

Complying with the requirements of the law

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I think I need to post this comment made by Lord Anderson of Ipswich, who is a lawyer, in the [House of Lords this week](#), when discussing the Terrorism Act 2000 (Proscribed Organisations) (Amendment) Order 2025. He said this, and within it is a clear warning:

My Lords, I will be brief. Invoking the terrorism laws has consequences and, although I do not object to invoking them in relation to any of these three groups, we need to understand properly what those consequences are. Many people want to speak, and I will make only one point, which is that the consequences of designation for individuals misguided enough to approve of, for example, Palestine Action are rather more draconian than the Explanatory Memorandum to this order suggests.

Paragraph 5.20 of that document states:

“It is a criminal offence for a person to belong to, or invite support for, a proscribed organisation. It is also a criminal offence to arrange a meeting to support a proscribed organisation”.

That is an accurate summary of Section 11 and Section 12(1) and (2) of the Terrorism Act 2000. If you are a member or a promoter of a proscribed organisation, you can face up to 14 years in prison.

However, since the Counter-Terrorism and Border Security Act 2019 introduced Section 12(1A) to the Terrorism Act 2000, you can also be looking at up to 14 years if you express

“an opinion or belief that is supportive of a proscribed organisation”,

without even needing an intention that your listener or listeners should agree—being reckless about that suffices. By our bringing Palestine Action, for example, within the ambit of the terrorism laws, anyone who is young and foolish enough to say that its heart is in the right place, or that the Government should listen to it, is committing a very serious offence for which they could be prosecuted, convicted and imprisoned as a terrorist. It is not their right to protest but the right of freedom of speech that is the

issue here.

Does the Minister agree that this 2019 offence takes us on to more sensitive territory than the others? Can he tell us whether its potential impact was considered as part of the Government's analysis of these decisions, even though it was not referred to in the Explanatory Memorandum? Might it be a good idea, for future proscription debates, to ensure that the Explanatory Memorandum template is updated to make reference to the full arsenal of proscribed organisation offences?

The Minister left all the ambiguities in place. Three things are clear. First, this ban is more severe than the government itself says. Second, this means that the risks are also higher than the government suggests. Third, as a publisher, I am at definite risk if people seek to make comments here that carry a severe risk of penalty now. What also seems certain is that the ban now covers implied support. I made my opinion on this ban and its implications clear last week. But the world has changed now, and this specific issue is not one that I think is worth going to prison for. You might wish to take that risk, but I have bigger battles on broader fronts to fight. So, as a matter of fact, please do not make comments here with regard to proscribed organisations. If you do:

- * You put me at risk
- * You put yourself at risk
- * You waste my time
- * You increase my stress.

Please don't do it then.

And if you do, you face the risk of being banned now, whoever you are. Sorry, but I am not going to prison for you.

Saying which, I make clear:

- * You can discuss Israel
- * You can condemn genocide
- * You can make it clear why you object to what Israel is doing
- * You cannot be anti-semitic
- * You cannot in any way promote a proscribed organisation

And please don't object to what I am saying. My position is clear, and you may be banned, as this matter is now outside my control and, as I mentioned, I have other agendas to pursue as well.