

## Defend the right to protest for Palestine: Why clause 124 of the Crime and Policing bill should be opposed

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### 1. Summary

**The Crime and Policing bill contains clauses that will give the police new unprecedented powers to curtail our democratic right to protest.** Clause 124 of the bill would give police new powers to ban or restrict protests in the 'vicinity' of places of religious worship in order to clampdown on the peaceful national demonstrations in support of Palestinian rights, relying on a mischaracterisation of the aims, composition and location of these marches. **The right to protest – including in solidarity with the Palestinian people or in opposition to the policies and actions of the British government – is a precious democratic principle and must be defended.**

### 2. Recommendations

1. Uphold the fundamental rights to freedom of expression and freedom of assembly by either:
  - a. **Supporting the proposal by Baroness Jones of Moulsecoomb that clause 124 on places of worship does not 'stand part' of the bill;**
  - b. **Supporting amendments tabled by Baroness Blower 371A, B, C, D, E and F to make the clause compatible with human rights;**
2. Encourage police to use existing powers to effectively protect communities from the rise of racist, antisemitic and Islamophobic violence;
3. Reject attempts to falsely conflate the peaceful demonstrations with hate speech or terrorism.

### 3. About clause 124:

**The Crime and Policing bill contains clauses that will give the police new unprecedented powers to curtail our democratic right to protest.** Clause 124 of the bill would give police new powers to ban or restrict protests in the 'vicinity' of places of religious worship that 'may' intimidate 'persons of reasonable firmness'. This is based on a false premise that these powers would protect freedom of religion.

In reality, the police already have vast powers to protect places of worship and people when threats exist. The tragic attack on a synagogue in Manchester and the attack on a mosque in Peasehaven underscore the importance of protecting communities from racist, antisemitic and Islamophobic violence, and utilising existing laws to do so. Neither of those horrific attacks were related to protests. The proposals in this bill will not serve this purpose in any shape or form.

Proponents of clause 124 claim it is about protecting religious sites, but the previous Home Secretary, Yvette Cooper, stated that the principal target of clause 124 are the national demonstrations for Palestinian rights.<sup>1</sup> Arguments supporting clause 124 rely on a mischaracterisation of the aims, composition and location of the Palestine solidarity marches. The marches never have, and never would, target any place of worship, but proponents of the clause falsely portray expressions of support for Palestine as a threat to the religious freedom of Jewish people.

**Amendments 371A-F seek to clarify the vague and unspecified wording in clause 124 in order to protect the right to protest.**<sup>2 3</sup> They define 'vicinity' to be 50m and include thresholds for the police to consider when imposing conditions on protest: that the purpose of the protest in question is to intimidate individuals accessing the place of worship and would have the effect of doing so. The language of the 'purpose' of the protest reflects that which already appears in sections 12(1)(b) and 14(1)(b) of the Public Order Act 1986. The combination of these amendments would, in addition to the legal provisions that rightly already exist to protect religious sites from violence and actions where the purpose is to intimidate,<sup>4</sup> provide the police with greater clarity on the threshold for imposing conditions on protests whilst protecting Article 11 rights to freedom of assembly of the European Convention of Human Rights (ECHR).

#### ***4. About the national demonstrations for Palestine:***

Since October 2023, the Palestine Solidarity Campaign (PSC) along with its coalition partners has organised 33 major national demonstrations in response to Israel's genocidal assault on the Palestinian people. One of the largest and most sustained protest movements in British history, the ongoing demonstrations are needed due to the British government's continuing complicity in Israel's genocide, including the export of weapons and military and political support for Israel.

As acknowledged publicly by the police, the overwhelming character of these marches has been peaceful and well-disciplined<sup>5</sup> – reflecting a broad cross-section of society and accompanied by a lower arrest rate than is typical at other large events such as football games and music festivals.<sup>6</sup> Despite this, the

<sup>1</sup> Home Secretary speech at the Community Security Trust, 26 March 2025 ([www.gov.uk/government/speeches/home-secretary-speech-at-the-community-security-trust](https://www.gov.uk/government/speeches/home-secretary-speech-at-the-community-security-trust)).

<sup>2</sup> Baroness Blower's amendment, Clause 124, UK Parliament, 2025 (<https://bills.parliament.uk/bills/3938/stages/20237/amendments/10030382>).

<sup>3</sup> Baroness Blower's amendment, Clause 124, UK Parliament, 2025 (<https://bills.parliament.uk/bills/3938/stages/20237/amendments/10030381>).

<sup>4</sup> Further written evidence submitted by Amnesty International UK (CPB92), April 2025 (<https://publications.parliament.uk/pa/cm5901/cmpublic/CrimePolicing/memo/CPB92.htm>).

<sup>5</sup> Policing of protests, Home Affairs Committee report, 27 February 2024 (<https://publications.parliament.uk/pa/cm5804/cmselect/cmhaff/369/report.html>).

<sup>6</sup> Pro-Palestine protests have arrest rate lower than Glastonbury despite calls for ban, 7 February 2024 ([www.opendemocracy.net/en/palestine-gaza-protests-arrests-metropolitan-police-suella-braverman-glastonbury/](https://www.opendemocracy.net/en/palestine-gaza-protests-arrests-metropolitan-police-suella-braverman-glastonbury/)). Football-related arrests and banning orders, England and Wales: 2023 to 2024 season, 6 February 2025

demonstrations have consistently been subjected to heavy-handed policing and the unprecedented imposition of police restrictions.

### **5. Repressive policing of the protests:**

Existing powers have already been used in a repressive manner to curtail the demonstrations for Palestine, at great public expense. **Clause 124 would enshrine this approach in law and should be opposed by all those who believe in the fundamental rights to freedom of expression and freedom of assembly,** protected by Articles 10 and 11 of the ECHR and enshrined in British law under the Human Rights Act (1998).

The demonstrations have been subject to unprecedented conditions imposed by the Metropolitan Police Service (MPS), utilising new legal restrictions on the right to protest introduced by the previous government, including legislation described by the UN High Commissioner for Human Rights in 2023 as 'deeply troubling' and who urged its repeal.<sup>7</sup>

The police have routinely employed Sections 12 and 14 of the Public Order Act (1986) to restrict the duration, routes and location of marches and associated rallies. Every single national march for Palestine held in London since October 2023 has seen conditions of this type imposed - possibly unlawfully following Liberty's successful High Court case. This landmark ruling quashed anti-protest regulations that lowered the threshold for imposing conditions on a protest to anything that caused 'more than minor' disturbance on the basis they were made unlawfully.<sup>8</sup> More recently, the police have imposed conditions to ban the banging of pots and pans, as well as the use of drums and megaphones.

Despite the requirement that the police act in a way which is compatible with the rights protected by Articles 10 and 11, and their legal obligation to enable protests to take place, the cumulative impact of these restrictions make it very difficult to organise a major march for Palestine anywhere in central London.

### **6. False characterisation of the national demonstrations for Palestine:**

#### *Statistics:*

- *National marches for Palestine since October 2023 = 33*
- *Typical attendance = >100,000*
- *Marches or proposed march routes that directly passed a synagogue = 0*
- *Reported incidents of a threat towards a place of worship linked to the protests = 0*

Since the start of 2025, the police have limited the marches to two routes through central London. The rationale offered has increasingly centred on alleged disruption to nearby synagogues. This included

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[www.gov.uk/government/statistics/football-related-arrests-and-banning-orders-2023-to-2024-season/football-related-arrests-and-banning-orders-england-and-wales-2023-to-2024-season](https://www.gov.uk/government/statistics/football-related-arrests-and-banning-orders-2023-to-2024-season/football-related-arrests-and-banning-orders-england-and-wales-2023-to-2024-season)).

<sup>7</sup> UN Human Rights Chief urges UK to reverse 'deeply troubling' Public Order Bill, United Nations Human Rights, 27 April 2023 (<https://www.ohchr.org/en/press-releases/2023/04/un-human-rights-chief-urges-uk-reverse-deeply-troubling-public-order-bill>).

<sup>8</sup> Liberty defeats Government appeal as court rules anti-protest laws are unlawful, Liberty, 2 May 2025 (<https://www.libertyhumanrights.org.uk/issue/liberty-defeats-government-appeal-as-court-rules-anti-protest-laws-are-unlawful>).

banning a march assembling at the BBC headquarters at Portland Place on 18 January on the pretext of a synagogue located several streets away, and preventing a march assembling at Park Lane on 15 March due to two synagogues situated approximately twelve minutes' walk away. In January 2025, over 40 legal experts wrote to the Home Secretary to demand an inquiry into the policing of the 18 January protest, which they described as a 'dangerous assault' on the right to protest.<sup>9</sup>

On both occasions, the intention of the organisers was to assemble and march away from the synagogues in question, in the opposite direction. For context, the legal restriction on protests outside abortion clinics – to protect those using the facility from deliberate and targeted harassment – extends to 150 metres, which is approximately a two minutes' walk.<sup>10</sup>

Press coverage of clause 124 has explicitly referred to the Palestine marches and the claim that they have impacted nearby synagogues, as part of a renewed attempts to demonise protests against Israel's genocide in Gaza.<sup>11</sup> **Yet the police admit, there has never been any evidence of a threat to any place of worship linked to any of the marches, and not one of the more than 33 national marches has targeted or directly passed a synagogue along its route.**

The huge, peaceful, diverse and family-friendly marches for Palestine have brought together people from every background and all walks of life. **Contrary to the grotesque accusation that those taking part are motivated by antisemitism, Jewish people are integral to the marches – every single march has been attended by thousands of Jewish people, many of them marching in an organised Jewish Bloc, with Jewish speakers on the platform.** Unlike those who are irresponsibly trying to conflate Jewish people with Israel to falsely justify these proposed restrictions, our marches make clear that Jewish people are not to blame for Israel's genocidal actions.

In a recent statement by the Jewish Bloc, they outline that **"Transparently the powers proposed in this clause are a government response to an active campaign to paint the National Marches for Palestine as 'hate marches' that should be banned. Synagogues and their worshippers are now being deployed as arguments to eliminate the most effective expression of popular opposition to what Israel has been doing in Gaza. Yet there is zero evidence beyond rhetorical assertion that the marches are antisemitic in character, or that synagogues or worshippers are in need of protection...Freedom of opinion, assembly and speech used to be cherished in Britain. They need to be maintained and protected. Clause 124 of this Bill does the opposite, without any evidence to support its supposed justification."**

In contrast, far-right protests directly outside asylum hotels which directly threaten and harass those inside have been consistently permitted by police. Far-right mobilisations such as the 'Unite the Kingdom' demonstration, at which violence against the public and police was widespread and openly advocated from the demonstration platform, have also been facilitated.

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<sup>9</sup> Law experts demand inquiry into Met policing of pro-Palestine protest, The Guardian, 21 January 2025 (<https://www.theguardian.com/uk-news/2025/jan/21/law-experts-demand-inquiry-into-met-policing-of-pro-palestine-protest>).

<sup>10</sup> Protection zones around abortion clinics in place by October, 18 September 2024 ([www.gov.uk/government/news/protection-zones-around-abortion-clinics-in-place-by-october](http://www.gov.uk/government/news/protection-zones-around-abortion-clinics-in-place-by-october)).

<sup>11</sup> It starts with Palestine protests. But where will the crackdown on Britain's democratic freedoms end?, The Guardian, 6 October 2025 (<https://www.theguardian.com/commentisfree/2025/oct/06/palestine-protests-labour-democratic-freedoms-nigel-farage>).

## **7. *Negative impact on the rights to freedom of expression and assembly:***

**Rather than protecting communities and religious freedoms, clause 124 would misuse public order legislation and introduce political censorship by the back door.** Members of religious congregations have the right to freely worship. All citizens should have the right to protest. Both rights must be protected and should not be pitted against each other. There cannot be a political veto by one group over whether others can effectively exercise their rights. **The Council of Europe Commissioner for Human Rights has recently written to the new Home Secretary Shabana Mahmood with serious legal concerns regarding clause 124, urging that “In light of the case-law of the European Court of Human Rights, the Guidelines on Peaceful Assembly, and other international standards, I would encourage you to reconsider these provisions.”<sup>12</sup>**

It would be an unacceptable curtailment of democratic rights to permit anti-abortion leaders of a church to prevent a pro-choice march from happening on a Sunday, or allow socially conservative believers to block a Pride parade on the grounds that encountering it on route to church might make them feel uncomfortable. Similarly, pro-Israel synagogue leaders should not be empowered to exclude demonstrations in support of Palestinian rights, to which they are politically opposed, from large swathes of a city on a Saturday.

The Home Secretary has recently announced her intention to go further, introducing major new restrictions on the right to protest – in particular, to give the police new powers to limit repeated protests on the basis of their supposed ‘cumulative impact.’ It is expected that these new powers will be brought in via the bill. **Multiple Jewish organisations have condemned this as a cynical attempt “to fulfil a long-standing ambition of successive British Governments: to justify a ban on the mass protests against Israel’s genocide in Gaza.”<sup>13</sup>**

The British Palestinian Committee, an independent organisation of British Palestinians in leading or representative positions across major Palestine-related organisations and constituencies in Britain, previously published an open letter which warned that **“The British Palestinian community is disproportionately affected by these measures. For many, public demonstrations are an essential means of expressing solidarity, raising awareness, and calling attention to the ongoing injustices faced by Palestinians. The curtailment of these rights, combined with the policing of protests in a manner that appears politically motivated, not only undermines democratic freedoms but also silences voices advocating for justice and human rights.”<sup>14</sup>**

The right to protest – including in solidarity with the Palestinian people or in opposition to the policies and actions of the British government – is a precious democratic principle and should be defended. **Clause 124 represents a worrying threat to our civil liberties and should be opposed by all those who believe in the fundamental rights to freedom of expression and freedom of assembly.**

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<sup>12</sup> United Kingdom: Commissioner addresses human rights issues in policing of protests and the situation of trans people, 14 October 2025 (<https://rm.coe.int/letter-to-the-home-secretary-of-united-kingdom-by-michael-o-flaherty-c/488028b2a8>).

<sup>13</sup> Jewish Bloc Statement on the attack on Heaton Park Hebrew Congregation Synagogue, 3 October 2025 (<https://www.jewishvoiceforlabour.org.uk/article/jewish-bloc-statement-on-manchester-killings-and-its-aftermath/>).

<sup>14</sup> Assault on the Right to Protest and the Impact on the British Palestinian Community, British Palestinian Committee, 24 January 2025 (<https://britpalcommittee.co.uk/letter-right-to-protest>).