

Scotland: Police Criticised Over Protest Arrests

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Police Scotland has come under pressure from the Scottish Human Rights Commission (SHRC) following arrests at pro-Palestine protests, raising fresh concerns about the protection of civil liberties in Scotland.

The watchdog, which is accountable to the Scottish Parliament, issued a formal warning suggesting that the force's recent actions may have infringed rights protected under the

European Convention on Human Rights (ECHR). This follows the UK Government's decision to proscribe *Palestine Action* as a terrorist group, a move currently facing legal challenge.

Professor Angela O'Hagan, chair of the SHRC, has written to the Lord Advocate and Chief Constable Jo Farrell, urging a review of how protests are policed in the wake of the proscription. She stressed the importance of distinguishing between support for a banned organisation and support for a political or moral stance.

"There are very narrow circumstances under which political speech and ideas can be lawfully restricted," said O'Hagan. "The proscription of *Palestine Action* should not prevent individuals from exercising their right to peaceful protest."

In her letter, also sent to Justice Secretary Angela Constance, O'Hagan referred to Articles 10 and 11 of the ECHR, which protect free speech and the right to peaceful assembly. She warned that enforcing the Terrorism Act 2000 without proportionality could lead to unjust restrictions on these rights.

A notable incident referenced in the letter involved a man charged outside Glasgow's TRNSMT music festival in July. He had worn a t-shirt with the slogan "Genocide in Palestine – Time to Take Action," produced by the Scottish Palestine Solidarity Campaign. SHRC raised concerns that such arrests may not meet the legal threshold of necessity or proportionality under ECHR standards.

"The SHRC is concerned that operational policing must properly assess whether actions taken interfere with individual rights and whether such interference is justified," wrote O'Hagan.

The UN has also expressed unease over the UK Government's approach. Volker Türk, the UN's High Commissioner for Human Rights, recently criticised the proscription of *Palestine Action*, warning that counter-terrorism laws are at risk of being applied to conduct that falls outside the scope of terrorism. He urged the government to revisit its definition of terrorist activity and ensure all laws align with international human rights standards.

A Police Scotland spokesperson responded, stating: "We have a legal duty to protect the rights of those who wish to peacefully protest or counter-protest. However, it is an offence under the Terrorism Act 2000 to be a member of or to support a proscribed organisation. This includes wearing clothing or carrying items likely to arouse suspicion."

The spokesperson added that the force works in coordination with the Crown Office and Procurator Fiscal Service, and decisions to prosecute are based on the sufficiency of evidence and public interest.

While the decision to proscribe organisations lies with the UK Government, the SHRC's intervention signals rising tension between national security priorities and the protection of lawful dissent. The current Labour-led Government has faced scrutiny over its use of counter-terror legislation, with critics warning that such measures could stifle legitimate political expression.

As protests continue across the UK in response to events abroad, Scotland now finds itself at the centre of a debate over whether civil rights are being upheld or undermined in the name of public order.