# Ministers’ use of Terrorism Act to ban Palestine Action sparks fears for right to protest



The legally protected space for peaceful protest in Britain is under renewed strain as ministers move to outlaw activism and police carry out mass detentions. This summer’s decision to proscribe Palestine Action under the Terrorism Act — an order that came into force on 5 July 2025 — has become a flashpoint for critics who say counter‑terror powers are being stretched to criminalise solidarity and direct action. At the same time, large‑scale policing of demonstrations has produced hundreds of arrests, a combination that campaigners warn will deter ordinary people from taking part in lawful dissent.

The proscription was laid out in a statutory instrument that amends the Terrorism Act 2000 and names the organisations now listed in Schedule 2. The order cites section 3 of the Act as its legal basis and notes parliamentary approval and the territorial extent of the measure. Government guidance on proscribed organisations sets out the legal consequences: a range of offences from membership and support to fundraising and displaying material, and substantial penalties for the most serious proscription offences, including custodial sentences running into many years and ancillary powers such as asset seizure and immigration measures.

Those legal tools were justified in law‑making debates as necessary to counter terrorism, but the original architects of the legislation itself warned of the risks. In the Commons in December 1999 the then home secretary Jack Straw reassured MPs that the bill was “not intended to threaten in any way the right to demonstrate peacefully.” He and other speakers during that debate acknowledged the difficulty of balancing robust powers with the protection of civil liberties — a balance critics now say has been lost.

Voices from across the country have made that argument in print. Letter‑writers to The Guardian have said many of those arrested are not long‑standing militants but “ordinary people” driven to publicity‑seeking acts by anger at events in Gaza and by a sense that civil liberties are being eroded; one correspondent warned that punitive measures are producing volunteers “willing to be arrested as terrorist sympathisers” to register political outrage. Such testimonies underline the political as well as the legal dimensions of the dispute: anger at foreign policy and frustration with domestic liberties are feeding into the same wave of dissent.

There is, however, a factual debate about the scale and nature of police action. National reporting of the London demonstration on 9 August 2025 recorded several hundred arrests — Sky News reported that the Metropolitan Police detained 474 people that day, with 466 held under the Terrorism Act — and the Met and the home secretary have defended the policing operation as lawful and necessary. Human rights groups and campaigners have criticised the scale of those detentions and the use of proscription to disrupt protest, saying the response risks criminalising expression and assembly rather than addressing underlying grievances.

The policing of left‑of‑centre direct action sits alongside a continuing problem of right‑wing mobilisation. Past incidents, such as the violent attacks on a hotel housing asylum seekers in Rotherham in August 2024, show how quickly street‑level intimidation can escalate into physical danger for vulnerable people and communities. Those events complicate calls for a straightforward defence of protest: the state faces the twin task of protecting public order and the safety of those targeted for abuse while also safeguarding the democratic right to dissent.

Ministers have a narrow political and legal path to tread. Critics are urging a rethink of policies that rely on proscription and heavy‑handed arrest powers to manage political protest, arguing that long sentences, travel restrictions and asset measures risk chilling lawful expression and aggravating social fractures. Government spokespeople point to statutory safeguards and prosecutorial thresholds; campaigners, human rights lawyers and many letter‑writers maintain that the current approach is eroding the “legally safe space” for peaceful demonstration and threatening cohesion at a fraught moment in British public life.

### 📌 Reference Map:

## Reference Map:

* Paragraph 1 – [[1]](https://www.theguardian.com/world/2025/aug/17/the-right-to-peaceful-protest-must-be-maintained), [[3]](https://www.legislation.gov.uk/uksi/2025/803/made), [[6]](https://news.sky.com/story/police-arrest-474-people-at-protest-in-support-of-banned-group-palestine-action-13409027)
* Paragraph 2 – [[3]](https://www.legislation.gov.uk/uksi/2025/803/made), [[4]](https://www.gov.uk/government/publications/proscribed-terror-groups-or-organisations--2/proscribed-terrorist-groups-or-organisations-accessible-version)
* Paragraph 3 – [[5]](https://hansard.parliament.uk/Commons/1999-12-14/debates/b8b65fd0-3cdc-4cc0-9d23-dfce015aa510/TerrorismBill)
* Paragraph 4 – [[1]](https://www.theguardian.com/world/2025/aug/17/the-right-to-peaceful-protest-must-be-maintained), [[2]](https://www.theguardian.com/world/2025/aug/17/the-right-to-peaceful-protest-must-be-maintained)
* Paragraph 5 – [[6]](https://news.sky.com/story/police-arrest-474-people-at-protest-in-support-of-banned-group-palestine-action-13409027), [[4]](https://www.gov.uk/government/publications/proscribed-terror-groups-or-organisations--2/proscribed-terrorist-groups-or-organisations-accessible-version)
* Paragraph 6 – [[7]](https://www.theguardian.com/uk-news/article/2024/aug/04/rioters-try-to-torch-rotherham-asylum-seeker-hotel-amid-far-right-violence)
* Paragraph 7 – [[1]](https://www.theguardian.com/world/2025/aug/17/the-right-to-peaceful-protest-must-be-maintained), [[2]](https://www.theguardian.com/world/2025/aug/17/the-right-to-peaceful-protest-must-be-maintained), [[4]](https://www.gov.uk/government/publications/proscribed-terror-groups-or-organisations--2/proscribed-terrorist-groups-or-organisations-accessible-version)

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## Bibliography

1. <https://www.theguardian.com/world/2025/aug/17/the-right-to-peaceful-protest-must-be-maintained> - Please view link - unable to able to access data
2. <https://www.theguardian.com/world/2025/aug/17/the-right-to-peaceful-protest-must-be-maintained> - The Guardian letter argues that the legally safe space for protest in Britain is shrinking, citing the government’s proscription of Palestine Action and mass arrests as evidence. Contributors warn that counter‑terror legislation is being used to suppress legitimate dissent, deterring ordinary people from peaceful demonstration. They criticise the government’s handling of Gaza and domestic civil liberties, arguing that measures such as proscription, arrests and legal penalties risk undermining democratic freedoms and social cohesion. The letter calls on ministers, including the home secretary, to reconsider policies that criminalise solidarity actions and to defend the right to peaceful protest across the country.
3. <https://www.legislation.gov.uk/uksi/2025/803/made> - This statutory instrument records the Home Office amendment to the Terrorism Act 2000 which proscribes Palestine Action and two other groups, coming into force on 5 July 2025. It names the organisations added to Schedule 2, explains legal basis under section 3, notes parliamentary approval, and includes an explanatory note on the impact and scope of the order. The instrument emphasises the Secretary of State’s view that the listed organisations are concerned in terrorism and outlines commencement details and territorial extent. It clarifies that the proscription applies to organisations operating under the same name within the United Kingdom.
4. <https://www.gov.uk/government/publications/proscribed-terror-groups-or-organisations--2/proscribed-terrorist-groups-or-organisations-accessible-version> - The UK government guidance explains what it means for an organisation to be proscribed under the Terrorism Act 2000, the criminal offences that follow and the penalties involved. It outlines offences including membership, support, fundraising and displaying items that indicate support, and states maximum penalties such as up to 14 years’ imprisonment for the most serious proscription offences and fines for others. The guidance describes how proscription supports disruption measures including asset seizure and immigration powers, clarifies what groups the offences apply to, and provides practical information for police and prosecutors about enforcement and legal consequences and public awareness.
5. <https://hansard.parliament.uk/Commons/1999-12-14/debates/b8b65fd0-3cdc-4cc0-9d23-dfce015aa510/TerrorismBill> - This Hansard transcript records the House of Commons debate on the Terrorism Bill on 14 December 1999, including remarks by then home secretary Jack Straw. Straw argued the bill was not intended to restrict peaceful protest and sought to reassure MPs that essential freedoms would be preserved; other speakers warned the legislation’s language risked casting direct action movements as potential terrorist threats. The record captures the parliamentary context in which the bill’s authors debated balancing counter‑terror powers with civil liberties, providing the source for the assertion that government ministers pledged not to undermine rights of peaceful demonstration when creating offences.
6. <https://news.sky.com/story/police-arrest-474-people-at-protest-in-support-of-banned-group-palestine-action-13409027> - Sky News reports that the Metropolitan Police made 474 arrests at a London demonstration in support of the proscribed group Palestine Action on 9 August 2025. The article explains that 466 people were detained under the Terrorism Act for showing support for a banned organisation, with additional arrests for other offences including assaults on officers. Sky records statements from the Met and the home secretary defending the operation, and reactions from campaigners and Amnesty International expressing concern about the scale of arrests. The piece notes organisers’ crowd‑size claims and contextualises the event as the largest arrest total for the force.
7. <https://www.theguardian.com/uk-news/article/2024/aug/04/rioters-try-to-torch-rotherham-asylum-seeker-hotel-amid-far-right-violence> - The Guardian reports on far‑right violence in Rotherham in August 2024, when rioters attacked a hotel housing asylum seekers. The article describes crowds gathering outside the Holiday Inn Express, throwing missiles, breaking windows and setting bins alight, with mounted police and riot officers responding to protect the building and its occupants. It records injuries to police, arrests, and condemnation from the home secretary. The piece situates these attacks within wider anti‑immigration mobilisation, highlights concerns about safety and intimidation of asylum seekers, and notes debates over the suitability of hotels as accommodation and the government’s response to community tensions and policy.