dream in the same era as those Peak District rebels. They are a big part of the reason the National Park exists at all!

The Park Authority has committed a crime against freedom for all visitors, yes – but particularly, a crime of historical revisionism against the Scots people. And because the Scottish culture of access

leavens our British outdoors culture as a whole, to my mind they have trespassed against all of us – not the other way around.

Like many, I am concerned for what comes next. If the byelaw stands, access to the islands of Loch Lomond may soon be curtailed, and Glen Etive, where my daughter enjoyed her first wild camp, will fall sooner rather than later. Once non-elected bodies start to dismantle 80 years of access work, private landowners can and will make claims by the same token. It's not necessarily just Scotland – this sets a dangerous precedent both north and south of the border. I can see a time when everything those Kinder Trespassers stood for will be taken away. We stand on their shoulders – what will we do?

To begin with, Ramblers Scotland ask that we inform them of every Ranger interaction and experience of the new system. The byelaw will be reviewed in 2020, and we need to make good our case in the meantime. It is, after all, our outdoors to defend.

Please report all Loch Lomond and Trossachs National Park camping experiences to: scotland@ramblers.org.uk Also note that erecting any form of shelter, day or night, outside a permit area carries the risk of a fine and a criminal record, as does a refusal to give personal details when asked by a Ranger or the Police.

Packing up before our adventure in bureaucracy, in the Loch Lomond and Trossachs National Park Photos: David Lintern

