

## Palestine Solidarity Campaign Briefing

# ‘Cumulative disruption’: why the government’s latest proposal to further erode the right to protest should be opposed

### Overview

The government has added a new Clause to the Crime and Policing Bill, Clause 140, which will amend sections 12 and 14 of the Public Order Act 1986, to give the police new and far-reaching powers to restrict or effectively ban recurring protests based on their supposed ‘cumulative disruption.’

This new Clause, ‘Public processions and assemblies: duty to take account of cumulative disruption’ has been added to the Bill in the House of Lords and builds on existing measures within the Bill that would significantly constrain the right to protest.<sup>1</sup> Following a succession of illiberal anti-protest laws the protest-related provisions in the Bill amount to a major assault on the freedoms of expression, association, and assembly that underpin protest rights.<sup>2</sup>

If Clause 140 is made law, the police will be *required* to take into account any cumulative disruption caused by past or future planned protests in the same ‘area’ when deciding whether to impose restrictions. This could include an entire town or the whole of central London, and it will not matter whether the protests involve the same cause or people. For example, an anti-racist march could be blocked from happening in Whitehall because a farmers’ protest happened there six months earlier, or a pride march restricted because a far-right demonstration was recently held in the same town.

Some 48 civil society organisations including the Trades Union Congress, Liberty and Greenpeace have come together to demand the government withdraws this proposal, joining more than 100 leading legal scholars and lawyers,<sup>3</sup> and over 100 members of Parliament.<sup>4</sup> Peers have already voiced opposition during Lords’ Committee and Report stages. MPs are also raising concern that the government is attempting to railroad through these far-reaching changes without sufficient scrutiny in the House of Commons.

Whilst the government has made clear that its principal target is the mass national marches for Palestinian rights, the effect would be hugely wide-ranging. The impact on our democratic rights cannot be overestimated – it represents a significant expansion of state authority to ration the rights to peaceful expression and assembly. It could be used by this, and any future government, to effectively stamp out political demonstrations, actions linked to industrial disputes and protests altogether.

**The new clause 140 should profoundly concern everyone who believes that democratic freedoms must be defended. MPs should oppose it and support amendments to that effect.**

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<sup>1</sup> Defend the right to protest for Palestine, Palestine Solidarity Campaign, October 2025 (<https://palestinecampaign.org/wp-content/uploads/Palestine-Solidarity-Campaign-Briefing-Clause-124-Crime-and-Policing-Bill.pdf>).

<sup>2</sup> Right to Protest, Liberty, accessed 20 October 2025 (<https://www.libertyhumanrights.org.uk/right/right-to-protest/>).

<sup>3</sup> Open Letter to the Home Secretary, Shabana Mahmood MP Opposing New Anti-Protest Laws ([https://docs.google.com/forms/d/e/1FAIpQLSe71hWwQXJdYvvHSz1vCmZWvHuoKk47bEq7t\\_kxzL\\_BiXeT6g/viewform](https://docs.google.com/forms/d/e/1FAIpQLSe71hWwQXJdYvvHSz1vCmZWvHuoKk47bEq7t_kxzL_BiXeT6g/viewform)).

<sup>4</sup> Cumulative disruption proposals and the right to protest, 12 November 2025 (<https://edm.parliament.uk/early-day-motion/64698/cumulative-disruption-proposals-and-the-right-to-protest>).

## **Key concerns**

- 1. Sustained protests are central to achieving democratic change and should be protected – the impact of this draconian proposal would have wide-ranging consequences.**
- 2. This proposal will not make anyone safer and arguments for them rely on a false characterisation of the movement for Palestinian rights.**
- 3. Existing laws already impose stifling restrictions on the right to protest.**
- 4. Enhanced police powers are an undemocratic response to protests and political disagreement.**

### ***1. Sustained protests are central to achieving democratic change and should be protected – the impact of this draconian proposal would have wide-ranging consequences.***

While the government's focus is on marches for Palestinian rights today, all those who seek to protest for any cause should be alarmed. For obvious reasons, effective protests often recur in the same or similar places – whether that is the seat of power at Westminster or Downing Street or a trade union picket line outside a workplace during a protracted industrial dispute.

In fact, when former Home Secretary Suella Braverman introduced the exact same powers in 2023 (subsequently struck down by the courts) the arguments used were entirely different. Then, the target was environmental groups that were said to be disrupting businesses and commuters.<sup>5</sup>

No protest movement ever brought change through a single demonstration. The civil rights movement, the campaign for women's suffrage and the movement against apartheid in South Africa all relied on the 'cumulative impact' of repeated protests over many years. Britain's own democratic system was born of successive waves of protest throughout the nineteenth and early twentieth centuries. Had these proposed police powers existed, consecutive marches to Whitehall and parliament demanding votes for women or the long-running picket of the embassy of apartheid South Africa would likely have been banned.

### ***2. These measures will not make anyone safer and arguments rely on a false characterisation of the movement for Palestinian rights.***

The government announced this proposal in the aftermath of the horrendous attack on a Manchester synagogue on 2 October 2025. However, there is no evidence linking this horrific incident to any form of protest and there is no evidence of any threat to Jewish people linked to the marches.

In reality, the marches have brought together the widest range of people from every conceivable background and all walks of life. Contrary to the grotesque and false accusation that those taking part are motivated by antisemitism, Jewish people remain integral to the national marches for Palestine – every single march is attended by thousands of Jewish people, many in an organised Jewish Bloc, with Jewish speakers on the platforms. Multiple Jewish organisations that form the Jewish Bloc have condemned this new move 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>6</sup>

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<sup>5</sup> Here's what you need to know about Starmer's illiberal protest curbs: they would have killed the Labour party at birth, The Guardian, 13 October 2025 (<https://www.theguardian.com/commentisfree/2025/oct/13/keir-starmer-protest-labour-rights-uk>).

<sup>6</sup> Jewish Bloc Statement on Manchester killings and its aftermath, Jewish Bloc, 3 October 2025 (<https://www.jewishvoiceforlabour.org.uk/article/jewish-bloc-statement-on-manchester-killings-and-its-aftermath/>).

Unlike those irresponsibly conflating Jewish people with Israel to falsely justify these proposed restrictions, the national marches have made clear that Jewish people are not to blame for Israel's genocidal actions. Curtailing the right to protest will not protect one single person from terrorist attacks.

### **3. Existing laws already impose stifling restrictions on the right to protest.**

The new clause builds on a succession of anti-protest laws. Extensive police powers already exist to severely limit the right to protest, including the previous government's Police, Crime, Sentencing and Courts Act (PCSC) 2022 and the Public Order Act 2023, which parliament's Joint Committee on Human Rights warned would likely have a chilling effect on the right to protest.<sup>7</sup> In 2025, in relation to the anti-protest measures proposed in the Crime and Policing Bill, the committee reaffirmed their concerns regarding the steady expansion of protest powers, and the risk of unjustified criminalisation without sufficiently tight legal tests and safeguards.<sup>8</sup>

Even before this proposal was tabled, Britain's protest laws had attracted widespread criticism. In 2023, the UN High Commissioner for Human Rights described the measures as 'deeply troubling' and urged their repeal.<sup>9</sup> In January 2025, over 40 legal experts wrote to the Home Secretary to raise concerns over the 'disproportionate, unwarranted and dangerous assault on the right to assembly and protest in Britain', calling for their repeal.<sup>10</sup> In September 2025, the Trades Union Congress recognised that there has been a 'serious escalation in this authoritarianism' and that 'these attacks on the right to protest seriously endanger democracy'.<sup>11</sup> Later that month – partly in response to the measures in the Crime and Policing Bill – the Council of Europe Commissioner for Human Rights wrote to Home Secretary Shabana Mahmood, calling for a review of anti-protest law and warning that the current legal framework allows the authorities to 'impose excessive limits on freedom of assembly and expression, and risks overpolicing'.<sup>12</sup> Two new major reports published in January 2026 have also highlighted that recent legislative changes have created a chilling effect on lawful protest and should be repealed, calling for proposals for more curbs to be halted.<sup>13</sup>

Since October 2023, the police have routinely employed sections 12 and 14 of the Public Order Act (1986) to restrict the duration, routes and location of marches for Palestine. Every single national march in London has seen conditions of this type imposed and for nearly a year the police have only allowed the national Palestine marches on two routes through central London. More recently, the police imposed conditions to criminalise banging of pots and pans and the use of drums and megaphones. Disgracefully, alongside these restrictions the government is using anti-terror legislation to label non-violent direct action as terrorism, prosecute performance artists, and criminalise entirely peaceful protesters.

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<sup>7</sup> Joint Committee on Human Rights Legislative Scrutiny: Public Order Bill: Government Response to the Committee's First Report, 7 September 2022 (<https://committees.parliament.uk/publications/28674/documents/172664/default/>).

<sup>8</sup> Joint Committee on Human Rights Legislative Scrutiny: Crime and Policing Bill, 14 July 2025 (<https://committees.parliament.uk/publications/48758/documents/255740/default/>).

<sup>9</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>10</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>11</sup> EM1 Defend the right to protest, defend democracy, TUC Congress Motions, 8 October 2025 (<https://congress.tuc.org.uk/em1-defend-the-right-to-protest-defend-democracy/#sthash.MYsKeKi.dpbs>).

<sup>12</sup> Human rights official urges UK to review laws after Palestine Action placard arrests, The Guardian, 14 October 2025 (<https://www.theguardian.com/law/2025/oct/14/human-rights-official-urges-uk-to-review-laws-after-palestine-action-placard-arrests>).

<sup>13</sup> Right to protest is under attack in England and Wales, reports warn, The Guardian, 8 January 2026 (<https://www.theguardian.com/world/2026/jan/08/right-to-protest-is-under-attack-in-england-and-wales-reports-warn>).

The cumulative impact of these restrictions already makes it very difficult to organise a major march for Palestine anywhere in central London. The proposed additional powers would create a Kafkaesque trap for protest organisers by empowering the police to first confine protests to an increasingly small number of locations and then impose further restrictions citing their cumulative impact on those places.

#### ***4. Enhanced police powers: an undemocratic response to protests and political disagreement.***

This proposal comes in the context of Israel's genocide against the Palestinian people in the Gaza Strip – two years of live-streamed atrocities. The ongoing demonstrations have been spurred by public outrage at the British government's complicity in Israel's continuing violations of international law including the export of weapons and military and political support for Israel. They continue to take place through the participation of hundreds of thousands of ordinary people across the country.

Opinion polls consistently show that the public supports the goals of the marches – with clear majorities favouring a full arms embargo and other sanctions against Israel. The democratic response would be for the government to listen to the public and change its policy, not trying to suppress something it does not agree with it by undermining protest rights. 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.