



POLICING PROTEST:

A REVIEW OF CURRENT REGULATION AND PRACTICES
IN ENGLAND AND WALES

Austin Hill

10 DECEMBER 2025

1. Introduction

Public protest has long been recognised as a vital democratic practice in the United Kingdom, serving as a means for individuals and groups to express dissent, influence political debate, and hold power to account. Protest rights enshrined in international law have increasingly come under pressure in the UK from expanding legislative and policing powers.

A series of high-profile protest movements have prompted successive governments to redefine the boundaries of ‘acceptable’ protest. This has resulted in a growing body of law that seeks not only to regulate public order but also to deter forms of disruptive protest traditionally understood as central to democratic engagement. Alongside these legal developments, policing practices have become more militarised, technologically sophisticated, and oriented toward pre-emptive control, raising concerns among civil liberties organisations, academics, and international human rights bodies.

The following sections examine the legal foundations of protest rights in England and Wales, recent evolutions of the statutory framework, and the shifting landscape of policing dissent. Together, they illuminate a broader trend: the steady expansion of state power over protest in ways that increasingly test the limits of the UK’s human rights commitments.

2. Legal Foundations of Protest Rights

The right to protest does not exist as a standalone legal right but is derived from the rights of freedom of expression and freedom of peaceful assembly as set out in the European Convention of Human Rights (ECHR) and incorporated into UK law via the Human Rights Act 1998 (HRA).¹ These rights are not absolute and may be restricted for specific legitimate purposes.²

2.1. ECHR Article 10 and 11

The two Articles that underpin protest rights are Article 10, the freedom of expression and Article 11, the freedom of assembly and association.³

As expressed by the ECHR, these rights impose both negative and positive obligations on the state regarding protest activity.

The state must not:⁴

- Interfere unjustly with expression of views vocally through protest, leaflets, or the internet symbolically through art, or public demonstration.
- Unjustly restrict peaceful assembly including demonstration and protest.

The state must:⁵

- Facilitate peaceful protest to ensure the safety of participants.

The HRA incorporates these rights into UK law and requires all public authorities to act in compatibility with ECHR.⁶

¹ Human Rights Act 1998. Available at: <https://www.legislation.gov.uk/ukpga/1998/42/contents>

² European Convention on Human Rights, as amended by Protocol No. 11. 1950. Available at: https://www.echr.coe.int/documents/d/echr/convention_ENG

³ Ibid

⁴ Ibid

⁵ Joint Committee on Human Rights. 2008. *The Government response to covid-19: freedom of assembly and the right to protest*. Available at: <https://publications.parliament.uk/pa/jt5801/jtselect/jtrights/1328/132806.htm#footnote-052>

⁶ Human Rights Act 1998. (c. 42). Available at: <https://www.legislation.gov.uk/ukpga/1998/42/contents>

2.2. Permissible Restrictions on Protest Rights

Articles 10 and 11 are qualified rights meaning they are subject to interference or restrictions that pursues a legitimate aim, and are necessary, proportionate, and prescribed by law.⁷ Legitimate reasons include national security, public safety, and protecting the rights of others.⁸

Debate in recent years concern whether the UK government's expanding restrictions are proportionate to the legitimate aims they purport to be working in service of.

3. Core Legislative Framework

The modern framework governing protest rights in England and Wales has its foundations in the Public Order Act of 1986. Since 2021, successive governments have significantly expanded this framework, granting police and courts broader powers to manage, restrict, and criminalise protest activity.

Criminal justice is a devolved matter for Scotland and Northern Ireland. Therefore, this framework only applies to England and Wales.⁹

3.1. Police, Crime, Sentencing and Courts Act 2022 (PCSC Act)

Context:

The PCSC Act was introduced in response to highly visible disruptive protests by groups like Extinction Rebellion (XR), Black Lives Matter (BLM), and Insulate Britain over three consecutive years. In April and October of 2019, tens of thousands joined Extinction Rebellion protests and over 3000 were arrested. Protesters blocked roads, affected public transit, and disrupted businesses in order to demand government action on climate change.¹⁰ In 2020, Black Lives Matter protests arose across the UK and drew media attention when a statue of Edward Colston, a slave trader and philanthropist, was torn down by protesters and thrown into Bristol's harbour.¹¹ Then in 2021, Insulate Britain blocked major roads across the UK over several months.¹²

These protests were controversial with a majority of the UK public opposing the methods used.^{13,14,15} The UK government pointed to the mass disruption caused by and the cost incurred from policing these protests as justification for the expansion of police powers over protest.¹⁶

⁷ European Convention on Human Rights, as amended by Protocol No. 11. 1950. Available at: https://www.echr.coe.int/documents/d/echr/convention_ENG

⁸ Ibid

⁹ Paun, A & Shuttleworth, K. 2020. Criminal justice and devolution. 7 April. Available at: <https://www.instituteforgovernment.org.uk/explainer/criminal-justice-and-devolution>

¹⁰ BBC. 2019. Extinction Rebellion Protests: What happened?. *BBC*. 25 April. Available at: <https://www.bbc.co.uk/news/uk-england-48051776>

¹¹ BBC. 2020. Edward Colston statue: Protesters tear down slave trader monument. *BBC*. 8 June. Available at: <https://www.bbc.co.uk/news/uk-52954305>

¹² BBC. 2021. What is Insulate Britain and what does it want?. *BBC*. 17 November. Available at: <https://www.bbc.com/news/uk-58916326>

¹³ YouGov. 2019. *This morning climate protesters attempted to stage a demonstration by standing on top of a tube train in Canning Town, but were dragged off the top of the train by commuters. Do your sympathies lie more with...?* 17 October. Available at: <https://yougov.co.uk/topics/politics/survey-results/daily/2019/10/17/e5c22/2>

¹⁴ YouGov. 2019. *Climate change protesters have been carrying out their aim of disrupting roads and public transport, aiming to "shut down London" in order to bring attention to their cause. Do you support or oppose these actions?* 15 October. Available at: <https://yougov.co.uk/topics/politics/survey-results/daily/2019/10/15/470b6/1>

¹⁵ YouGov. 2020. *Do you approve or disapprove of protesters in Bristol pulling down the statue of Edward Colston?* 8 June. Available at: <https://yougov.co.uk/topics/society/survey-results/daily/2020/06/08/1ab21/1>

¹⁶ Home Office. 2022. *Protest powers: Police, Crime, Sentencing and Courts Act 2022 factsheet*. 20 August. Available at: <https://www.gov.uk/government/publications/police-crime-sentencing-and-courts-bill-2021-factsheets/police-crime-sentencing-and-courts-bill-2021-protest-powers-factsheet>

Key Changes:¹⁷

- Empowers police to put conditions on a protest if they deem that the noise created by the protests may result in significant impact to people in the area or “serious disruption” to activities of an organisation.
- Expands existing powers of police to impose conditions or ban protest marches to static demonstrations or one-person protests.
- Expands the “controlled area” around Parliament that is subject to additional restrictions on protests and enables Parliament to create new “controlled areas”.
- Increases penalties for failing to comply with conditions imposed on a protest by police and lowers the threshold for the offence from previous failure to comply “knowingly” to failure to comply “knowingly or ought to have known”.
- Replaces the common law criminal offence of public nuisance with a new statutory offence of “intentionally or recklessly causing public nuisance” that has a maximum penalty of 10 years imprisonment, unlimited fines, or both.

Response:

According to a YouGov poll, the act was broadly supported by the UK public in 2022 but received wide criticism from human rights advocates and organisations.¹⁸

In 2021, Amnesty International UK’s CEO, Sacha Dshukh, condemned the bill saying, “this Government has embarked on an unprecedented programme of rights reversal”.

Akiko Hart, the director of Liberty, a human rights advocacy group, said this act will “heavily restrict protests through impractical measures that needlessly funnels thousands of protesters into the criminal justice system.”¹⁹

Further controversy arose when OpenDemocracy published a report that claimed the Policy Exchange report that the PCSC bill drew heavily from may have been funded by the fossil fuel company ExxonMobile.^{20,21}

3.2. Public Order Act 2023 (POA)**Context:**

The Public Order Act 2023 came in response to continued demonstrations of XR and escalating disruptive environmental protests from newly formed groups: Just Stop Oil and Insulate Britain. These new groups primarily used direct action techniques such as locking themselves to structures and digging tunnels to impede their removal by police forces.²² Just Stop Oil in particular garnered hostile reaction from politicians, the public and the media. They were explicitly mentioned in the

¹⁷ Liberty. How does the new Policing Act affect my protest rights?. *Liberty*. Available at:

https://www.libertyhumanrights.org.uk/advice_information/pcsc-policing-act-protest-rights/

¹⁸ Mann, B. 2022. Policing Bill: Britons support proposed new police protest powers. *YouGov*. 16 March. Available at:

<https://yougov.co.uk/politics/articles/41561-policing-bill-britons-support-proposed-new-police->

¹⁹ Liberty. Report calls for a review of anti-protest legislation. *Liberty*. Available at: <https://www.libertyhumanrights.org.uk/issue/report-calls-for-a-review-of-anti-protest-legislation/>

²⁰ Horton, H. 2022. Thinktank that briefed against XR given \$30k by ExxonMobil in 2017. *The Guardian*. 15 Jun. Available at:

<https://www.theguardian.com/environment/2022/jun/15/thinktank-that-briefed-against-xr-given-30k-by-exxon-mobil-in-2017>

²¹ Bychawski, A. 2022. Revealed: Policing bill was dreamed up by secretive oil-funded think tank. *OpenDemocracy*. 15 June.

<https://www.opendemocracy.net/en/dark-money-investigations/policing-bill-policy-exchange-exxonmobil-lobbying/>

²² BBC. 2024. Just Stop Oil: What is it and what are its goals?. *BBC*. 19 June. Available at: <https://www.bbc.co.uk/news/uk-63543307>

government's factsheet as justification for criminalising direct-action tactics and increased police powers over protest.²³

Key Changes:

- Creates new criminal offences for specific protest tactics:²⁴
 - locking on or having equipment for locking-on,
 - tunnelling or being equipped for tunnelling or being present in a tunnel,
 - obstructing major transport works,
 - interfering with key national infrastructure.
- Expands police powers to stop and search if they have reasonable suspicion an individual of any of the new offences listed above or stop and search without reasonable suspicion within a specific time and place authorised by senior officers that reasonably believe one of the new offences may be committed in that area.²⁵
- Gives courts the authority to impose Serious Disruption Prevention Orders (SDPOs) on individuals, which can prohibit or require actions of an individual in order to prevent protest related offences, serious disruption, or breach of an injunction. Breaching an SDPO may result in up to 6 months imprisonment, unlimited fine, or both.²⁶

Response:

The POA has been met with staunch criticism as degrading citizens' right to protest.

The UN's Office of the High Commissioner for Human Rights (OHCHR) called on the UK government to repeal the POA due to the "chilling effect it would have on civic freedoms"²⁷. They specifically decried the potential broad interpretation of 'serious disruption', and what could constitute 'being equipped to lock-on' and the risk these would lead to biased and arbitrary enforcement.²⁸

The increased restrictions arguably led to the dissolution of Just Stop Oil and resulted in the five protestors receiving the longest ever sentences for non-violent protest.²⁹ Michel Forst, the UN special rapporteur for environmental defenders, demanded immediate action in reversing sentencing for Daniel Shaw who was sentenced to four years in custody for participating in a zoom call related to a protest.³⁰ He called the sentencing of all five protestors a "dark day for peaceful environmental protest" and argued that the government was failing its human rights obligations under international conventions.³¹

²³ Home Office. 2023. *Public Order Bill: factsheet*. 30 August. Available at: <https://www.gov.uk/government/publications/public-order-bill-overarching-documents/public-order-bill-factsheet>

²⁴ Liberty. Public Order Act: New Protest Offences & 'Serious Disruption'. *Liberty*. Available at: https://www.libertyhumanrights.org.uk/advice_information/public-order-act-new-protest-offences/

²⁵ Liberty. Public Order Act: New Protest Stop & Search Powers. *Liberty*. Available at: https://www.libertyhumanrights.org.uk/advice_information/public-order-act-new-stop-search-powers/

²⁶ Public Order Act 2023. C.15. Part 2. Available at: <https://www.legislation.gov.uk/ukpga/2023/15/part/2/crossheading/serious-disruption-prevention-orders-made-on-conviction>

²⁷ Türk, V. 2023. The Public Order Act will have a chilling effect on your civic freedoms – it must be repealed. *The Independent*. 28 May. Available at: <https://www.independent.co.uk/independentpremium/volker-turk-united-nations-public-order-act-protest-b2347125.html>

²⁸ Ibid

²⁹ Gayle, D. 2024. Five Just Stop Oil activists receive record sentences for planning to block M25. *The Guardian*. 18 July. Available at: <https://www.theguardian.com/environment/article/2024/jul/18/five-just-stop-oil-supporters-jailed-over-protest-that-blocked-m25>

³⁰ Forst, M. 2024. Statement regarding the four-year prison sentence imposed on Mr. Daniel Shaw for his involvement in peaceful environmental protest in the United Kingdom. *United Nations Economic Commission for Europe*. 18 July. Available at: https://unece.org/sites/default/files/2024-07/ACSR_C_2024_26_UK_SR_EnvDefenders_public_statement_18.07.2024.pdf

³¹ Forst, M. 2024. Statement regarding the four-year prison sentence imposed on Mr. Daniel Shaw for his involvement in peaceful environmental protest in the United Kingdom. *United Nations Economic Commission for Europe*. 18 July. Available at: https://unece.org/sites/default/files/2024-07/ACSR_C_2024_26_UK_SR_EnvDefenders_public_statement_18.07.2024.pdf

3.3 Crime and Policing Bill 2025

The recently elected Labour government under Keir Starmer, who previously worked as a human rights lawyer for Liberty, is pushing for increased restrictions on protest rights within the Crime and Policing Bill 2025.

Proposed changes:³²

- Ban certain items at protests: face coverings, fireworks, flares, and other pyrotechnics.
- Criminalise climbing on specified memorials or statues.
- Empower police to restrict “cumulative” or repeat protests³³ and restrict protests in the vicinity of places of worship.³⁴
- Criminalise protesting outside home of elected officials.

Response

Amnesty International and Liberty have decried the proposed new policing powers in this bill. They claim that the new powers “follow the tide of authoritarian laws... globally” and would see UK protest rights “stripped to the bone.”^{35,36}

4. Policing Practice related to Protest

4.1. Militarisation

Militarisation of policing protest is nothing new in Britain. Public order policing tactics were developed in colonial settings, such as kettling and horse charges, then were brought back to the UK for policing working class and minority groups, and later adopted nationwide with government approval under Thatcher.³⁷

In recent years, police have been accumulating military-style weapons, previously only used in Northern Ireland by the British Army, and authorisation for their use in protest settings in England and Wales, though their use has been limited.

- CS Spray, also known as tear gas, has been authorised for police use since 1996.³⁸
- Baton rounds have been available to police since 2001 though have not been used in England and Wales in a protest context.³⁹
- Tasers have been authorised for use in protest situations since 2009 and the more powerful ‘Taser X2’ since 2017.

³² Home Office. 2025. *Crime and Policing Bill: overarching factsheet*. 21 July. Available at: <https://www.gov.uk/government/publications/crime-and-policing-bill-2025-factsheets/crime-and-policing-bill-overarching-factsheet>

³³ Liberty. 2025. Government’s repeat protest restrictions worse than feared. *Liberty*. 4 November. Available at: <https://www.libertyhumanrights.org.uk/issue/governments-repeat-protest-restrictions-worse-than-feared/>

³⁴ Crime and Policing Bill. *HL Bill 111(Corrected)*. Available at: <https://bills.parliament.uk/publications/61564/documents/6824#page=164.36> [Accessed 01/12/2025]

³⁵ Amnesty International UK. 2025. UK: Crime and policing bill an attack on our ‘proud legacy of protest’. *Amnesty International UK*. 17 June. Available at: <https://www.amnesty.org.uk/press-releases/uk-crime-and-policing-bill-attack-our-proud-legacy-protest#:~:text=The%20proposed%20legislation%20would%20give,leave%20the%20country%20if%20they>

³⁶ Liberty. 2025. Government’s repeat protest restrictions worse than feared. *Liberty*. 4 November. Available at: <https://www.libertyhumanrights.org.uk/issue/governments-repeat-protest-restrictions-worse-than-feared/>

³⁷ Weitzberg, K. 2022. A Very British Problem: the Evolution of Britain’s Militarised Policing Industrial Complex. *Campaign Against the Arms Trade*. 4 Aug. Available at: <https://caat.org.uk/app/uploads/2022/08/A-Very-British-Problem-WEB.pdf>

³⁸ BBC. On this day: 20, May 1965 British police to be issued with tear gas. *BBC*. Available at: http://news.bbc.co.uk/onthisday/hi/dates/stories/may/20/newsid_2510000/2510539.stm

³⁹ Wilding, M & Dodd, V. 2023. Met only authorised baton rounds for black-led events, FOI reveals. *The Guardian*. 6 August. Available at: <https://www.theguardian.com/uk-news/2023/aug/06/met-police-baton-rounds-black-led-events-foi-reveals>

- In 2014, London Metropolitan Police called for use of water cannons, after which London Mayor Boris Johnson bought three.⁴⁰ Theresa May, home secretary at the time, banned their use but Met Police still have them in their possession.⁴¹

Use of militarised weapons and tactics have been disproportionately used against black protesters, according to a report by the NetPol.⁴² The report suggests that black-led protests are more heavily policed, use of excessive force is more wide-spread including prolonged kettling. While CS spray was used consistently at BLM protests, it was not used at all during XR protest. Further, Met Police documents revealed that baton rounds have only been authorised for use at the black-led events of Notting Hill carnival since 2017 and the BLM protests in 2020.⁴³

4.2. Surveillance

Police surveillance and data-driven disruption of protest movements have long been a concern of civil liberty groups. At protests, easily identifiable police liaison officers are presented by government as neutral points of contact who offer advice, while some civil rights advocates contest, they primarily gather intelligence that can be used to disrupt demonstrations or target individuals.⁴⁴

More troubling has been the extensive use of undercover policing, colloquially known as ‘spy cops’, against non-violent protest groups and activists, particularly environmental, anti-racist, and anarchist groups.^{45,46} Undercover police used sex and forming relationships as a tactic to infiltrate these groups, gather intelligence, and disrupt group cohesion.⁴⁷ In some cases, acting as agent provocateurs to incite the groups to commit crimes.⁴⁸ While restitution has been paid to some victims and a public enquiry has been ongoing since 2015, policing authorities refuse to release the majority of information regarding these operations and have not committed to ending the practice.⁴⁹

Today, police draw not only on these methods but also increasingly on open-source data on the internet, like social media, and new technologies, like live facial recognition, to monitor the activities of activist groups and individual protestors.

Facial Recognition Technology (FRT)

The UK is becoming one of the most expansive users of FRT in Europe, despite the lack of a clear statutory framework regulating it.⁵⁰ FRT detects facial features and compares them with pre-existing

⁴⁰ Pickard, S. 2019. Excessive force, coercive policing and criminalisation of dissent: repressing young people’s protest in twenty-first-century Britain. *Revista Internacional de Sociologia* 77(4):e139.

⁴¹ BBC. 2015. Police water cannon use rejected by home secretary. *BBC*. 15 July. Available at: <https://www.bbc.co.uk/news/uk-33538171>

⁴² Elliot-cooper, A. 2020. ‘Britain Is Not Innocent’: A Netpol report on the policing of Black Lives Matter protests in Britain’s towns and cities in 2020. *The Network for Police Monitoring*. Available at: <https://netpol.org/wp-content/uploads/2020/11/Britain-is-not-innocent-web-version.pdf>

⁴³ Wilding, M & Dodd, V. 2023. Met only authorised baton rounds for black-led events, FOI reveals. *The Guardian*. 6 August. Available at: <https://www.theguardian.com/uk-news/2023/aug/06/met-police-baton-rounds-black-led-events-foi-reveals>

⁴⁴ The Network for Police Monitoring . *Police Liaison Officers*. Available at: <https://netpol.org/police-liaison-officers/>

⁴⁵ Mills, H. 2017. The undercover policing of political protest. *Centre of Crime and Justice Studies*. October. Available at: <https://www.crimeandjustice.org.uk/sites/default/files/Undercover%20policing%20October.pdf>

⁴⁶ Evans, R. 2017. Undercover police spied on more than 1,000 political groups in UK. *The Guardian*. 27 July. Available at: <https://www.theguardian.com/uk-news/2017/jul/27/undercover-police-spied-on-more-than-1000-political-groups-in-uk>

⁴⁷ Police Spies Out of Lives. *Context of Spycops*. Available at: <https://policespiesoutoflives.org.uk/spycops/>

⁴⁸ Evans, R & Lewis, P. 2011. Undercover police officer unlawfully spied on climate activists, judges rule. *The Guardian*. 20 July. Available at: <https://www.theguardian.com/environment/2011/jul/20/police-spy-on-climate-activists-unlawful>

⁴⁹ Mills, H. 2017. The undercover policing of political protest. *Centre of Crime and Justice Studies*. October. Available at: <https://www.crimeandjustice.org.uk/sites/default/files/Undercover%20policing%20October.pdf>

⁵⁰ Ada Lovelace Institute. 2025. *Mass facial recognition roll-out exists in ‘legal grey area’ due to inadequate governance, says the Ada Lovelace Institute*. 29 May. Available at: <https://www.adalovelaceinstitute.org/press-release/mass-facial-recognition-roll-out-exists-in-legal-grey-area/>

criminal databases and watchlists.⁵¹ FRT vans and fixed cameras have been deployed across the country and have been used extensively at large public events including protests.⁵² In December 2025, the government committed to expanding the use of facial recognition technology across England and Wales and launched a consultation into how it should be regulated.

The purpose is ostensibly to identify individuals wanted for outstanding offences, but civil-rights groups warn it is likely to discourage individuals from participating in protest.⁵³ Silkie Carlo of Big Brother Watch warns that the UK is "hurtling towards an authoritarian surveillance state" and has called for suspending use of FRT until the consultation is complete. The Equality and Human Rights Commission (EHRC) believes current FRT policy of the Met Police is in violation of Article 10 & 11 of the ECHR as well as Article 8, the right to privacy.

There are additional concerns about accuracy and inbuilt biases of FRT. The Home Office acknowledged that an independent study found that FRT was more likely to falsely positively match individuals that were Asian or Black, compared to White individuals. Liberty argues this will exacerbate already disproportionate police stops and questioning of ethnic minorities.⁵⁴

Online Monitoring

Police are increasingly monitoring and analysing online content to gather intelligence on protests to identify and profile organisers, assess risks, and, in some cases, pre-empt actions or demonstrations.⁵⁵

In July 2025, it was revealed the government may form a National Internet Intelligence Investigations team, in response to anti-migrant protests and violent disorder. This team would monitor social media for signs of public disorder and coordinate with local police.⁵⁶ The Reform Party leader criticised the plan to form the new team as "the state controlling free speech" and the Conservative shadow home secretary said the government was "trying to police... what you think"^{57,58}

5. Anti-Terrorism Legislation and Non-Violent Protest

UK counter-terrorism legislative frameworks have increasingly intersected with protest policing. Although terrorism laws were originally designed to address threats involving mass violence, extremist networks, and national security, authorities have begun referencing these powers in contexts involving high-disruption protest movements.

The Prevent programme, a component of UK counter terrorism strategy, encourages teachers, social workers, and individuals to refer students, co-workers, and family members they consider "at risk" of being radicalised or may be involved in terrorism.⁵⁹ Amnesty International has criticised Prevent as

⁵¹ Home Office. 2025. Government pledges to ramp up facial recognition and biometrics. *Gov.uk*. 4 December. Available at: <https://www.gov.uk/government/news/government-pledges-to-ramp-up-facial-recognition-and-biometrics>

⁵² Whannel, K. 2025. Government expands police use of facial recognition vans. *BBC*. 13 August. Available at: <https://www.bbc.co.uk/news/articles/cj4wy21dwkwo>

⁵³ Liberty. *Facial Recognition*. Available at: <https://www.libertyhumanrights.org.uk/fundamental/facial-recognition/>

⁵⁴ Ibid

⁵⁵ Dencik, L., Hintz, A., & Carey, Z. 2017. Prediction, pre-emption and limits to dissent: Social media and big data uses for policing protests in the United Kingdom. *New Media & Society*, 20(4), 1433-1450. <https://doi.org/10.1177/1461444817697722> (Original work published 2018)

⁵⁶ Johnson, D. 2025. Letter to Karen Bradley MP. 17 July. Available at: <https://committees.parliament.uk/publications/48961/documents/257105/default/>

⁵⁷ Codd, T. 2025. Fury as Home Office creates police team to monitor anti-migrant posts - 'muting Britain'. *Express*. 26 July. Available at: <https://www.express.co.uk/news/uk/2087371/fury-home-office-police-team-monitor-posts>

⁵⁸ Watling, T. 2025. Elite police unit to monitor social media for anti-migrant posts. *Independent*. 27 July. Available at: <https://www.independent.co.uk/news/uk/home-news/police-social-media-migrant-immigration-b2796646.html>

⁵⁹ Home Office News Team. 2024. Prevent and Channel factsheet - 2024

. *Home Office Media*. 5 December. Available at: <https://homeofficemedia.blog.gov.uk/2024/12/05/prevent-and-channel-factsheet-2024/>

encouraging a culture of surveillance and has a chilling effect on free speech.⁶⁰ In leaflets distributed nation-wide terrorism police listed Extinction Rebellion as an extremist ideology that should be referred to Prevent.⁶¹ Climate protesters are increasingly receiving licence conditions that are reserved for extremism cases when released from jail.⁶²

Palestine Action

The proscription of Palestine Action is by far the most notable use of terrorism legislation against a civil disobedience group. In June 2025, following a high-profile incident in which activists broke into the RAF base at Brize Norton and spray-painted two military aircraft, the government moved to place Palestine Action on the list of proscribed organisations under Terrorism Act 2000.⁶³ On 5 July 2025 the proscription came into effect, making it a criminal offence, punishable by up to 14 years' imprisonment, to belong to, support, or even publicly display support for the group, including wearing symbols or carrying signs associated with it.⁶⁴

The decision drew sharp criticism from civil-liberties organisations such as Amnesty International UK and Liberty, who argue that proscribing a non-violent, property-targeting protest group represents a dangerous expansion of counter-terrorism powers and a serious threat to the right to protest under European Convention on Human Rights (ECHR).⁶⁵ Legal experts challenging the ban in court have pointed out that, until now, no UK direct action civil disobedience group had been treated as a terrorist organisation under these laws.⁶⁶ Adding that celebrated protest groups like "the suffragettes would have been liable to proscription" under current legislation if this stands.⁶⁷

Supporters of Palestine Action describe their tactics, which include damaging or disabling military-industry facilities believed to be complicit in arms sales to regimes accused of human-rights abuses, as a form of civil resistance intended to prevent greater harm.⁶⁸ As of late 2025, more than 2,700 arrests have been made under terrorism legislation in relation to alleged support of Palestine Action, and hundreds of people have been charged including individuals who merely held placards or signs in solidarity.⁶⁹

The OHCHR has called on the UK government to rescind proscription of Palestine Action, as it conflates protest rights protected by the ECHR with terrorism.⁷⁰ They stressed that actions, like

⁶⁰ Amnesty International UK. 2025. The Prevent duty and its chilling effect on human rights. *Amnesty International UK*. 14 October. Available at:

<https://www.amnesty.org.uk/prevent>

⁶¹ Dodd, V & Grierson, J. 2020. Terrorism police list Extinction Rebellion as extremist ideology. *The Guardian*. 10 January. Available at:

<https://www.theguardian.com/uk-news/2020/jan/10/xr-extinction-rebellion-listed-extremist-ideology-police-prevent-scheme-guidance>

⁶² Cooper, Y. 2025. *Statement UIN HCWS729*. 23 June. Available at: <https://www.theguardian.com/law/2025/nov/08/jailed-uk-climate-protesters-facing-conditions-reserved-for-extremists-on-release>

⁶³ https://questions-statements.parliament.uk/written-statements/detail/2025-06-23/hcws729?utm_source=chatgpt.com

⁶⁴ Home Office. 2025. *Explanatory Memorandum to the Terrorism Act 2000 (Proscribed Organisations) (Amendment) Order 2025 (SI 2025/803)*. London: Home Available at: Office.https://www.legislation.gov.uk/ukSI/2025/803/pdfs/ukSIEM_20250803_en_001.pdf

⁶⁵ Amnesty International. 2025. UK: Palestine Action judicial review a chance for 'disproportionate' proscription to be reversed. *Amnesty International*. 25 November. Available at: https://www.amnesty.org.uk/press-releases/uk-palestine-action-judicial-review-chance-disproportionate-proscription-be-reversed?utm_source=chatgpt.com

⁶⁶ Casciani, D. 2025. Palestine Action like the suffragettes, court hears. *BBC*. 26 November. Available at:

<https://www.bbc.co.uk/news/articles/c1w9qelpdw2o>

⁶⁷ Ibid

⁶⁸ Aljazeera Staff. 2025. What is the Palestine Action group, and why is the UK banning it?. *Aljazeera*. 25 June. Available at:

https://www.aljazeera.com/news/2025/6/25/what-is-the-palestine-action-group-and-why-is-the-uk-banning-it?utm_source=chatgpt.com

⁶⁹ Croft, A. 2025. Dozens of Palestine Action supporters arrested after fresh wave of protests. *Independent*. 30 November. Available at:

<https://www.independent.co.uk/news/uk/crime/palestine-action-protesters-arrests-defend-our-juries-b2875035.html>

⁷⁰ Office of the High Commissioner for Human Rights. UK: Palestine Action ban 'disturbing' misuse of UK counter-terrorism legislation, Türk warns. *Office of the High Commissioner for Human Rights*. Available at: <https://www.ohchr.org/en/press-releases/2025/07/uk-palestine-action-ban-disturbing-misuse-uk-counter-terrorism-legislation>

property damage, are already covered under criminal law but do not constitute terrorism. They warned that misuse of terrorism legislation in this way is “at odds” with international law.⁷¹

6. Civil Society Ongoing Actions

Beyond condemning overreaching laws and practices, civil society is taking action to protect the right to protest:

- Liberty and Amnesty International UK are providing legal support in the Judicial review of Palestine Action Proscription: <https://www.libertyhumanrights.org.uk/issue/liberty-and-amnesty-uk-to-intervene-in-judicial-review-of-palestine-action-proscription/>
- Amnesty International UK is running a campaigning to get all charges dropped against those who peacefully protested the proscription of Palestine Action: <https://www.amnesty.org.uk/actions/end-prosecution-peaceful-protestors-uk>
- Liberty is running campaigns to protect the right to protest: <https://action.libertyhumanrights.org.uk/page/167409/petition/1> and to call for privacy safeguards for facial recognition technology: <https://action.libertyhumanrights.org.uk/page/167674/petition/1>
- Police Spies Out of Lives has ongoing court cases to fight against undercover policing and gain restitution for victims: <https://policespiesoutoflives.org.uk/legal-actions/>
- Big Brother Watch is involved in legally challenging the Met Police’s use of facial recognition technology on human rights grounds: <https://bigbrotherwatch.org.uk/campaigns/stop-facial-recognition/#crowdfunder>

⁷¹ ibid