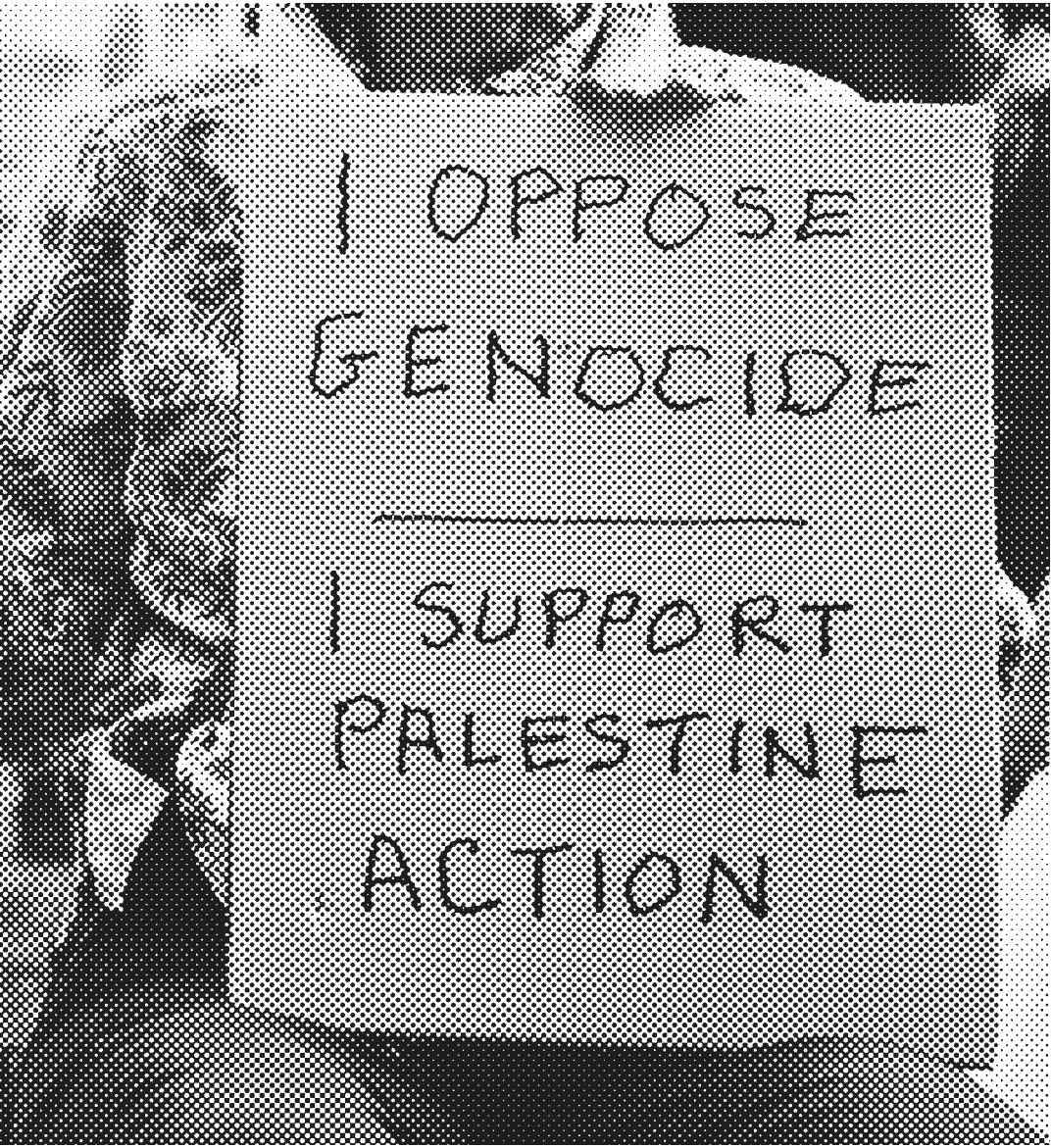

Britain's Political Prisoners

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Centre for
Climate Crime
and Climate Justice

Defend
Our
Juries

Britain's Political Prisoners

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Executive Summary

There has been a significant shift in the legal and political landscapes in which protest in Britain now takes place. In recent years we have witnessed an increase in anti-protest powers granted to the police and the courts through legislation. Those powers have converged with civil law to create a significantly more repressive legal terrain for activists engaging in civil disobedience and direct action.

The legal clampdown has been informed by, and in turn contributed to, a broader political attack on protest, whereby the forms of disruption practiced by the contemporary climate and Palestine solidarity movements have increasingly been framed by governments and media organisations as 'criminal' or 'terrorist.' Where imprisonment for acts of direct action or civil disobedience activity was once rare, custodial sentences are now being imposed with rising length and frequency.

This report focusses on three responses to protest which are grossly disproportionate.

~ Remand has been used indiscriminately and recklessly as the first line of attack.
~ Contempt of court has been freely used as a mechanism to protect corporate interests, to remove legitimate defences and to circumvent criminal process.
~ Judges have handed down exceptionally long sentences over a sustained period of time.

This report documents a total of 286 cases involving climate and Palestine solidarity protestors imprisoned since 2019. In 256 cases we were able to record the period of remand detention and the sentence are imposed. In those cases:

The total amount of jail time added up to 136 years.

~ The average imprisonment period was 28 weeks (more than 6 months).
~ One in three protestors (34%) were jailed for six months or more
~ One in five (21%) were jailed for a period exceeding a year.

We recorded the offences protestors were charged with in 249 cases. In those cases:

~ The most common offence leading to imprisonment was the category of contempt of court (found in 40% of cases) reflecting a shift towards the use of civil legal mechanisms and circumventing the right to a jury trial before imprisonment.
~ Conspiracy offences (found in 17% of cases) were also widely used, allowing the courts to pre-emptively punish protestors for offences that, in some cases, had not yet happened.

Remand is used abundantly and recklessly.

~ In 60% of cases, final sentences were more lenient than time already spent in custody.
~ Palestine solidarity protestors faced particularly harsh periods on remand, with 60% held over six months. This exceeds typical custody time limits, raising serious concerns about the disproportionate use of pre-trial detention.

Overall, the report's findings demonstrate an extraordinarily extreme response by the justice system to civil disobedience and direct action protest in Britain.

1. Introduction

The last five years have seen a significant clampdown on climate and Palestine solidarity protests in Britain. From 2020 onwards, initially in response to mass protests organised by the Extinction Rebellion and Black Lives Matter movements, the British government began considering new legislation to deter protests that use tactics of civil disobedience and obstruction.

At the same time, Britain's climate movement began to move towards more disruptive, targeted and sustained forms of protest, with the Insulate Britain and Just Stop Oil campaigns emerging in 2021 and 2022 respectively. In 2020 direct action group Palestine Action was founded to disrupt production at British arms factories operated by Israel's largest weapons manufacturer Elbit Systems. In response to Israel's genocidal attack on the Gaza strip from October 2023 onwards,[1] Palestine Action's campaign escalated both in its scale and intensity, up until the group's proscription by the government under the Terrorism Act in June 2025.

In 2022 and 2023,[2] a raft of new offences were introduced to criminalise protest and direct action in Britain. Additionally, following a number of acquittals of activists by juries in criminal trials, legal defences previously available to protestors in court were (as we shall see below) effectively removed by decisions in the Court of Appeal. This increasingly hostile legal terrain, when combined with the rise in protest groups able to cause significant disruption to the state or fossil fuel and arms industries, has caused a dramatic rise in convictions. Perhaps most alarming has been the high frequency and relatively long length of custodial sentences and the routine denial of bail to protestors.

According to an analysis of Metropolitan Police data by Global Witness, nearly 7,000 climate protesters were arrested between 2019 and mid-2025. Around 60% percent of those arrestees were subsequently charged.[3] Of 2,226 climate activists arrested in London between 2022 and mid 2025 for participating in peaceful protest, around three-quarters were subsequently charged.[4]

There is no definitive total of arrests that have been made in connection with Palestine Action's protests at Elbit Systems and other arms industry sites connected to Israel's genocide. However, given that Palestine Action conducted 385 direct action protests between 2020 and 2025 (according to the National Police Coordination Centre),[5] and that a high number

of those protests led to arrests, it is likely that this total adds up to several hundred. In addition, police have made well over 3,000 arrests across Britain connected to the proscription of Palestine Action (see below).

According to Human Rights Watch, the surge in arrests and custodial sentences is connected to the conveyor belt of new statutory offences connected to protests. The widespread enforcement of new offences is confirmed by government data. The data shows that 29 charges under the new 2023 'locking-on' offence and 48 charges under the new 2022 public nuisance offence were made in the first three months of 2025 alone.[6]

The civil liberties NGO, Justice, has noted that there is a critical lack of transparency and national data on the policing of protest. Justice further notes that "the current framework for protest policing is characterised by broad discretion, inconsistent enforcement and inadequate oversight."[7] In May 2024, the High Court ruled that the Government had acted unlawfully by lowering the threshold for police intervention in protests from "serious disruption" to causing "more than minor" disruption. Following the July 2024 general election, the Labour government took the same position as the previous Conservative government and appealed the High Court's ruling. The Court of Appeal subsequently upheld the High Court's ruling, confirming that the lowering of the threshold was unlawful. Human Rights Watch noted of this case that: "Since the government failed to appeal the court decision, parts of the POA 2023 are legally void."[8] and has further asked why convictions related to those regulations had not been quashed.[9]

The advocacy group Justice has similarly argued that public confidence in the criminal justice system's response to protest is declining, and has highlighted the 'Whole Truth Five' conspiracy case as an illustration of this declining confidence:

> *The Court of Appeal in this case ruled these "manifestly excessive," finding that trial judges failed to give adequate attention to conscientious motivation and ECHR Articles 10 and 11 protections. Special Rapporteur Michel Forst condemned the sentencing as fundamentally disproportionate.*[10]

Justice has further noted that the use of civil orders to restrict protest in Britain has had profound implications for justice, human rights and the expression of democratic freedoms:

> *Civil orders, including Anti-Social Behaviour Injunctions (ASBIs), Public Spaces Protection Orders (PSPOs) and Serious Disruption Prevention Orders (SDPOs), are increasingly being deployed beyond their original scope and purpose. This is especially concerning as such orders can be placed on a person's freedom and liberty without proper oversight... Through private corporation injunctions and outsourced PSPO enforcement, inequality is entrenched- enabling the creation of bespoke protest bans by well-resourced corporate actors enforced via contempt proceedings.*[11]

An empirical study by researchers at the University of Bristol shows that the use of arrests to control environmental protest in Britain is commonplace. Of all climate and environmental protests in Britain tracked by the researchers, 17% involved arrests. The international average is 6.3%.[12]

Palestine Action was proscribed as a terrorist group by Home Secretary Yvette Cooper under the Terrorism Act 2000 on July 5th, 2025.[13] Since that point, "membership of, or inviting support for, Palestine Action carries a maximum sentence of 14 years in prison".[14] The event that triggered proscription is likely to have been the RAF Brize Norton action in June 2025, after paint was sprayed on two jets, causing several million pounds in estimated damages.[15] However, as the recent High Court ruling on the ban has shown, the Home Secretary was considering proscription of the group as early as 2024.[16]

The proscription of Palestine Action drew concern from various sources, including 5 UN Special Rapporteurs,[17] who urged the British government not to ban Palestine Action as a terrorist organisation,[18] calling the move an "unjustified labelling of a political protest movement."[19] In addition, Martha Spurrier, former Director of civil liberties advocacy group Liberty, called the proscription a "major and dangerous shift in the law".[20]

Since the proscription order entered into force, well over 3,000 people have been arrested under s.13 of the Terrorism Act 2000 (which criminalises displaying an article in public that might infer support for a proscribed organisation),[21] with hundreds charged so far. These arrests

have largely taken place at peaceful protests opposing the ban organised by civil liberties campaign Defend Our Juries, in which participants have held placards that read: "I oppose genocide, I support Palestine Action". Additionally, six Defend Our Juries spokespeople face a combined 29 charges under s.12 of the Terrorism Act for speaking on several public zoom calls that provided information about the campaign against proscription, with prosecutors seeking up to nine years imprisonment for each defendant.[22]

The judge in the May 2026 Filton 6 case made a series of absolutely astonishing gagging orders. The matters ruled unlawful by the presiding judge, Justice Jeremy Johnson included: activists' reasons for joining Palestine Action, their beliefs about Elbit's supply of weapons to Israel for use in the war in Gaza, their views about the actions of Israel in Gaza, and their purposes in causing damage to weapons at the factory. They were barred from mentioning the principle of jury equity, as well as any mention of their own belief they had a 'lawful excuse' as to the charge of criminal damage. In any earlier trial for the same case, Judge Johnson held Rajiv Menon in contempt of court for stating his clients defence before the court after being ordered not to.

A challenge to the proscription order by Huda Ammori (Palestine Action's co-founder) was upheld by the High Court on 13th February 2026. The court declared the ban unlawful on two grounds: 1) that the Home Secretary failed to comply with her own policy when proscribing Palestine Action; and 2) the proscription was a violation of the right to Freedom of Expression and Assembly, as enshrined in Articles 10 and 11 of the European Convention on Human Rights.[23] Nonetheless, pending the outcome of the government appeal of the High Court's decision, the proscription order currently remains in place, leaving well over 3,000 people arrested as a result of the ban in a state of legal uncertainty.

2. The Political Assault on Protest

New Legislation

Since 2022, there has been a significant expansion of legislative provision for responding to public protests in England and Wales. Those powers include new criminal offences and enhanced police powers.

The sustained attacks on protest rights by both Conservative and Labour governments has often been pushed through under the pretexts of improved safety and protection of the public,[24] as well as protests being labelled "disruptive", "guerrilla", and "anti-social".[25] In the official explanation of the need for new powers in the Police, Crime, Sentencing and Courts Act 2022, protest is presented as an anti-democratic endeavour, and thus cracking down on such freedoms is portrayed as "standing up for the law-abiding majority" and "delivering on the people's priorities".[26]

The Police, Crime, Sentencing and Courts Act 2022 codified the common law offence of public nuisance into a statutory one. A person commits this offence if they act in a way which causes, or risks causing, serious harm to the public or a section of the public. The penalty set out in the Act is severe, carrying a maximum 10 years' imprisonment on indictment.[27]

A year later, the Public Order Act 2023 introduced a suite of new offences targeting specific protest tactics. It also amended the Public Order Act 1986 to increase penalties, enabling police to impose conditions on one-person protests, with failure to comply incurring a significant fine and inciting such a failure carrying a potential 51-week prison sentence.[28]

Protest rights were further dismantled in the Public Order Act 2023 in the name of 'public interest'. Presenting an earlier version of the bill to MPs, Priti Patel painted a picture of protestors - going about "glueing themselves to roads or public transport" - as an anti-social and 'supremely selfish minority' that causes "misery and chaos" for the British public.[29] Later, in the factsheet for the final bill, the term "protest" is mentioned sixty-two times. Protest was described in drastic terms as "dangerous", "cost[ing] millions in taxpayers' money", "put[ting] lives at risk".[30] Further, protests are described in terms of preventing people from getting to work, restricting fuel supplies from flowing and public transport from functioning. This theme is pervasive in the Home Office's clear attempt to pit a "small minority of protestors" against

The penalty for organisers who fail to comply with conditions on public processions and assemblies was increased to a maximum of 6 months' imprisonment, and the penalties for organising a prohibited Trespassory Assembly were raised to 3 months' imprisonment.[31] Police can impose conditions on a one-person protest. Failure to comply is an offence with a Level 4 fine (£2,500), and inciting such a failure can lead to 51 weeks' imprisonment.[32] New offences include:

~ *Locking-On and Being Equipped for Locking-On*: This offence criminalises the act of attaching oneself to another person, to the land, or to an object, or being equipped with the intention of doing so, where the act causes or is capable of causing serious disruption and carries a maximum sentence of 51 weeks' imprisonment.[33]
~ *Tunnelling Offences*. This offence covers causing serious disruption by creating or being present in a tunnel, as well as being equipped for tunnelling and carries a maximum sentence of 3 years' imprisonment.[34]
~ *Obstruction of Major Transport Works*. This offence prohibits obstructing or interfering with the construction or maintenance of major transport projects, such as HS2 and carries a maximum penalty of 51 weeks' imprisonment.[35]
~ *Interference with Key National Infrastructure*. This offence targets actions that interfere with the operation of essential infrastructure like airports, railways, and printing presses, where the person intends or is reckless as to such interference and carries a maximum penalty of 12 months' imprisonment.[36]

The 2023 Act also created a new civil order, the *Serious Disruption Prevention Order*. Breaching this order is a criminal offence carrying a maximum penalty of 6 months' imprisonment and/or an unlimited fine.[37]

A critical development alongside these new offences is the expansion of police powers. Sections 10 and 11 of the Public Order Act 2023 grants police the authority to conduct suspicion-less stop and search of individuals and vehicles in a designated area for a 24-hour period if they believe a protest-related offence may be committed.[38] These provisions constitute a significant shift in policing powers for protests.[39]

In 2024 Rishi Sunak's Conservative government pledged to extend new offences designed to control protest in its Criminal Justice Bill. Amongst the proposed new offences were:

~ *The Use of Face Coverings*: a new criminal offence of wearing or otherwise using an item that conceals identity in a police-designated area during a protest, with a proposed penalty of one month's imprisonment and a £1,000 fine.
~ *Possession of Pyrotechnics*: a new offence of possessing a pyrotechnic article at a protest which carries a maximum £1000 fine.
~ *Climbing on War Memorials*: a new offence of climbing on specified war memorials or monuments of national significance which carries a maximum 3 months' imprisonment and a £1,000 fine.

James Cleverly, as Home Secretary, said

> *"Victims of crime must have justice, and lawbreakers must face the consequences of their actions. This Criminal Justice Bill will give the police the powers they need to crack down on criminals and ensure that those who pose the biggest threat to the public are imprisoned for longer."* [40]

Perhaps the Home Secretary had not noticed that protestors were already facing harsh sentencing, including, as we shall see, being imprisoned for much longer. In any event the Bill did not complete its passage before the 2024 general election.

The politics of criminalisation

The motivation for expanding the scope of protest powers in the Criminal Justice Bill was explicitly stated to be the rise of what is termed "unacceptable behaviour" at protests against the Israeli military assault on Gaza. Ministerial statements, such as by Tom Tugendhat, then-Minister for Security, make direct mentions of "antisemitism on the streets" in the context of pro-Palestine protests.[41] In this debate, Tugendhat mentions October 7th throughout his delivery and responses - five times in total. Thrown in with this are protest-related references to "hateful abuse", "serious damage" and the intimidation and disruption of "law-abiding citizens [...] going about their daily life".[42] Protest is thus portrayed as disruptive and even dangerous to the public. The right to protest is bracketed: protest is acceptable when it does not touch national memorials, when it does not use flares, and when it does not disrupt any aspect of economic or social life in Britain. Targeted protestors are

a "small minority" who "incite hatred and commit crimes." In this way, the government turns the screw discursively, tightening the window of what can be deemed as acceptable protest, whilst unironically touting "our proud tradition of peaceful protest."

This hostile approach to protest was developed further in Lord Walney's (the government's former adviser on 'political violence') report 'Protecting our Democracy from Coercion' published on May 21st, 2024, 6 weeks before Labour won the general election.[43] This document gives an insight into the government's approach to curtailing protest rights. In the report, Walney recommends "tightening several laws" to allow the government to respond in a stronger way to protest groups. It also recommends expanding police powers beyond what the Public Order Act 1986 already grants, to provide further restrictions on which marches can be permitted. This is proposed to be done through the addition of triggers to section 13 of the Public Order Act. The reason why Walney deems this necessary is the "explosion of antisemitic hate crime" in the context of the Gaza protests, to draw the implication that the pro-Palestine movement is "inciting antisemitic hatred and supporting terrorism." This is a disturbing report. Antisemitism is used as a dog-whistle to restrict democratic freedoms; Jewish people are instrumentalised to serve a repressive and anti-democratic assault on protest rights. In other words, following the expansion of the pro-Palestine movement across Britain in response to Israel's genocide in Gaza, the accusation of antisemitism has been weaponised as a discursive tool of repression, which the government tacked onto their continued portrayal of protest as disruptive and dangerous.[44]

The groups which Lord Walney scrutinises, are involved in many of the protests we analyse here. There are concerns about ideology - for example, Extinction Rebellion [XR] is flagged for not just being an environmental organisation, but it is argued is "fundamentally rooted in an anarchist analysis of society and ways of organising."[45] This ideological concern is underscored by Walney's remark that there is a "worrying gap in our understanding of the extreme left", whose activism "systematically seek[s] to undermine faith in our parliamentary democracy and the rule of law."[46] Under the section "Far Left and Anarchist Protest", Insulate Britain and Just Stop Oil are referred to as causing "maximum disruption" with relatively small numbers, citing their actions on the M25. The JSO actions at Kingsbury terminal and the petrol station actions in April 2022 are also invoked, in addition to disruption at various cultural institutions and sporting events.[47] These points of "enormous economic damage" and

the "drain[ing] of police resources" - linked to the M25 protests and mass-arrest actions in particular - are key sources of concern for the report. Similarly, the Walney report sets out concern for defence companies and energy providers being disrupted and demands action to increase their resilience.

In his suggestions, Walney recommends monitoring protest more stringently through making the post of Independent Adviser on Political Violence and Disruption permanent, as well as increasing resources for surveillance activities and reinforcing collaboration and intelligence in the realm of policing protest groups. This includes tightening the link between central government intelligence agencies and local police forces. The report concludes that:

> *"The Government should introduce a mechanism to restrict the activity of organisations which have a policy of using criminal offences for which the penalty includes imprisonment (such as destruction of property) or causing serious disruption or injury to persons to influence government or public debate where its policy and activities make this a necessity in a democratic society to protect the rights of others."* [48]

Whilst not all of his recommendations have been adopted, it is clear that Lord Walney's work leading up to this report closely reflected both the rationale and the policy choices favoured by government since his appointment appointed as the British Government's Independent Adviser on Political Violence and Disruption in November 2020, despite widespread accusations of bias.[49] He previously chaired both the parliamentary lobby group Labour Friends of Israel,[50] and the Purpose Defence Coalition, a British-based coalition of defence sector organisations and leaders, sponsored by Italian arms manufacturer Leonardo. Given that Leonardo manufacturers weapons used by Israel in its assault on Gaza, this appears to be a serious conflict of interest.[51] While serving in his official role, Lord Walney was also a paid adviser to lobbying firm Rud Pedersen Public Affairs, whose clients include fossil fuel-related companies like Glencore and Enwell Energy, both involved in coal, oil and gas sectors.[52] Despite the Labour government later removing Lord Walney's advisory role, the Labour Party in opposition welcomed the report.[53]

Lord Walney's influence is indicative of an explicit politicisation of criminalisation in the context of protests. The British government's

punitive turn against protest cannot be separated from its wider connections to both economic and foreign policy interests. The expansion of police powers and penalties available to the courts has, as we noted in the previous section, been supported by key industry and political interests.

For example, former Prime Minister, Rishi Sunak, has noted that measures introduced in the Police, Crime, Sentencing and Courts Act, may have originated in a briefing from right wing think tank Policy Exchange. An investigation by Open Democracy has revealed that Policy Exchange has been funded by ExxonMobil.[54] Another report by the think tank titled 'Extremism Rebellion' had earlier argued that the government should implement new laws to target environmental protest group Extinction Rebellion (XR).

There is evidence that the British government has also been pressured directly by Elbit and the Israeli government to deal more harshly with protestors. The British government had noted in 2022 that it "Expressed our support in recognising the attacks and boycott on Elbit UK... The issue was raised with Foreign Secretary [Dominic] Raab on his visit to Israel last August. Raab declared that the British government is committed to stopping the attacks."[55] In a subsequent a meeting with Elbit representatives on the 2nd March 2022, the Private Secretary in the Home Office further noted that: "Although there have been successful prosecutions of Palestine Action members, there have been multiple instances of charges being dropped and defendants acquitted by juries and magistrates."[56] In this correspondence, officials and politicians assert that the prosecution of crime is for courts and that they cannot direct a police response. But at the same time, they assure Elbit's senior management that they "have been in contact with the police about Palestine Action."[57] Subsequently, the British government shared contact details of counter-terrorism police and prosecutors with the Israeli embassy during an investigation into protests at an arms factory, specifically with Daniela Grudsky Ekstein, Israel's deputy ambassador to Britain.[58] This has fuelled accusations of foreign interference in this case, and potentially other ongoing criminal cases.[59] A series of heavily redacted Freedom of Information requests (FOIs) made by the now-proscribed organisation Palestine Action had revealed extensive lobbying of the Attorney General's Office and the Crown Prosecution Service by the Israeli embassy in 2023. Those FOIs "indicate that embassy officials pressed for the Director General of the Attorney General's Office, Douglas Wilson, to interfere into cases related to protests on UK soil."[60]

The redactions make it difficult to interpret the official response to this lobbying.

None of this is to imply that the British government simply makes laws in response to industry or foreign government lobbying. Rather, this evidence points to a commonality of interests between the British government and the targets of protests: the British/Israeli arms industry and the fossil fuel industry.

More of the same

The election of a Labour government in 2025 has done almost nothing to interrupt this commonality of interests. The Criminal Justice Bill proposed by the previous Conservative Government in 2023–24 had included clauses to exclude "reasonable excuse" defences for a range of protest-related offences (such as obstruction of the highway or "locking-on"), but that Bill fell at the dissolution of Parliament before the 2024 general election and did not become law.

The current government's Crime and Policing Bill, as currently framed, whilst it does not outlaw reasonable excuse defences (which in all likelihood could not be implemented anyway) does include a new targeted power for the police and other law enforcement agencies to "extract online information from online accounts as part of their investigations including...to protect UK national security." Whilst this is ostensibly introduced to tackle crime generally, social media data scraping has already featured in a number of protest cases, and this is certainly intended to be used for this purpose. It also includes a new power for senior police officers (ranked at Inspector or above) to designate a particular area as a "no mask zone" for up to 48 hours, if they reasonably believe a protest is "likely to involve the commission of offences", a phrasing that will provide the police with very wide discretion indeed.

A government tabled amendment to the Crime and Policing Bill on "cumulative disruption" will also significantly extend police powers to prevent protest and extend the capacity for banning protest organisations. This is the measure to require police to consider the cumulative impact of repeated protests in the same area. This requirement, effectively a power, means that police would now have a legislative justification for restricting or banning protests in a particular location not merely if there is ground to expect "serious disruption", but because of the impact of previous or ongoing demonstrations (i.e. rather than just the immediate protest in question). Those events might have involved different organisations

and even different issues. For this reason, it is clear that this requirement aims to encourage the police to rule demonstrations unlawful when they are planned at traditional protest locations like Parliament Square. The measure has already attracted widespread condemnation from key civil society organisations and the trade union movement as "draconian."[61]

Even prior to the proscription of Palestine Action there had been a marked increase in the use of terrorism powers against Palestine solidarity protestors. In 2024, Palestine Action activists and members of the 'Filton 24' were arrested under terrorism powers, which allowed defendants to be held incommunicado for up to a week in police custody. In a letter written to the British government by several UN rapporteurs, these detentions under counter-terrorism police powers were described as an "enforced disappearance".[62] Furthermore, while none of the members of the Filton 24 have been charged with a terrorist offence, their cases are currently being prosecuted with a "terrorist connection", which constitutes an aggravating factor at sentencing.[63] As a result of their arrests under terrorism law, and the application of a "terrorist connection", the Filton 24 were subject to high-security protocols while held in prison on remand: for example, having their mail routinely monitored and restricted.[64]

While 23 members of the Filton 24 have, after spending up to 18 months on remand, finally been released on bail pending trials,[65] their denial of bail was used punitively and disproportionately. Indeed following convictions for criminal damage on the 5th May, 3 Filton protestors were put back on remand, even though the Crown had told the judge they were happy for them to be bailed.

Netpol's Annual State of Protest Report 2025 notes that "Throughout the past year, we have seen police powers exercised even before legislation is passed or after it has been ruled unlawful, demonstrating an unaccountable police force which has been emboldened by their recent political gains."[66] The past few years have revealed a symbiotic relationship between the world of 'big' politics and the policing of political protests on the streets to the point that policing is moving ever more closely in line with the immediate demands of political parties and politicians.

Counterterrorism and national security logics are mobilised to create an ever increasing net in which police targets themselves "legitimise increased criminalisation and surveillance"[67] and "powers once reserved for extraordinary conditions are now mainstream tools."[68]

3. The Use of Injunctions

Over the past five years, several 'injunctions' or 'civil banning orders' have been issued in Britain to curb protest. At its simplest, an injunction is a civil legal process, backed by the courts, that prevents people from doing something. In protest cases, injunctions typically prevent named or unnamed individuals from accessing a certain area of land, a part of the public infrastructure or a private premises. According to police monitoring group Netpol, they are: "in increasingly widespread use by private companies to criminalise protest at their sites".[69]

This section sets out a list of some of those that are known to us at the time of writing the report.

Injunctions sought by public bodies

Several public bodies, including National Highways, Transport for London and several local authorities and universities have sought and obtained legal measures against protesters in the UK over the past three years, for example:

~ *September 2021*: National Highways obtained an interim injunction to prevent activists from occupying the M25 in response to protests by Insulate Britain, which blocked parts of the M25 motorway.[70]
~ *October 2021*: Also in response to protests by Insulate Britain, Transport for London (TfL) secured a civil banning order to stop Insulate Britain protesters from obstructing traffic on the city's roads. This injunction was later extended until April 2022.[71]
~ *October 2021*: National Highways was granted the first ever nationwide injunction covering England's strategic road network (prohibiting all protests on motorways and major A roads).[72]
~ *April 2022*: Essex County Council and Thurrock Council were granted an injunction to stop protests at petrol forecourts and bulk liquid fuel storage sites in Essex. This injunction was related to, but separate from, injunctions granted for the private owners of oil terminals.[73]
~ *June-September 2024*: North Warwickshire Borough Council was granted an injunction to stop protests at Kingsbury Oil Terminal.[74]
~ *October 2024 and March 2025*: University of London and University of Cambridge obtained injunctions that heavily restricted Palestine protest and student-run Palestine protest encampments in both of these universities.[75]

Injunctions sought by private companies

Several private companies have sought and obtained legal measures against protesters in the UK over the past three years, for example:

~ *April 2022*: In response to escalating protests by groups like Just Stop Oil, several oil firms, including Navigator Thames, ExxonMobil, and Valero, secured civil injunctions to prevent activists from protesting at their fuel processing sites.[76]
~ *July 2024*: Drax Power Limited obtained a High Court injunction against potential environmental activists planning protests at its power station in Selby, North Yorkshire.[77]
~ *December 2024*: Shell pursued a $2.1 million lawsuit against Greenpeace after activists boarded a Shell oil rig to protest environmental damage. The settlement barred Greenpeace from similar protests near specific North Sea platforms for 5-10 years.[78]
~ *October 2025*: Following an occupation of their Wolverhampton site by direct-action group, Palestinian Martyrs for Justice, US-based arms manufacturer Moog Inc. obtained a high court injunction against potential Palestine solidarity activists across all of their British facilities.[79] This court order was one in a series of injunctions brought to protect British arms facilities from Palestine activists.

Injunction Breaches

While contravening an injunction amounts to civil law 'contempt of court' rather than a criminal offence, protestors found in breach can still face unlimited fines and up to two years imprisonment.[80] Crucially, there is therefore a direct link between the rise of injunctions and the imprisonment of activists, with a number of cases arising in which people have been imprisoned solely for breaches of injunctions. Known injunction breaches that have led to imprisonment include:

~ *November 2021*: Nine protestors were jailed for contempt of court after defying the injunction prohibiting road blockades. Their sentences ranged from three to six months.[81]
~ *February 2022*: Five protestors received prison sentences for violating injunctions related to M25 protests. Eleven others were given suspended sentences.[82]
~ *September 2022*: 51 protestors were remanded in custody for breaching an injunction at Kingsbury Oil Depot and for contempt after subsequently reading out statements in court.[83]

In effect, protest injunctions now amount to a quasi-criminal law regime in Britain, available as a tool for corporations and public bodies that can afford the legal costs associated with securing a court order. Furthermore, injunctions effectively render some acts of direct action and civil disobedience 'doubly illegal',[84] putting activists at risk of both a criminal conviction and a civil trial for the same action.

In October 2023 twelve Just Stop Oil protesters appeared at the High Court accused of breaching an injunction designed to restrict protests on the M25 motorway.[85] Ten of them received no punishment, because the judge accepted they had not been properly informed about the injunction. The other two received suspended jail sentences.

It is worth noting in this respect that no central government department or agency has any overview or takes responsibility for tracking injunctions. Both the Ministry of Justice and the Homes Office have notified us that information on injunctions is held only by the courts that issue them.[86] What this means is that the British government has no knowledge or oversight of the scale of injunctions restricting protests, or of the number of people who are jailed for breaching injunctions.

4. The Judicial Attack on Protest

The political and legislative climate is clearly having a chilling effect on several fronts. The reforms and changes in policing powers and operational policing noted above reflect a political strategy to delegitimise direct action protest by shifting the legal framework away from prioritising rights to proritising public order and continuity of services. These changes have contributed to a legal environment in which the courts are also expected to align with the delegitimisation of particular forms of protest. As outlined below, the courts appear to have broadly fallen into line with the changing political demands upon them.

Ziegler and Proportionality Defences

In some cases, protesters have invoked Articles 10 and 11 of the European Convention on Human Rights (freedom of expression and assembly) to argue that their conduct was proportionate and therefore lawful. This line of defence gained some traction following the Supreme Court's 2021 judgment in DPP v Ziegler.[87] This was a ruling in response to the Director of Public Prosecution's appeal against a magistrates' Court ruling that anti-war activists blocking a road could rely on their rights to freedom of expression and assembly (Articles 10 and 11 ECHR) as a lawful excuse for blocking the highway. The ruling quashed the appeal and emphasised the importance of proportionality assessments to ensure a protestor's conviction is not disproportionate with their right to protest. Nonetheless, subsequent rulings have curtailed the potential impact of Ziegler. In DPP v Cuciurean, which concerned allegations of aggravated trespass, the High Court ruled that the Ziegler ruling on proportionality only applies to cases concerning an obstruction of the highway, and that protest rights under the ECHR do not create a general defence to criminal charges.[88]

Criminal Damage: Colston, Proportionality and 'Belief in Consent'

Following the acquittal of the 'Colston Four', who in 2020, toppled the statue of slave trader Edward Colston in Bristol, the Attorney General at the time, Suella Braverman, used her power under section 36 of the Criminal Justice Act 1972 to refer a point of law to the Court of Appeal. The point she queried was whether protestors could rely on human rights provisions (contained within Articles 9 10 and 11 of the ECHR) as a defence to criminal damage allegations in protest cases. In its decision, the Court of Appeal sided with the government, removing any defence based on the right to protest when activists are accused of causing 'significant damage to property' (over £5000 worth of damage).[89]

In 2024, after another referral from the Attorney General, the Court of Appeal removed the 'belief in consent' defence in protest trials. The consent defence applies to cases of criminal damage, and is premised on the idea that someone who has damaged property is entitled to a legal defence if they had an honest belief that, had the owner of that property been aware of all the circumstances, they would have consented to that damage (the classic example often given is a person who breaks the window of a car on a hot day to save a dog from suffocating, because they believe the owner of the car would consent to the damage).

The consent defence had been creatively used by a number of climate activists, for example the 'HSBC 9', a group of Extinction Rebellion activists accused of damaging the windows of British bank HSBC in protest to their investment in fossil fuels.[90] At their trial, activists successfully argued their belief that, had the shareholders of HSBC known the full extent of the risks posed by continued fossil fuel investment, they would have consented to their office windows being damaged as part of a climate protest. Following the acquittal of the 'HSBC 9', the Attorney General once again referred the matter to the Court of Appeal, who withdrew the consent defence in all protest cases, finding that the 'beliefs and motivation' of a defendant will not amount to a 'lawful excuse' in alleged cases of criminal damage.[91]

Justificatory Defences

A further key area of contention in the courts has been prevention of defendants presenting 'justificatory defences'. The key 'justifications' that can be used in criminal defence - necessity, duress of circumstances, and prevention of crime – are traditionally used by protestors to mitigate or provide some explanation for their conduct to the court. Those defences have, since 2000, increasingly been the focus of judicial activism and have faced a concerted effort to withhold them in the context of climate and Palestine solidarity protests.

'Necessity' as a defence applies when a defendant commits an otherwise unlawful act to avoid a greater harm. In climate and Palestine solidarity protest cases, defendants often argue that their actions (e.g. trespass, damage to property) were necessary to prevent greater harms (e.g. climate change, war crimes). Courts have tended to reject these arguments. In R v Shayler [2001][92], the Court held that necessity is only available when it meets the following thresholds. First, the act was done to avoid inevitable and irreparable evil. Second, no more was done than reasonably necessary. And third, the evil inflicted was not disproportionate to the

evil avoided. In R v Jones (Margaret),[93] defendants attempted to justify entering a military base to prevent the Iraq war; the court rejected necessity, stating the defence cannot be used to justify criminal acts aimed at protesting government policy. Although initially interpreted as a more protest-friendly ruling, the Supreme Court emphasised that proportionality is key, and protest rights are not an absolute defence. More recently, the case of R v Thacker and ors,[94] (which concerned the case of the 'Stanstead 15', a group of activists that prevented a Home Office chartered deportation flight from taking off in 2017) confirmed the decision on the necessity defence in Jones, and has therefore "slammed the door on the defence".[95] For Cammiss et al, a key element of the court's reasoning in denying the necessity defence was its presumption of a 'functioning democratic state', in which citizens are not permitted to 'take the law into their own hands' and claims should be pursued through lawful means.[96] It remains to be seen whether, perhaps through bringing evidence of government corruption via arms and fossil fuel industry lobbying, this concept of a 'functioning democracy' might be challenged in a courtroom, thus opening up a new avenue for necessity claims.

'Duress of Circumstance' is closely related to necessity and arises when the defendant is compelled to act unlawfully due to an immediate threat. Courts have been even more reluctant to allow this defence in protest contexts. The test here is that the threat must be imminent, personal, and serious (e.g. death or serious injury). This means that more abstract or long-term harms (e.g. climate collapse) do not meet this threshold.

A 'Prevention of Crime' defence, as set out in a succession of English and Welsh statutes, and is enshrined in the Criminal Law Act 1967, allows reasonable force to prevent crime or assist in lawful arrest. The courts recognise this defence in the context of protest but tend to construct it narrowly. In R v Jones (Margaret), the Lords held that this defence did not apply to protesters trying to prevent war crimes by trespassing on military bases. Courts have stressed that firstly, the crime being prevented must be *clearly identifiable*; and secondly, the action taken must be *reasonable and proportionate*.

While justificatory defences such as necessity, prevention of crime, and duress of circumstances technically remain part of English and Welsh criminal law, their application in protest contexts is increasingly constrained (with the exception of one recent outlier - a Palestine Action trial at Leicester Crown Court in which a necessity defence *was* put

to the jury).[97] The judiciary has made it clear that criminal trials are not venues for political adjudication, and that protest-related defences will only succeed where there is clear evidence of immediacy, proportionality, and direct prevention of identifiable criminal harm. In this way, recent judicial and legislative developments have contributed to the narrowing of legal space for dissent within the criminal justice system.

The increasingly restrictive approach to protest defences must also be understood in light of the raft of new offences and powers set out above. These reforms have expanded police and prosecutorial powers to curb disruptive protest tactics, such as "locking on," obstruction of highways, and interference with infrastructure. They reflect a broader governmental strategy to delegitimise forms of direct action protest by shifting the legal framework from one that prioritises rights to one that prioritises public order and continuity of services.

These changes have contributed to a legal environment in which justificatory defences - whether rooted in common law or statutory rights - are treated with judicial scepticism when deployed by protesters because they are seen to disrupt or at least interrupt the general direction of travel in criminal justice policy. Courts now appear to favour judicial efficiency and doctrinal orthodoxy over accommodating political or moral arguments in criminal trials.

'Gagged' in Court

A direct consequence of the removal of legal defences described above has been the rendering of protestors' reasons for taking action (such as to prevent the commission of international crimes or ecological breakdown) as 'inadmissible' in court. Often, activists with no legal defences therefore find themselves 'gagged' in their own trials, unable to properly explain their motivations to a jury, or bring evidence of, for example, British complicity in genocide or climate breakdown. Furthermore, some protestors have been held in contempt of court for breaking judicial orders that banned them from speaking about their motivations, for example:

~ *February and March 2023*: Insulate Britain activists were jailed for contempt of court for mentioning 'fuel poverty' and 'climate crisis' in court.[98]
~ *July 2024*: During the trial of Just Stop Oil Activists, known as the 'Whole Truth Five', police were called into court seven times to arrest

defendants in the dock for trying to bring evidence about climate breakdown. 4 out of 5 of the defendants were remanded to prison during the trial.[99]
~ *May 2026*: Perhaps the most egregious example of judicial gagging occurred in the recent re-trial of the 'Filton 6', in which Judge Jeremy Johnson made several rulings to prevent the defence from saying anything about the motivations of the six activists, and were barred from even mentioning the most basic facts about the offences and details of the charges against them (see the introduction to this report). [100]

As popularised by the Defend Our Juries campaign, and recently confirmed by the High Court,[101] jurors retain the right to acquit a defendant on conscientious grounds, regardless of the legal defences available to them. In spite of the judicial clampdown and severe restrictions on running legal defences for activists in courtrooms, juries have made use of this right, and continued to acquit climate and Palestine solidarity protesters in a number of cases where no legal defences were available, for example:

~ *June 2024*: 3 Just Stop Oil activists found not guilty of criminal damage in the Clacket Lane Services (M25) case.[102]
~ *February 2026*: The jury in the first trial of the 'Filton 6', were unable to reach a verdict on criminal damage charges against all 6 defendants.[103]
~ *February 2026*: 6 Extinction Rebellion medics unanimously acquitted of criminal damage at JP Morgan offices.[104]

The Breakdown of 'Hoffman's Bargain'?

In the aforementioned 2006 case of R v Jones (Margaret), Lord Hoffman made the following comment:

> *"[C]ivil disobedience on conscientious grounds has a long and honourable history in this country. People who break the law to affirm their belief in the injustice of a law or government action are sometimes vindicated by history... But there are conventions which are generally accepted by the law-breakers on one side and the law-enforcers on the other.*

> *The protesters behave with a sense of proportion and do not cause excessive damage or inconvenience. And they vouch the sincerity of their beliefs by accepting the penalties imposed by the law. The police and prosecutors, on the other hand, behave with restraint and the magistrates impose sentences which take the conscientious motives of the protesters into account."*[105]

This excerpt forms what Cammiss, Hayes and Doherty have termed 'Hoffman's Bargain'.[106] Hoffmann's bargain suggests that while conscientious political motives do not in and of themselves provide a legal defence, they may justify mitigation in sentencing. Police, prosecutors and courts must act with restraint, and therefore protestors should rarely (if at all) face prison time as long as they act with a 'sense of proportion'. Only defences arising from established legal doctrines, rather than moral conviction alone, are therefore admissible in court. As evidenced in the following section of this report, exceptionally long sentences have been handed down by the courts at a truly alarming rate over the last five years in Britain, there is good reason to believe the arrangement between judge and protestor set out in 'Hoffman's Bargain' has broken down.

5. The Data

The developments outlined in the first four sections of this report point to a significant shift in the legal and political landscapes in which protest in Britain now takes place. An increase in anti-protest legislation, police powers and civil law injunctions have converged with a judicial clampdown on protestors in courtrooms, creating a markedly more repressive legal terrain for activists engaging in civil disobedience and direct action. Moreover, this legal clampdown has been informed by, and in turn contributed to, a broader political attack on protest, whereby the forms of disruption practiced by the contemporary Climate and Palestine solidarity movements have increasingly been framed by governments and media organisations as antisocial, dangerous and extreme. Britain's repressive atmosphere for protest and dissent had severe consequences last summer, with the Home Secretary's unprecedented move to proscribe direct action group Palestine Action under terrorism law. Furthermore, where imprisonment for acts of direct action or civil disobedience activity was once rare, custodial sentences are now being imposed with increasing length and frequency.

The remainder of this report empirically documents and analyses this dramatic increase in custodial sentences. Drawing on a a dataset that tracks the number of people imprisoned in connection with climate and Palestine solidarity protests over the last five years, we provide the first comprehensive account of Britain's recent political prisoners.

Jailed

We analysed all cases involving protestors charged and held on remand and those sentenced to a term of imprisonment.

We identified a total of 286 cases of protestors involved in climate and Palestine solidarity protest who had either been remanded in custody or sentenced to prison since 2019. Of this cohort, 220 were detained for climate protests and 66 for Palestine Action protests.

Those cases arose from 40 climate protests and 13 Palestine solidarity protests held between October 2019 and August 2025.

We do not know the length of detention in 32 cases because this information is not available. If we take those unknown cases out of the analysis, we find that:

~ The average detention period for 253 protestors who have been held on remand and/or received a custodial sentence is 28 weeks (more than 6 months).
~ In total, they were detained and/or sentenced for 7084.3 weeks (more than 136 years).

As we note above, because the period of detention for 32 cases is unknown (all of those were held on remand and not sentenced to custody), the total for all 286 people will be significantly larger.

Figure 1 below provides a snapshot of the length of detention across the cohort.

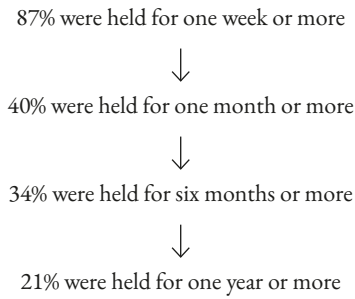

Figure 1: Length of jail time

It is also important to note that this is a moving picture, because at least 14 protestors currently remain on remand, this total is rising daily.[107]

Indeed, this total of time served may rise significantly in future, since at least 49 cases are pending and are yet to reach court (almost all relating to Palestine solidarity protests).

Charges

We have recorded the offences prisoners were charged with in 249 cases.

Contempt of Court

Of those, by far the largest category of offence used to charge protestors was a basket of offences that we call 'contempt of court'. This category, which accounted for 40% of cases of imprisonment, included two different types of offence. Firstly, those arising from the conduct of a defendant in the courtroom, including where an order of a judge is breached. A total of 21 cases (or 8% of cases) were recorded as contempt of court arising from the conduct of the defendant in the courtroom. The second type of contempt of court offence is the breach of a civil injunction. In those cases, an offence is committed after a civil injunction is found to have been breached by the court. 'Breaching an injunction' is cited in 80 (or 32%) of cases. This is hugely significant since it means that in those cases, people are being sent to jail for breaching a civil order, rather than for committing a criminal offence. They were jailed because they breached an order that a private company or public authority had applied to the court to uphold.

One effect of this widespread use of injunctions is that it expands corporate influence over the regulation and control of protest, and contributes to a broader trend of pre-emptive suppression. Academic Graeme Hayes has reported on the inflationary and expansive function of conspiracy charges for prosecutors intent on scaremongering juries. He has observed in several cases that "those charges allow the prosecutor *carte blanche* to project all manner of extreme consequences that might have arisen from each conspiracy."[108]

The application of contempt of court as an offence has therefore become a central feature in prosecutions of protestors and it has been a major factor driving imprisonment rates. Unlike ordinary criminal offences, contempt proceedings can result in significant custodial sentences without a jury trial. In addition to many of those offences originating in civil rather than criminal breaches, the process of sentencing for contempt cases bypasses traditional procedural safeguards. Protestors in contempt cases have been jailed for attempting to inform juries about their motives or legal defences after judges explicitly barred such arguments. Refusing to comply with these rulings, or encouraging jurors to consider "irrelevant" factors (such as scientific evidence of climate change), has been treated as contempt. Protesters have also faced imprisonment for refusing to comply with court orders during trial, such as declining to provide assurances about future conduct when required for bail or sentencing considerations.

Kingsbury Oil Depot protest (April-September 2022)
A key example of the punitive effect of protest injunctions is found in cases associated with Just Stop Oil protests at the Kingsbury Oil Terminal in Warwickshire. In April 2022, in response to Just Stop Oil's campaign of direct action against British oil infrastructure, North Warwickshire Borough Council obtained a High Court injunction preventing protest at the site. Additionally, the order even prevented any protestor from congregating at the entrance to the oil terminal. We have recorded 69 individual cases of imprisonment due to breaches of the injunction, including several people imprisoned simply for holding placards on a verge near the entrance to the site (see image below). The vast majority of prison time associated with breaches of the Kingsbury injunction was for time spent on remand. In many cases, judges elected to give activists suspended sentences considering the time they had already spend on remand.

Climate protestors jailed for contempt of court (March 2023)
In February and March 2023, during a series of trials at Inner London Crown Court related to Insulate Britain roadblocks, Judge Silas Reid prevented activists from talking about their motivations for taking part in protests – declaring their reasons for taking action 'inadmissible' evidence. Judge Reid served a judicial 'gagging order' which prevented activists from saying the words 'climate crisis' or 'fuel poverty' in front of a jury. When three activists decided to break Judge Reid's ruling, and mentioned their motivations in their closing speeches, they were found guilty of contempt of court, and were each sentenced to between 7-8 weeks in prison.

Conspiracy

'Conspiracy' offences were the next most prevalent category of charges and featured in 42 (or 17% of cases). In 28 of those cases, charges were linked to conspiracy to cause criminal damage. The widespread use of conspiracy offences has also become a defining feature protest cases. In a large number of cases, prosecutors have relied on charges such as conspiracy to cause criminal damage or public nuisance to enable the (pre-emptive) criminalisation of planned protests. The law of conspiracy as applied here is primarily drawn from statutory provisions introduced by the Criminal Law Act 1977. The volume of cases we have identified amounts to an expansive use of conspiracy law. The effect has been to lower the threshold for criminalisation and enable severe penalties to be imposed pre-emptively.

Public Nuisance The next most widely laid charged were public nuisance offences (totalling 37). Actual criminal damage and related offences totalled 36.

It is notable that we did not record many convictions for the 'new' offences set out in the earlier sections of this report. We have recorded one charge of 'locking on' and six charges of 'interfering with use or operation of key national infrastructure' (both new offences under the Public Order Act 2023). We have also recorded 3 cases in which the charge was for 'obstructing trains or carriages' on the railway under Section 36 of the Malicious Damage Act 1861.

Palestine Action Teledyne Labtech jailed for 'conspiracy' (June 2023)
In June 2023, four Palestine Action activists were convicted of between 23 and 27 months for 'conspiracy to commit criminal damage' at an Israeli-linked arms and surveillance factory run by Teledyne Labtech, in Presteigne, Powys. Unlike the Manchester case below, in this case, the defendants did cause the damage to the factory they set out to, with the sentencing judge citing "a high degree of planning and premeditation and intention to cause a high degree of damage".

Manchester Airport protestors jailed for 'conspiracy' (May 2025)
On 27 May 2025, four Just Stop Oil activists were each sentenced to between 18 and 30 months imprisonment for 'Conspiring to cause a Public Nuisance' at Manchester airport in the summer of 2024 – as part of a series of international protests at airport in support of a non-proliferation treaty for fossil fuels. These sentences were intended as a deterrent on protest, and came despite the four protestors never actually reaching the airport and causing any disruption, with the sentencing judge noting that: "if this conspiracy had been successfully executed it would have led to disproportionate and extreme consequences". A fifth activist, Noah Crane, was also tried as part of this conspiracy case simply for buying phones for the other activists to use. Despite the jury finding him not guilty of all allegations, Crane still spend almost a year in prison on remand as a result of the prosecutor's use of the conspiracy charge.

The 'Heathrow 9' (July 2024)
Some of the longest climate campaigners held on remand over the last five years were members of the 'Heathrow 9', who were arrested in July 2024 on their way to take direct action at Heathrow airport. Some members of the group spent up to 10 months on remand before trial. Having been convicted, the group were sentenced to a mixture of custodial and suspended sentences, however, due to time already spent on remand, none of the defendants faced further prison time following the judge's sentencing. Nonetheless, the Heathrow 9's case perfectly illustrates how British courts' increasing propensity for holding protestors on remand, combined with lengthy delays in securing a trial, has significantly contributed to the rise in the time protestors are incarcerated for.

Held on Remand

In the vast majority of cases, protestors were held on remand before their case reached trial, some for very long periods indeed.

A total of 241 of the cohort are known to have been held on remand before their trial (175 climate protestors and 66 Palestine solidarity protestors).

In 52 of those cases, the precise length of time they were held for is unknown. Of the known 188 cases, 166 (88%) were held on remand for more than a week; 67 (36%) were held for more than a month; 45 (24%) were held for more than 6 months; and 10 (5%) were held for more than a year.

Palestine Solidarity Prisoners on Remand

When we look at those rates across climate and Palestine solidarity protestors, we find that the rates of remand detention for the latter group are significantly harsher. There were 63 people whose precise length of remand detention is known in our cohort of imprisoned Palestine solidarity protestors. *Figure 2* illustrates those.

The normal time limit for all prisoners held on remand six-months. Custody time limits for remand prisoners are set by secondary legislation under the Prosecution of Offences Act 1985. These limits vary according to the type of offence and stage of proceedings; some Crown Court cases are subject to a 182-day upper limit (approximately 6 months). The prosecution must apply to the court for an extension if there is

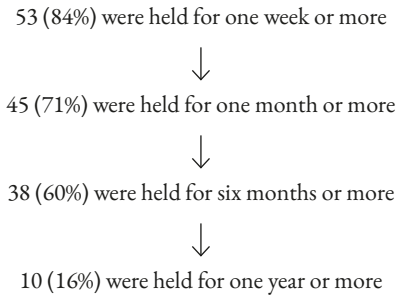

Figure 2: Length of detention for Palestine solidarity protestors held on remand

good and sufficient cause and the prosecution has acted with all due diligence and expedition; otherwise, the defendant becomes entitled to bail after 6 months.

It is therefore remarkable that in a quarter of all cases, protestors were detained longer than 6 months. In the Palestine solidarity cases, two thirds of protestors were detained longer than 6 months.

Research in 2021 found that 10% of those held on remand were held for more than a year.[109] This was condemned at the time by the organisation Fair Trials as "cruel, broken" and "undermining our entire justice system".[110] In our cohort of Palestine solidarity protestors 16% have been held for more than a year, and one remains on remand after 86 weeks. By the time this report is published, he will have been held for almost 2 years.

All of this adds up to an extreme and unusually punitive use of remand detention used against protestors, and this extreme use of remand is most clear as it has been applied to Palestine solidarity protestors.

The Filton 24

A noteworthy example of the increasing time activists are spending on remand is found in the case of the 'Filton 24' - a group of defendants charged with offences connected to a Palestine Action protest at a factory in Filton, Bristol, run by Israeli weapons manufacturer Elbit Systems. All of the Filton 24 have spent significant time on remand, with some spending as long as 18 months in prison before their first trial. Following the first trial of six members of the group in January 2026, which saw a jury return a verdict of not guilty on the most serious charge of 'aggravated burglary', all but one member of the Filton 24 were granted bail. The Filton case thus raises serious concerns about prosecutors bringing trumped-up charges that, while eventually rejected by juries at trial, are used to justify the imposition of lengthy imprisonment on remand, far outside the normal pre-trial time limits of six months. Furthermore, following the jury's verdict in the Filton 6's retrial, three defendants were immediately remanded back to prison by Judge Jeremy Johnson pending their sentencing for criminal damage, despite the prosecution not requesting this.

The Brize Norton 5

Another pertinent case is the 'Brize Norton Five' – who are all charged in connection with the spray-painting of two planes at RAF Brize Norton to draw attention to British reconnaissance flights conducted over Gaza during the genocide. The activists have been in prison on remand since August 2025, with their trial date not due to take place until January 2027. Finally, even where Palestine activists have been released on bail awaiting trial, they are typically subject to a host of increasingly stringent bail conditions, such as home curfew detention, electronic ankle monitoring tags, non-association orders and sureties– for example, four activists with 'Palestinian Martyrs for Justice', who were only granted bail after agreeing to a series of conditions including a surety of £10,000.

Outcomes

A total of 44 cases are awaiting trial and 8 are awaiting retrial. Of the remaining 248 cases, we know the outcome of 200. *Table 1* below summarises those cases.

Outcome	Number
Died before trial	1
Charges dropped	2
Acquitted	17
Suspended sentence / conditional discharge / fine	75
Sentenced to imprisonment	105
Total	**200**

Table 1: Known case outcomes

52% led to imprisonment; 38% led to non-custodial or suspended sentence; and in 10% of cases, defendants were acquitted or the charges were dropped.

The conviction rate is 90%. This is significantly higher than the 83.1% average conviction rate in England and Wales that is provided by the Crown Prosecution Service.[111] It is likely that this figure is inflated by the number of breaches of injunctions and contempt of court cases because the issues at stake are typically narrower than in other trials. In such cases, the court will only consider whether a valid order existed, whether the defendant knew of it, and whether it was breached or not.

Outcomes on Remand

Court outcomes have been recorded in 116 cases where we know exactly how long protestors were held on remand. Analysis of those cases reveals a startling finding: in the vast majority of those cases, the sentence was more lenient than the period of remand imprisonment. *Table 2* illustrates this.

Outcome	Number
Custodial sentence longer or of equal length to remand period	33 (28%)
Sentence more lenient (suspended sentence /fine/ conditional discharge)	70 (60%)
Acquitted or charges dropped	13 (11%)
Total	**116**

Table 2: Case outcomes of those held on remand

In this table we can see that the court found the protestors guilty in 89% of cases. This is slightly over the average for all offences. It is in the analysis of sentencing that we find a stark illustration of the over-use of remand in those cases.

Sentences

As *Table 1* illustrates, a total of 105 protestors in our cohort have received a custodial sentence following prosecution (92 are climate protestors and 13 are Palestine solidarity protestors).

Those 105 protestors were sentenced for a total of 5153.2 weeks in jail. Or 99 years in total. The average sentence was 49 weeks.

Within this cohort, the Palestine solidarity sentences have been much harsher on average at 80.7 weeks (much more than a year and a half). For climate protests, the average was 44.6 weeks, or a little more than 10 months.

The 'Whole Truth Five' jailed (July 2024)
Perhaps the illustrative example of the turn towards increasingly draconian custodial sentences for acts of protest is the case of the 'Whole Truth Five' – five Just Stop Oil campaigners convicted of 'conspiracy to cause a public nuisance' for their appearance on a zoom call which provided information about Just Stop Oil's campaign to block parts of the M25 motorway. In July 2024, following a trial in which they were prevented by the judge from bringing evidence of climate breakdown, the five activists were sentenced to between 4-5 years each for their role on the zoom call – sentences which were described as 'unacceptable in a democracy' by UN Special Rapporteur on Environmental Defenders, Michel Forst. Though the sentences were reduced somewhat on appeal (with the Court of Appeal shaving about one year off each activist's sentence), the sentences handed to the Whole Truth Five are still the longest recorded in our dataset, and set a dangerous precedent for future cases yet to reach the courts.

The 'Thales 5' jailed (August 2024)
One final example of dramatic increase in custodial sentences is the imprisonment of the 'Thales 5' in Scotland. In August 2024, members of the group were each given 12-14 month sentences for occupying the roof of the Thales weapons factory in Glasgow. Astonishingly, 3 of the activists received year-long custodial sentences solely for the crime of 'breach of the peace', a 'low-level' public order charge often applied to protest in Scotland.

6. Conclusion

The evidence presented in this report is unambiguous: Britain has undergone a fundamental and deeply troubling transformation in its treatment of political protest. What was once an exceptional measure — the imprisonment of activists engaged in civil disobedience — has become a routine instrument of state policy. Since 2019, 292 people involved in climate and Palestine solidarity protests have been detained in custody for more than 24 hours, serving a combined total of more than 135 years. This is not an abstract statistic. It represents the systematic incarceration of people acting on conscience, acting to prevent climate breakdown and the annihilation of Gaza.

This report has traced the converging forces that produced this outcome: the political class that relies on the police to secure the interests of the fossil fuel and arms industries, and the judiciary who stand ready to uphold a rule of law that has progressively eradicated the right to protest. In order to preserve this hardening rule of law, we have witnessed a cascade of repressive legislation, the weaponisation of civil injunctions by corporations and public bodies, judicial removal of protest defences and a sustained political discourse designed to delegitimise direct action as antisocial and dangerous.

This report has exposed three responses to protest which are grossly disproportionate.

First, remand is used indiscriminately and recklessly as the first line of attack. The effect of this is to chill protest and civil disobedience and to send a message that the arbitrary power of the state can be used to lock up anyone who dares to protest, and often for very long periods indeed.

Second, the use of contempt of court as a mechanism for securing imprisonment has been cynically used to protect corporate interests, to silence defendants and to circumvent criminal process. This is perhaps the most significant mechanism used to send people to jail and this is being done on the order of judges, without jury scrutiny. This comes on top of an unprecedented suppression of defence arguments and evidence that can be heard by juries.

Third, the courts have handed down exceptionally long sentences over a sustained period of time. Thus, 105 protestors have been sentenced to 99 years in total, with an average of more than a year in each case. As the data presented here shows, treatment of Palestine solidarity protesters is particularly extreme. The proscription of Palestine Action under terrorism legislation represents perhaps the most serious attack on civil liberties in Britain in a generation, drawing condemnation from UN Special Rapporteurs.

Yet resistance persists. Juries have continued to acquit protesters even where legal defences have been stripped away, affirming that democratic conscience cannot be entirely legislated out of existence.

This is why resisting the current government proposals to severely limit jury trials is so important. Juries are essential to preserving the only nominally democratic element in criminal justice process. The jury trial embodies public participation in the legal system, and as such is the only element that can reflect public values. Proposals that limit jury trials risk concentrating power in the hands of judges even further, cutting the brakes on a system in which the right to protest is quickly being eroded. At the same time, other serious threats loom large in the Crime and Policing Bill currently making its way through Parliament, including the power to search social media, ban masks, and widen the "serious disruption" threshold allowing the police to outlaw protest.

The struggle to defend the right to protest in Britain, and to hold its institutions accountable for its excessive response to climate campaigners and peace activists, is urgent and remains in the balance.

Annex: Methodology

This report was compiled in collaboration with several movement organisations who track the arrests, detention and prosecution of protesters in relation to climate protests and Palestine solidarity actions. We selected those two types of protest since they have been the two dominant *foci* of protests of at the heart of the government's current clampdown. We distinguish those types of protests from right-wing and British nationalist protests, or indeed, anti-Monarchy protests taking place in the same period. The climate and Palestine solidarity movements have challenged the British state in a way that challenged the way the economy is structured. The former seeks an alternative to the fossil fuel economy and the latter seeks an end to a genocidal and imperialist arms-based economy. Other forms of protest in this period have confronted government policy, and even demanded radical change, but they have not sought a change in the social and economic status quo. The forms of protest delineated in this report represent a threat to the economic and social order and this is why they have provoked such a response on the part of the British state.

We began by establishing a list of individuals who had been held on remand or sentenced drawn from the lists of three of those organisations. We then used this combined list to draw up a secondary list of protests in which we knew those involved had either been held on remand or had been sentenced for protest activities. This gave us a list of 35 climate protests and 9 Palestine solidarity protests. We filled the gaps in this list of protest by consulting with key people on the organisations responsible for organising them. This gave us a more robust list of 40 climate protests and 13 Palestine solidarity protests between October 2019 and August 2025. We then sought to build comprehensive lists of protestors imprisoned following those protests by searching all available documentation relating to those cases: press reports, court records, the statements made by protest organisers and the statements released by the CPS and by relevant police forces. This required a long process of triangulation to ensure that any anomalies in those data sources were resolved. At this stage we had a list of 289 individuals who had been jailed either because they had been remanded or sentenced, or both.

In the final stage we collaborated with the Movement Research Unit, an independent research organisation based in London, to use data scraping tools to verify the information on our spreadsheet and to fill in any gaps. This process confirmed data in a majority of cases, but also corrected data in a significant minority of cases. This process also removed 3 duplicate cases.

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