

Some good news: the Tory-created anti-protest laws are ...

Published: January 13, 2026, 7:43 am

I think this [press statement from Liberty](#) is worth sharing, as they posted it yesterday, because it is potentially very good news:

Liberty defeats Government appeal as Court rules anti-protest laws are unlawful

Posted on 02 May 2025

- * Court of Appeal dismisses Government appeal, ruling that anti-protest regulations were made unlawfully
- * Liberty challenged law change which lowered threshold on when protests can have conditions placed on them to anything that caused 'more than minor' disruption
- * Liberty calls on Government to scrap legislation and review every arrest made under the law

The Court of Appeal has today ruled that legislation granting the police 'almost unlimited powers' to restrict protests was created unlawfully. Judges dismissed an appeal from the Government, finding in favour of human rights organisation, Liberty.

Liberty welcomed the landmark ruling, saying that the case sets an important precedent that 'Government ministers must respect the law, and cannot simply step outside it to do whatever they want.'

Liberty has called on the Government to accept the judgment, and to review every arrest that has been made under the law.

In its judgment published today (2 May 2025), the Court of Appeal agreed with an earlier ruling of the High Court from May 2024 that then-Home Secretary Suella Braverman did not have the power to create a new law that lowered the threshold of when the police can impose conditions on protests from anything that caused 'serious disruption' to anything that was deemed as causing 'more than minor' disruption.

Lord Justice Underhill, Lord Justice Dingemans and Lord Justice Edis upheld the High Court's ruling, saying "the term "serious" inherently connotes a high threshold ... (and) cannot reasonably encompass anything that is merely 'more than minor'".

The powers, passed in June 2023, had initially been democratically voted down just a few months earlier. Braverman instead used secondary legislation, which requires far less parliamentary scrutiny, to bring the laws into effect. A cross-party parliamentary committee said at the time this was the first time a government had ever sought to make changes to the law through so-called 'Henry VIII powers' which had already been rejected by Parliament when introduced in primary legislation.

Liberty challenged the regulations, which have now twice been found unlawful, saying that Braverman had 'sneaked legislation in via the back door'. Liberty said that by changing the definition of 'serious disruption' in such a broad way, police had been given 'almost unlimited powers to impose conditions on protests'.

The Government's appeal into this case was initially launched by the-then Home Secretary James Cleverly, but was continued by current Home Secretary Yvette Cooper.

The Court will decide in the coming weeks if the legislation is to be quashed. Liberty has called for the regulations to be quashed immediately as per the initial ruling from the High Court, whose decision to scrap them was put on hold until the conclusion of the appeal.

Hundreds of protesters have been arrested under these measures since they were created, including the climate activist Greta Thunberg who was acquitted of all charges in a hearing in February 2024.

Liberty has called for all arrests and prosecutions under the legislation to now be urgently reviewed, alongside a comprehensive review into all protest laws that have been passed in recent years.