

BRITAIN'S FREE SPEECH PROBLEM

How growing restrictions are stifling speech online and offline

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BROTHER
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About Big Brother Watch

Big Brother Watch is a civil liberties and privacy campaigning organisation, fighting for a free future. We're determined to reclaim our privacy and defend freedoms at this time of enormous change.

We're a fiercely independent, non-partisan and non-profit group who work to roll back the surveillance state and protect rights in Parliament, the media or the courts if we have to. We publish unique investigations and pursue powerful public campaigns. We work relentlessly to inform, amplify and empower the public voice so we can collectively reclaim our privacy, defend our civil liberties and protect freedoms for the future.

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Britain's Free Speech Problem: How growing restrictions are stifling speech online and offline

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CONTENTS

FOREWORD

from Nadine Dorries, former Secretary of State for Digital, Culture, Media and Sport 2

KEY FINDINGS 7

RECOMMENDATION 8

INTRODUCTION 9

ONLINE SAFETY ACT 13

What Duties Apply Under The Online Safety Act? 17

Small Forums and Platforms 18

Case Study 1 - 300 small community forums close due to the
Online Safety Act's compliance burdens 23

Case Study 2: -Dads With Kids, a forum for single and
separated dads, goes offline 24

Overzealous Content Blocking 24

Case studies of content blocked due to the Online Safety Act 27

Reddit Deep Dive Case Study - Analysis of Subreddit Age-Gating 30

How the Online Safety Act has age-gated Reddit: An analysis 40

How the Online Safety Act built the Great British Firewall 41

COMMUNICATIONS OFFENCES 42

Historical example 1 - Twitter Joke Trial 46

Historical example 2 - Black woman using N-word online 46

Arrests 49

Charges 52

Convictions 56

Conclusions 57

Case studies: The human impact of communications offences 60

PROTEST RIGHTS 64

New Legislation 66

Application of New Legislation 71

Section 12 - Processions 72

Section 14- Assemblies 75

Stop and Search 78

Speech and Slogans at Protest 80

Palestine-Related Chants 81

F*** Islam Signs 85

Anti-Monarchy Signs and Chants 86

Analysis 89

DISINFORMATION, SURVEILLANCE AND CENSORSHIP 90

Case Study – David Cameron Prank Call 99

APPENDIX: FOI Data Tables for Communications Offences 101



FOREWORD

from Nadine Dorries, former Secretary of State for Digital, Culture, Media and Sport

As the Secretary of State who led the passage of the Online Safety Act through the House of Commons, I will always defend the position that the need for the Act was born from a legitimate, important and honourable objective, which was to protect children from online abuse, grooming, exploitation, pornography, self-harm, eating disorders and suicide.

What it was not supposed to do was to limit freedom of speech and expression as in some cases, it appears to have done. Spotify and Reddit were not supposed to find themselves age-gating song lyrics and cigar forums as has happened, and is evidenced in this report.

None of this is to dismiss the genuine concerns of parents. They are right to demand that children are safer online than they have been for much of the internet's history. The government had no choice but to draft the provision of statutory online safety measures for children as they were not simply expected, but demanded by the overwhelming majority of parents, grandparents, teachers and all those who work with and interact with children. But a mature democracy should be capable of pursuing child protection without sacrificing the principles that underpin an open society.

The issue with the Online Safety Act is that the fundamental aim of the bill was distorted by numerous MPs from different parties who sought to piggy back the bill in order to pursue pet projects. The result is that the legislation, originally meticulously drafted, became distorted and **failed to secure either the protection of children, or to protect the fundamental principle of any democracy, freedom of speech.**

The legislation increasingly places the state in the role of deciding how lawful speech should be governed online and requires platforms to make difficult judgements about lawful but controversial expression. Faced with the prospect of regulatory penalties, companies have every incentive to err on the side of removing content rather than defending open debate. The safest commercial decision is often to censor first and ask questions later.

This is where the balance has shifted too far.



*The safest commercial decision
is often to censor first and ask
questions later...*

The United Kingdom has long prided itself on being both liberal and democratic. Increasingly, however, our instinct is to regulate first and ask constitutional questions later. The Online Safety Act reflects that broader trend. It demonstrates how legislation driven by widely shared public concern can, over time, become an instrument that narrows the space for free expression.

That matters because freedom of expression is not simply about protecting popular opinions. It exists precisely to protect ideas that others may find uncomfortable, unpopular, or wrong. Once governments begin creating systems that encourage the suppression of lawful speech, even for understandable reasons, they establish precedents that future governments may apply more aggressively.

Many have not hesitated to say they warned me this would happen. However, I would argue that if we cannot have faith in the democratic process that underpins how legislation is made and enacted, what are we left with?

Just over a year ago, schools inside the London Borough of Barnet banned smart phones from all schools. As a result, children are said to be happier, more sociable, better behaved and have achieved higher academic results. The Borough took this step without the need of legislation in the form of the Online Safety Act, which begs the question, what was the point of the Act if the fundamental aims and objectives of protecting children online have been reached by a group of teachers taking a common sense approach? Of course, none of us is foolish enough to believe that this measure solved all the ills which befall children online. However, happier children at school are an indication that it has made a huge improvement.

Big Brother Watch has never argued that the harms motivating this legislation are imaginary. Grooming, self-harm content, and child exploitation material are real and serious, and any credible defence of free expression has to reckon with that seriously

rather than wave it away. But a law's good intentions do not excuse its bad design. The measure of the Online Safety Act should not be how loudly it was defended in Parliament, but what it has actually done: which forums have closed, which speech has been chilled, which children it has genuinely protected, and which risks it has merely displaced.

This report sets out that measure. I hope it informs not just public debate, but Ofcom's own forthcoming review of how effective, and how proportionate, this law has really been.

I welcome the substance of this report from Big Brother Watch and **fully support the call for an independent national review of all laws implemented by successive governments which collectively, fail to fully protect children online, limit freedom of speech and amount to the digital equivalent of a dog's dinner.** A review could provide a blueprint for a future government to ensure that amendments to legislation are targeted, do not put children at risk and protect our basic democratic and hard fought for freedoms.

Children deserve protection. Adults deserve liberty. The challenge is not choosing one over the other but preserving both. In my view, Parliament failed to maintain that balance, and in doing so took a significant step towards a more illiberal digital public square.

Protecting children online and protecting freedom of expression are not opposing goals pulling in different directions. Both are mutually compatible and achievable if legislation is drafted and passed with care and consideration.

The Rt Hon Nadine Dorries
Secretary of State for Digital, Culture, Media and Sport, 2021 to 2022



KEY FINDINGS

Online Safety Act:

- + Videos from mainstream political parties, posts on British history and paintings by famous artists have all been blocked or age-gated online due to the OSA.
- + Forums on topics from fixed-gear cycling to being a single dad have closed down or changed ownership due to the demands of complying with the Online Safety Act.
- + A systematic analysis of Reddit has found age-gating is being applied to many more topics than required in law, with posts on BBC News reports about the war in Gaza, complaints about a papercut and discussion of 1970s punk bands all being hidden behind demands for ID.

Communications Offences:

- + Arrests for speech offences are extremely high, and far exceed convictions, raising questions about the overuse of arrests for controversial speech.
- + At least **62,199** people in the UK were arrested for communications offences over 5 years; **18,520** were charged and **12,292** convicted.
- + There is a 'postcode lottery' of speech policing, with drastically varying rates of arrests across police forces, reflecting the elasticity of vaguely defined speech offences in UK law.
- + Cumbria Constabulary arrested **25.7** people per **10,000** over 5 years – **2 ½ times** the national average and the highest in the country.
- + Some police forces made **14 times** the number of per capita arrests their neighbours did.
- + Sussex Police arrested **10.7** people for each charge, Staffordshire only **0.2** – pointing to a huge disparity in the use of arrest.

Protest Rights:

- + London's Metropolitan Police is the only force known to have used new suspicionless search powers at a protest, and mostly targeted a single pro-Palestine demonstration with them.
- + Two new major laws have placed a number of draconian limits on protest rights: the Police, Crime, Sentencing and Courts Act 2022 and Public Order Act 2023, with other laws introducing additional anti-protest measures.
- + Police have repeatedly arrested people for speech at protests that is clearly not unlawful.

Disinformation, Censorship and Surveillance:

- + The 'National Security Online Information Team' operates with almost no scrutiny, working on major events from the 2024 riots to the general election.
- + NSOIT flags to social media companies are rising again after a post-pandemic dip.
- + NSOIT has monitored public reactions to true events that were embarrassing to the Government, but which really happened.

Recommendation

The Government should commission an independent national review of laws affecting freedom of speech and the overall health of freedom of expression in the UK. The review should examine the cumulative impact of legislation governing online speech, communications offences and protest on the exercise of the right to freedom of expression, and make recommendations to ensure that this fundamental right is adequately protected.

INTRODUCTION



INTRODUCTION

Free speech is in urgent need of a robust defence in the United Kingdom. Protest rights are under threat, while 'disinformation' and 'children's safety' are used as twin justifications for increasing controls on online speech. At the same time, the state is preparing to build a Great British Firewall, with digital ID as its gateway.

Speech remains subject to vague criminal laws that were written long before the social media age while the police are becoming increasingly willing to attribute the meaning of words on behalf of the people who utter them.

All of this is happening at a time when both the political left and the political right believe that their speech is under the greatest threat. The reality, however, is that everyone's right to free expression is being gradually eroded in the UK. Despite growing political polarisation, when Big Brother Watch attended two major protests in central London in May 2026 representing very different viewpoints, there was one commonality - free expression was under attack. It is vital, in a healthy democracy, that we defend freedom of expression for everybody.

This slide into illiberalism is not the result of a crackdown from a newly installed dictator. Rather, Britain is sleepwalking into authoritarianism, inch by inch. Successive governments have imposed restrictions on online speech with measures that consistently undermine privacy and anonymity online, claiming they are solutions to the challenges that are stemming from the rise of the internet and social media. Quick fixes have been sought in response to real tragedies, instead of addressing their underlying causes. In the long term, this approach will diminish everyone's freedom.

Britain now stands on the precipice of creating the one of the Western world's first *de facto* gated internets, effectively excluding anyone who refuses to provide digital identification from large parts of the web. This censorship is not confined to explicit content. This investigation has found age restrictions applied to jokes about fantasy football team names, famous oil painting masterpieces, complaints about paper cuts and on threads of people seeking advice from their peers. Diverse, ordinary, everyday speech increasingly now has a digital bouncer guarding the door. Some communities have simply shut down altogether. While the affected content may appear trivial, the consequences are not. Restricting access to information and limiting people's ability to share it inevitably damages the right to free expression.

Yet the direction of travel in the UK indicates that even more restrictions may be imposed. British children could face an extraordinary cliff-edge; they could

be banned from accessing social media at 15 years and 364 days old, only to be deemed mature enough to vote and join the army just 24 hours later. The only way the state can block children from accessing large parts of the internet is to require all of Britain's 68 million internet users to prove their age through digital identification or biometric scans. There are even calls for virtual private network (VPN) services to be subject to age restrictions and ID requirements. However, VPNs are vital tools for dissidents, whistleblowers, and journalists around the world. Policies of this nature resemble the logic of China's Great Firewall more than that of a Western democracy.

In addition to new broadly censorial legislation, such as the Online Safety Act, speech online is regulated by laws that predate the social media age. Vaguely defined communications offences have made the policing of speech a 'postcode lottery'. Some people face arrest, charge, or prosecution for something they posted online, while others living under a neighbouring police force may experience a very different approach. Data uncovered in this report shows that some police forces arrest dozens of times more people per capita than adjacent forces, while other forces appear to use arrest as the default tool rather than only when it is absolutely necessary.

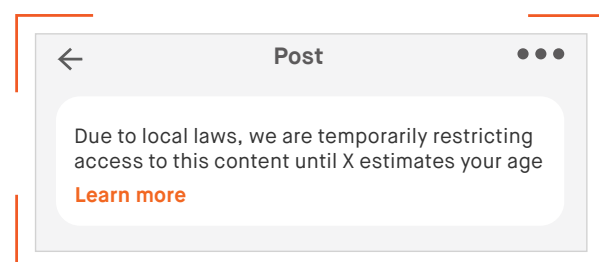
It cannot be argued that people in Cumbria are orders of magnitude more offensive than their Northumbrian neighbours. When the data shows regional disparities on this scale, the level of interpretation and discretion involved is clearly too high and was bound to result in erratic, subjective and overbearing policing of speech at a time when millions of people's speech is under scrutiny online. At the same time as inconsistent policing of communications offences is leading to growing distrust in the state, the right to protest is being steadily eroded. A succession of laws targeting particular forms of protest have been introduced, handing police sweeping powers to search protestors without suspicion at demonstrations and place increasingly restrictive conditions on rallies. Big Brother Watch has found that there is common ground across the political spectrum in defence of the right to protest. Defending that right is essential to protect everyone's right to dissent.

Meanwhile, 'disinformation' is being raised as the spectre to justify the state positioning itself as the arbiter of truth. While genuine threats from hostile foreign actors exist, there is a growing tendency to conflate Kremlin-backed influence operations and troll farms with ordinary people simply getting things wrong online. This is a dangerous false equivalence that risks legitimising state interference with lawful speech. Treating British citizens disagreeing, being controversial or making an error online as a national security threat, and using that to justify surveillance and censorship, is a retrograde step for a democracy. In our previous report, Ministry of Truth, we revealed that during the pandemic military resources

were used to monitor speech by British citizens and even opposition politicians that criticised government policy. 'Disinformation' must not become a justification for political surveillance.

To protect free speech the government should commission an independent national review into how the nexus of online safety rules, communications offences and anti-protest powers that are unevenly policed and unfit for purpose threatens our rights. A society-wide conversation on how our laws are interacting to undermine free expression is needed now, so those in power can correct the course and protect our speech. This review must be independent to hold the government to account and it must take a holistic view of the state of free expression across the country so it can consider how different laws and policies combine to limit it, as well as to issue recommendations that buttress free expression in the UK.

Free speech is not a luxury; it is the lifeblood of democracy. It is not a privilege, but a fundamental human right. However, between the online spectres of harmful content and 'disinformation', complex communications offences, and a succession of governments hostile to protest, our right to free expression has come under threat. This report documents some of the most significant threats to free speech in the United Kingdom and highlights where policy and policing are going wrong. With the Government suggesting ever more extensive censorship measures and our national culture of free speech in decline, now is the time to act to defend freedom of expression as a fundamental British right and value.



ONLINE SAFETY ACT





” Overnight the
UK internet
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and less private.

ONLINE SAFETY ACT

Key findings:

- + Videos from mainstream political parties, posts on British history and paintings by famous artists have all been blocked or age-gated online due to the Online Safety Act.
- + Forums on topics from fixed-gear cycling to being a single dad have closed down or changed ownership due to the demands of complying with the Online Safety Act.
- + A systematic analysis of Reddit has found that age-gating is being applied to many more topics than required in law, with posts on BBC News reports about the war in Gaza, complaints about a papercut and discussion of 1970s punk bands all being hidden behind demands for ID.

The nature of internet use in the United Kingdom changed fundamentally on July 25 2025. Age checks mandated by the Online Safety Act (OSA) came into force, placing significant responsibilities on online platforms to keep children from accessing certain categories of lawful but potentially 'harmful' content online. The new rules had an immediate and significant impact on British internet users. Access to social media threads about joke football team names and craft beer suddenly required proof of age, while forums on subjects as varied as hamsters and fixed-gear cycling were shut down or restricted, and even pictures of famous paintings were caught behind age verification barriers.

Overnight the UK internet became less free and less private. These restrictions were justified as a means of protecting children from online harms, particularly on social media, by making it more difficult for them to see certain categories of content. However, age-gating content from under-18s necessarily requires over-18s to prove their age in order to access the material. Age verification barriers appeared across the internet, demanding identity documents or biometric age-estimating face scans before allowing access to lawful content online. In practice, these barriers were placed in front of a much wider range of content than the law required.

Both the intended and unintended consequences of the Online Safety Act have affected free expression in the UK. The intended effect — making certain categories of lawful content more difficult to access necessarily limits expression. Although it is open to debate whether the interference is justified when balancing the right to free expression against duties to protect children, to claim that there is no impact

would be naive. The unintended effects are more chilling and potentially have much wider impact, as the categories of expression that are affected by the Act extend far beyond those explicitly identified in the legislation, and it is impossible to know in advance the full extent of their impact.

Proponents of the OSA cannot say with certainty how far the effects of the law will reach. Lawful content that is not in scope of the legislation may nevertheless become inaccessible, whether due to overly cautious approaches by platforms, poor drafting of the legislation or companies unnecessarily putting swathes of content behind age-gates because they cannot or will not design UK-specific modification or age verification systems for their services. News reporting, discussion forums and works of art have all been affected. There will likely be countless more unreported examples of expression that have become harder to access due to the OSA, not because the law requires it but because in practice, the Act has helped make geoblocking and age-gating routine features of the UK internet.

Due to the nature of these unintended consequences, it is never possible to account for every permutation or document every example, but this chapter will focus on three of the most significant unintended consequences of the OSA and examine the impact they have had on freedom of expression. These include:

- + The closure and restriction of small forums and community platforms
- + Examples of lawful content that has been unnecessarily geoblocked or age-gated
- + A case study of Reddit examining the scale of age-gating on popular subreddits that do not focus on the categories of content from which children are intended to be protected.

Together, these examples highlight how the implementation of the OSA has significantly limited freedom of expression online and restricted access to lawful content for web users in the UK. They paint a picture of an increasingly controlled and restricted internet environment in the United Kingdom.



*the OSA has significantly limited
freedom of expression online*



What Duties Apply Under The Online Safety Act?

The OSA imposes duties on search services, and on services that allow people to post, share or encounter content online. Four categories of content were designated as “primary priority content”, which services in scope of the Act must prevent children from accessing:¹

- + Pornography
- + Content promoting, encouraging or glorifying:
- + Suicide
- + Eating disorders
- + Self-harm

In addition services are required to ensure that children only have “age appropriate” access to a wider category of priority content, including:

- + Bullying
- + Abusive or hateful content
- + Content which depicts or encourages serious violence or injury
- + Content which encourages dangerous stunts and challenges; and
- + Content which encourages the ingestion, inhalation or exposure to harmful substances.

These obligations sit alongside duties relating to content that is already unlawful, such as extreme pornography, fraud and weapons sales.²

The Act’s content duties apply to pornography services, search engines and user-to-user (U2U) services³ — with Part 2 of the Act defining search and U2U services.

U2U services are defined broadly in Section 3 of the OSA as “an internet service by means of which content that is generated directly on the service by a user of the service, or uploaded to or shared on the service by a user of the service, may be encountered by another user, or other users, of the service.” Search services are similarly broadly defined and include any web service that includes a search engine.⁴ It is U2U services that most acutely engage the issue of free expression as these are

1 Online Safety Act Explainer, Department for Science, Innovation & Technology, 24th April 2025, <https://www.gov.uk/government/publications/online-safety-act-explainer/online-safety-act-explainer>

2 Online Safety Act Explainer, Department for Science, Innovation & Technology, 24th April 2025, <https://www.gov.uk/government/publications/online-safety-act-explainer/online-safety-act-explainer>

3 My Organisation Runs A Small Online Forum – Is It In Scope Of The OSA, Bristows LLP, 20th February 2025, <https://inquisitiveminds.bristows.com/post/102k11s/my-organisation-runs-a-small-online-forum-is-it-in-scope-of-the-osa>

4 Section 3, Part 2, Online Safety Act 2023, <https://www.legislation.gov.uk/ukpga/2023/50/section/3>

where people exchange ideas, share opinions, build communities and participate in public debate. Social media sites, messaging apps, online forums and video game chat functions all fall within this category. In effect, the U2U internet has become the modern marketplace of ideas.

Some exemptions do apply — specifically for email, SMS and MMS only services, one-to-one audio communications and services with “limited functionality” such as newspaper comments sections or product review sections on e-commerce websites such as Amazon.⁵

Through a combination of predicted effects of the legislation (that were warned about before it was introduced), and unforeseen effects, the OSA has restricted access to lawful information and expression for many people who are not willing to submit identity documents or biometric data online. This may be due to privacy concerns, a lack of appropriate documentation (an estimated 1 in 10 UK adults, approximately 5 million people, do not have a standard valid photo ID such as a passport or driving license),⁶ or the administrative and time burden incurred by ID requirements to access information. For example, someone seeking to quickly find a cocktail recipe may understandably not want to create a Reddit account and link it to their sensitive ID documents or biometric data in order to click on a recipe link – let alone someone seeking to read around sensitive topics such as mental health, sexuality or pregnancy. Whether the intent of the Act or not, the practical effect has been a reduction in freedom online for a significant number of internet users.

Small Forums and Platforms

One of the most significant consequences of the OSA has been the pressure it has placed in the UK on small discussion forums, community websites and volunteer-run online services which struggle to comply with the new law. While public debate around the legislation largely focused on major technology companies, many of the Act’s obligations also apply to much smaller platforms with limited resources and staffing.

Ofcom itself estimated that more than 100,000 online services would be in scope of the OSA – many more than the handful of big platforms that most people could name.⁷ The regulator did acknowledge that some services had already raised concerns that they simply did not have the resources to comply and tick all the

⁵ Schedule 1, Online Safety Act 2023, <https://www.legislation.gov.uk/ukpga/2023/50/schedule/1>

⁶ How can people prove their identity? – House of Commons Library, 15 May 2026: <https://commonslibrary.parliament.uk/research-briefings/cbp-10615/>

⁷ Helping Small Services Navigate The Online Safety Act, Ofcom, 24th January 2025, <https://www.ofcom.org.uk/online-safety/illegal-and-harmful-content/helping-small-services-navigate-the-online-safety-act>

boxes required by law, especially when run on a part time or even a voluntary basis.

For some operators, compliance has proved impractical or prohibitively expensive. Others have restricted access from the UK, curtailed the services they offer, or shut down altogether. The result has been a reduction in the number of independent online spaces where people can meet, exchange ideas and build communities.

Forums are a type of U2U service because they allow users to post content for others to view. Even if a forum is a small part of a website, the forum itself is in scope of the law. For example, an online chess website that has a forum section alongside its primary function of hosting games would still be required to comply with the relevant duties under the OSA in relation to its forum section.⁸

A UK link is required to place a forum in scope of the OSA, with any one of three conditions sufficient to create the link:⁹

- 1 The UK is a target market for the service
- 2 The service has a significant number of UK-based users
- 3 The service is accessible from the UK and there are reasonable ground to believe that content on the service could present a risk of significant harm to individuals in the UK

With each of the conditions alone considered sufficient to place a forum in scope, the law is remarkably broad — particularly given that key terms such as what a 'significant' number of UK-based users amounts to is not defined in the law. As a result, operators are left to make their own judgements about whether they are in scope of the legislation, often with little certainty

A forum which is in scope of the OSA is required to comply with a range of duties which at minimum include an illegal content risk assessment and a children's access risk assessment.¹⁰

Ofcom's template illegal content risk assessment runs to 59 pages. Services are expected to detail the potential risks, risk factors, additional characteristics (such as who the user base is), existing controls under consideration and supporting evidence justifying these claims for each of the 17 different categories of priority illegal content as well as any other illegal content that may appear on the service.¹¹

8 My Organisation Runs A Small Online Forum – Is It In Scope Of The OSA, Bristows LLP, 20th February 2025, <https://inquisitiveminds.bristows.com/post/102k11s/my-organisation-runs-a-small-online-forum-is-it-in-scope-of-the-osa>

9 Section 3, Part 2, Online Safety Act 2023, <https://www.legislation.gov.uk/ukpga/2023/50/part/3>

10 Online Safety Act Compliance Guide For Providers Of Online Services, Ofcom, 21st May 2025, <https://www.ofcom.org.uk/online-safety/illegal-and-harmful-content/guide-for-services>

11 Illegal Content Duties Under The Online Safety Act, Ofcom, 1st April 2026, <https://www.ofcom.org.uk/online-safety/illegal-and-harmful-content/illegal-content-duties-under-the-online-safety-act>

These categories include child sexual abuse material, content facilitating illegal immigration and fraud. After conducting an assessment for each form of illegal content, forums must then consider any risks identified, outline what measures they plan to take to mitigate them and detail these for posterity — alongside plans for future assessments. For large platforms with dedicated compliance teams this may be manageable. For small forums run by volunteers, it is a large undertaking.

Children’s access assessments require U2U services to consider whether children are able to access the service, and if so whether there is either a significant number of children who use the service or if there is a realistic prospect that the service could attract a significant number of children as users.¹² Ofcom provides a shorter two-page template for this assessment.

In practice, however, this process presents a challenge for smaller operators. Services are only able to conclude that children do not access the service if they have ‘highly effective age assurance measures’ — as described by Ofcom.¹³ Examples of which include ID checks or AI-powered biometric age estimation. Many small forums lack the resources or technical infrastructure to implement such systems, meaning they must often assume that children can access their service.

Ofcom acknowledges the difficulty of determining whether a service has a significant number of child users without age assurance systems already in place. Therefore, in practice, the key consideration is whether the service meets the condition of being likely to attract a significant number of children as users.¹⁴ The regulator also acknowledges that the term “significant” is not defined in law, and encourages services to exercise caution when making their assessment.

Assessors are advised by Ofcom to consider if the service benefits children, or whether its content and design appeals to children, or if children are part of the company’s commercial strategy.

What appeals to children is necessarily broad, and may range from football and gaming to history and music. Ofcom leaves it up to services to decide what is attractive to children. Combined with regulatory encouragement to take a cautious approach, there is a real risk that providers will adopt overly broad interpretations simply to minimise legal risk.

¹² Children’s Access Assessment Duties Under The Online Safety Act, Ofcom, 16th January 2025, <https://www.ofcom.org.uk/online-safety/illegal-and-harmful-content/childrens-access-assessment-duties-under-the-online-safety-act>

¹³ Children’s Access Assessment Duties Under The Online Safety Act, Ofcom, 16th January 2025, <https://www.ofcom.org.uk/online-safety/illegal-and-harmful-content/childrens-access-assessment-duties-under-the-online-safety-act>

¹⁴ Children’s Access Assessment Duties Under The Online Safety Act, Ofcom, 16th January 2025, <https://www.ofcom.org.uk/online-safety/illegal-and-harmful-content/childrens-access-assessment-duties-under-the-online-safety-act>

If a service is deemed accessible by children, which is likely due to the vagueness of terms and encouraged conservatism, it is then required to risk assess the platform for dangers to children.

Ofcom's template for the Children's Risk Assessment is 36 pages long.¹⁵ It resembles the illegal content assessment in format, but instead concerns a wide range of different categories of material that could be on the website and the harm they could cause to children. These include the primary priority content, abusive content, hateful content, bullying, violent content (including in fiction), harmful substances, content about depression, dangerous stunts and body stigma material. Operators are also invited to consider additional, non-designated forms of content that may be harmful to children. As with the illegal content assessment, services must then consider and explain the measures they take to protect children from relevant material and outline how they intend to monitor and review those measures in further assessments over time.

Taken together, the three Ofcom templates amount to almost 100 pages before a single word has been added by the operator. Once completed with the assessment material, they are likely to be substantially longer. While large platforms may have the staffing and resources to absorb these requirements, communities reliant on part time or volunteer support and small independent forums may find this to be a significant, if not impossible, burden.

The consequence is that major U2U services, which contain wide ranges of content which might be linked to the categories of 'harm', may have to conduct similar compliance exercises to a community-run forum for gardeners in Scotland. Major platforms have the capacity to conduct these exercises but smaller ones may not. Such small forums may have to assess the risks of terrorism content or child sexual abuse material appearing on their pages alongside images of flower beds. Common sense suggests such risks are negligible, but the OSA places this heavy compliance burden on forums and platforms both small and large.

Non-compliance with the OSA comes with potentially severe penalties for those who own and operate forums. The maximum fine permitted in law is £18 million, or 10% of global turnover, whichever is greater.¹⁶ In absolute terms, larger services would face bigger penalties than small ones, but for smaller services any penalty at all could be dangerous for their survival.

Ahead of the OSA's implementation, countless forums that catered to niche

¹⁵ Protection Of Children Duties Under The Online Safety Act, Ofcom, 1st April 2026, <https://www.ofcom.org.uk/on-line-safety/protecting-children/protection-of-children-duties-under-the-online-safety-act>

¹⁶ Online Safety Act: What You Need To Know About Illegal Content Risk Assessments, Mishcon de Reya, 17th June 2025, <https://www.mishcon.com/news/online-safety-act-what-you-need-to-know-about-illegal-content-risk-assessments>

communities or were run by volunteers and small communities were forced to consider whether blocking access from the UK or closing down entirely was a preferable alternative to undertaking costly, onerous compliance exercises.¹⁷ Amongst announcing they would close were a forum for hamster owners and The Green Living Forum about environmentally-friendly living, while a chatroom for residents of Charlbury in Oxfordshire had to restrict discussions to matters directly related to the village itself.¹⁸ The alternative was high-resource compliance exercises that were out of reach of small forums, alongside the threat of severe penalties. At the time of writing the hamster forum has come back online, while the other two remain closed.

The resulting closure of small forums, which often serve small communities, has clearly undermined free expression online. When faced with a choice between complex, onerous compliance, the risk of serious regulatory penalties and ruinous fines or simply shutting down, many community-led platforms took the choice to close. In many cases, this occurred despite the likelihood of illegal content, or content deemed harmful to children by Ofcom, being available on the site being vanishingly small.

Although the closure of numerous smaller U2U platforms was neither Parliament's intention nor a goal of the OSA, it has nevertheless been a consequence of the Act. The limiting of online discussion, either through platform takedowns or those that remain limiting what can be discussed, evidently chills free speech. Every forum that closes reduces the diversity of online discussion. Every community that limits the subjects its users can discuss narrows the space for free expression.

A healthy internet depends on a wide range of places where people can gather, debate and share ideas. The disappearance of small forums should be understood as an early warning sign. When people have fewer choices about where they can speak, organise and build communities, freedom of expression is inevitably diminished.

¹⁷ Forum Closure, Green Living Forum, 20th January 2025, <https://web.archive.org/web/20250120205725/https://www.thegreenlivingforum.net/forum/viewtopic.php?f=2&t=114519>

¹⁸ Hamster Forum And Local Residents' Websites Shut Down By New Internet Laws, Daily Telegraph, 18th March 2025, <https://www.telegraph.co.uk/business/2025/03/18/hamster-forum-local-residents-websites-shut-down-new-laws/>

CASE STUDY 1

300 small community forums close

due to the Online Safety Act's compliance burdens

Dee Kitchen, a London-based engineer, ran Microcosm, a platform that supported around 300 small community forums until the Online Safety Act forced her to take the decision to close the platform down. The most high-profile of these was the cycling forum London Fixed Gear and Single Speed (LFGSS), the closure of which made national headlines.¹⁹ The servers hosting LFGSS and all the other communities were closed on 16th March 2025, the day before the OSA came into effect.

She said that the controls that she may have had to implement as a result of risk assessments under the OSA and the potential personal liability were the driving factors behind her decision to close down the forum platform. Dee told Big Brother Watch that unlike many other small communities, she had the fortune to be able to have volunteer support from lawyers who happened to use the forums to analyse the new duties placed upon her. She concluded that they were too demanding and the risk of personal liability too high. The advice she received was that even focused communities would likely be a “medium” risk and although they could likely comply with the Act's demands, doing so would involve privacy-intrusive alterations to the forums — with costs for the assessments and changes running into the tens of thousands of pounds.

Only 2 or 3 Survived

in anything close to their original form

Only two or three of the approximately 300 communities hosted on Microcosm have survived in anything close to their original form, including a French forum and LFGSS. Dee explained that, unlike many Big Tech platforms, community forums often have a relatively high number of moderators per user and are maintained by people with a direct stake in the health of the community. As a result, considerable effort is typically invested in keeping discussions constructive and well managed.

While Dee believes that change was necessary to tackle harms being done by Big Tech platforms, she argues that the OSA has primarily harmed small online communities. In her view, the Act has forced many independent communities to close or re-establish

¹⁹ Note To No 10: One Speed Doesn't Fit All When It Comes To Online Safety, The Guardian, 12th January 2025, <https://www.theguardian.com/commentisfree/2025/jan/12/note-to-no-10-one-speed-doesnt-fit-all-when-it-comes-to-online-safety>

themselves under the umbrella of major platforms such as Discord. Among communities that have migrated or found ways to survive, Dee said self-censorship is everywhere, as operators and moderators try to minimise any risk that their forum or channel could breach the OSA. Dee described this as a chilling effect on online discussion.

LFGSS remained online eventually as others came in to take over the hosting and running of the forum. Hundreds of other small communities, however, were not as fortunate.

CASE STUDY 2

Dads With Kids, a forum for single and separated dads, goes offline

Dads With Kids, a forum for single and separated fathers, went offline in March 2025 due to the Online Safety Act's requirements.²⁰ It was focused solely on supporting single and separated fathers, and saw users post to seek advice and support for their situations, sharing parenting tips. The site had been online since at least 2021 and had more than 2,600 members who had posted around 27,000 times in 3,700 different threads on the forum.

In their announcement telling users the forum would close, the Dads With Kids administrators pointed explicitly to the Online Safety Act saying it was going offline "due to the requirements of the new legislation". An X account in the name "Ash" who appears to be the founder of the forum said that the OSA's requirements were "too onerous" for the site to comply with.²¹

Some users have migrated to a new community on Discord but this only has around 100 members, a fraction of the forum's original membership. This is an example of a community being forced offline due to the OSA's onerous requirements. Although something of the community has survived, it has been pushed towards reliance on a major technology platform rather than remaining independent.

Overzealous Content Blocking

As the Online Safety Act came into force in the UK it quickly became apparent that censorship of material that was well beyond the scope of the law would become commonplace. Reddit threads dedicated to the news channel Al Jazeera and X posts on Roman and Crusader history were all suddenly put behind age verification

20 Forum Closure, Dads With Kids, 15th March 2025, <http://archive.today/ObSRZ>

21 X Post, @ash63bmax, x.com, 16th March 2025, <https://x.com/ash63bmax/status/1901412722719244336amm>

barriers that required users to prove they were over 18 in order to access them.²² This was not pornography, nor was it content promoting self harm or eating disorders — categories specifically targeted by the legislation. It was lawful, ordinary content that was now inaccessible to anyone who could not or did not want to verify their age or identity.

Social media platforms were left to determine themselves exactly what content should be subject to age restrictions, while also deciding how those age restrictions would be implemented within Ofcom's regulatory framework. Few platforms have content labels specifically for pornography or self harm. Instead, many rely on broader categories such as 'mature' or 'not safe for work', meaning content that might not be appropriate to view in office, but is both entirely lawful and not content that requires restrictions under the OSA could end up behind age verification barriers. Overnight, significant parts of the Internet, including content that Parliament never intended to censor, was blocked from the view of anyone unable or unwilling to provide their ID.

Among the largest platforms, the most visible examples of this phenomenon have emerged on X and Reddit. Both operate systems in which age-restricted content remains visible within the same platform but is placed behind explicit age verification barriers. By contrast, Meta, TikTok and YouTube operate specific teen-targeted accounts, making it is much more difficult to identify content that is being withheld from younger users. On X and Reddit, however, unverified users encounter clear warnings and age-gates that restrict specific posts or subreddits.²³

Although many of the examples of blocked content on the surface may appear trivial, they are symptomatic of the broader problem of serious unintended consequences of the OSA. It is a law that was explicitly designed to place restrictions on access to certain categories of online content in pursuit of child safety objectives. However, as many civil society organisations warned during the legislation's passage through Parliament — including Big Brother Watch, which described the Bill as a "censors' charter" — the practical effects of the Act have extended far beyond the categories of content cited by its proponents.²⁴

Severe penalties for non-compliance meant that platforms were always likely to adopt cautious approaches when deciding what content should be age-restricted. Equally, few providers were likely to invest in entirely new moderation systems

22 The Perverse Outcomes Of The Online Safety Act, The Critic, 29th August 2025, <https://thecritic.co.uk/the-perverse-outcomes-of-the-online-safety-act/>

23 Some Gaza And Ukraine Posts Blocked Under New Age Checks, BBC News, 1st August 2025, <https://www.bbc.co.uk/news/articles/cj3l0e4vr0ko>

24 Briefing on the Online Safety Bill for House of Lords Committee Stage, Big Brother Watch, April 2023, <https://bigbrotherwatch.org.uk/wp-content/uploads/2023/04/BBW-briefing-Online-Safety-Bill-HoL-Committee-Stage-Final.pdf>

designed exclusively to restrict categories of content specified by the OSA. Instead, the more predictable response was to repurpose existing 'mature' or NSFW classifications and use them as proxies for content requiring age verification. Despite the OSA placing duties on providers and platforms to pay particular regard to free expression rights when complying with the Act, there is clear evidence that over-zealous content blocking is commonplace.²⁵

This presents internet users with a choice: either accept a significantly restricted version of the internet, in which content touching on adult themes may be withheld from view, or submit identity documents or biometric data in order to gain access to the full range of lawful online content. The result is an increasingly pronounced trade-off between privacy and access to lawful information and expression.

” *It was lawful, ordinary content that was now inaccessible to anyone who could not or did not want to verify their age or identity.*



25 Section 22, Online Safety Act 2023, <https://www.legislation.gov.uk/ukpga/2023/50/section/22>

Case studies of content blocked due to the Online Safety Act

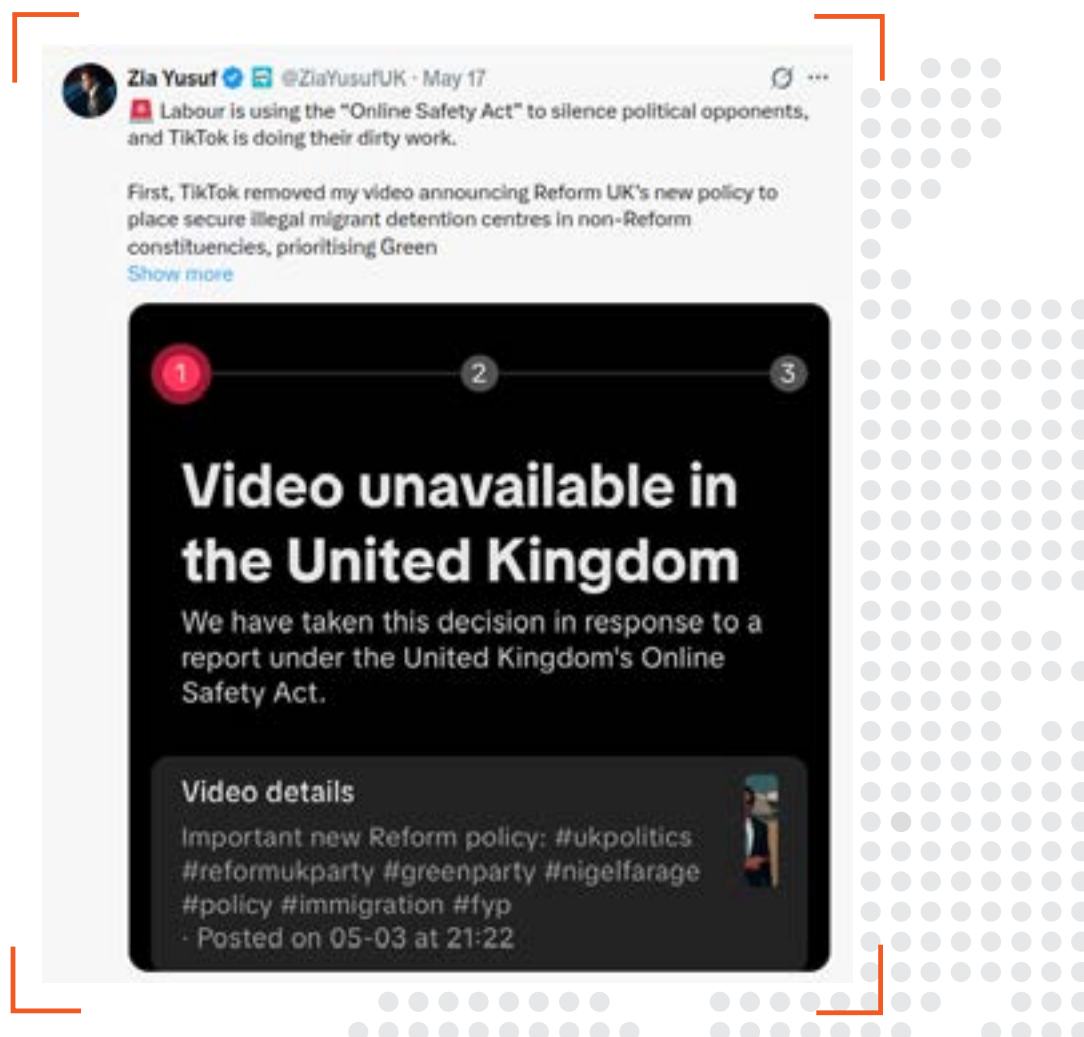
Saturn Devouring His Son by Francis de Goya



Perhaps the most famous of the Spanish artist's bleak set of 19th Century 'Black Paintings', Saturn Devouring His Son depicts the Greek myth of the god Cronus eating one of his children. The oil painting is exhibited in the Museo del Prado, Spain's main art museum — but it was blocked for anyone who had not verified their age on X. Although violent, the image is a key example of de Goya's work and has been on display for almost 150 years to the public.²⁶

²⁶ 10 Examples Of Absurd Fallout From The U.K.'s Online Safety Act, Reason, 8th June 2025, <https://reason.com/2025/08/06/10-examples-of-absurd-fallout-from-the-u-k-s-online-safety-act/>

Reform's Political Video on Migration Policy



In May 2026, TikTok briefly took down a video from Reform UK setting out the party's migration policy. The OSA contains explicit provisions that place duties on platforms to protect content of "democratic importance" such as political party posts, in addition to their general free speech duties under the Act. Despite this, TikTok cited the OSA when it took down a video featuring the party's home affairs spokesman Zia Yusuf expressing his views on migration in the UK and only reinstated it after significant public backlash.²⁷

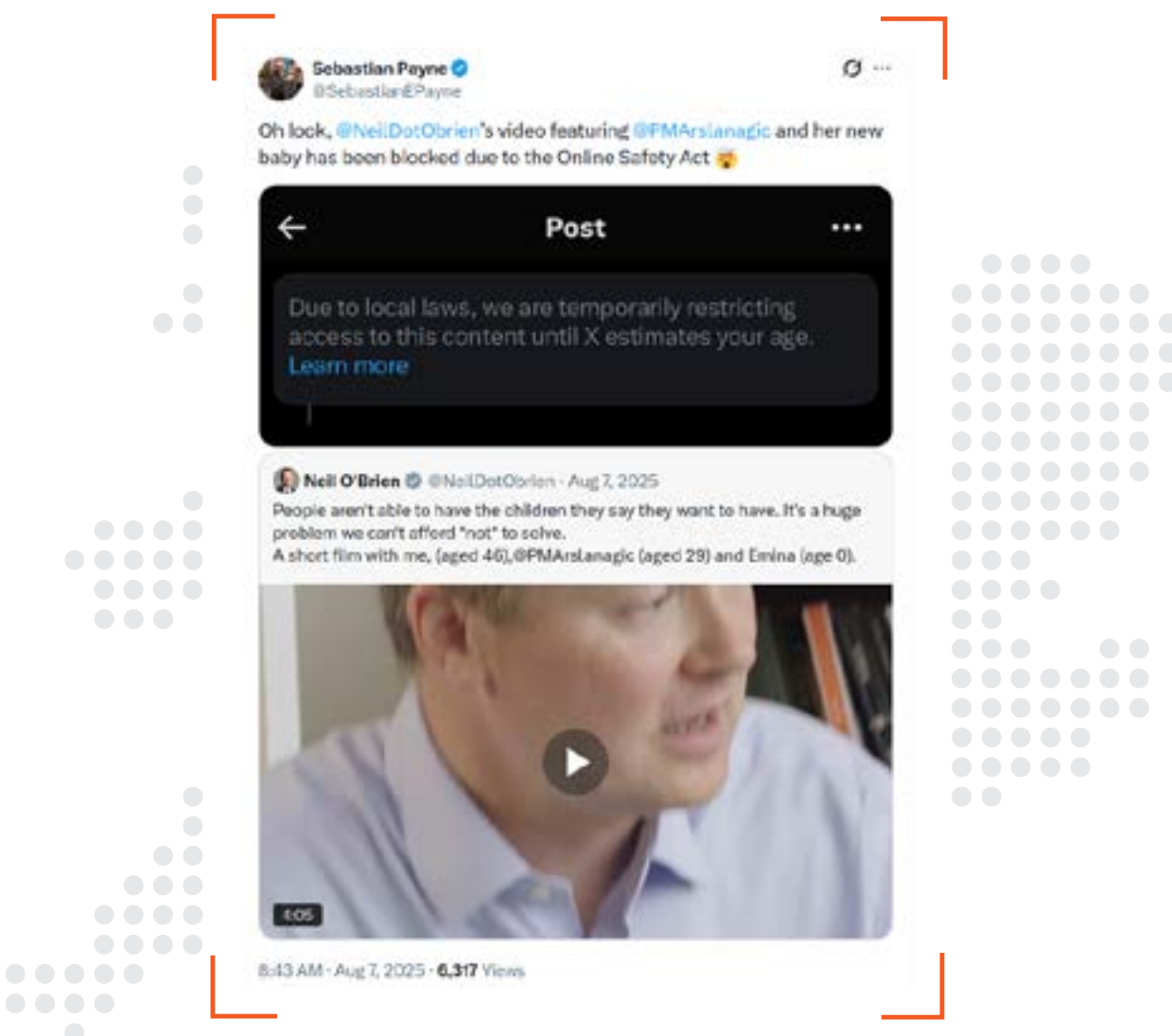
²⁷ TikTok Reinstates Reform UK Migration Video After Posts Removed 'In Error', GB News, 18th May 2026, <https://www.gbnews.com/politics/tiktok-reinstates-reform-uk-migration-video-removed-error>

News Video of Gaza Bombing Restricted

A video on X of a man looking for the dead bodies of loved ones following an Israeli strike in the Gaza strip was age-gated by X. This is despite the video containing no frames of the incident, violence, or corpses.²⁸ BBC reporting confirmed that there was no graphic imagery in the clip, despite it being restricted from younger users on X.

The same warning was experienced by users who attempted to view a video of an unmanned drone being destroyed in Ukraine, despite the lack of any injury or violence.

Conservative Frontbencher's Birth Rate Video Blocked



28 Some Gaza And Ukraine Posts Blocked Under New Age Checks, BBC News, 1st August 2025, <https://www.bbc.co.uk/news/articles/cj3l0e4vr0ko>

A video of Neil O'Brien, the Conservative MP for Harborough, Oadby and Wigston, was age-restricted on X in which he was discussing policies aimed at increasing the UK's birth rate, alongside Phoebe Arslanagić-Little. The video featured the pair making observations about why the UK's birth rate might have dropped and making policy suggestions on how to increase it, and a baby was on screen. Despite the seemingly inoffensive nature of the content, X blocked the video for non-age verified users.²⁹

Reddit Deep Dive Case Study — Analysis of Subreddit Age-Gating

Obtaining data on age-gated content from most social media platforms is difficult. Meta, which operates Instagram and Facebook, as well as TikTok and YouTube all offer teen accounts with tailored, age-specific feeds and recommendation systems. As a result, it is often impossible for users and third parties to determine precisely what content is being withheld from younger users. By contrast, X and Reddit apply explicit age restrictions to content, while otherwise providing access to substantially the same platform, making it easier to identify material that has been placed behind age verification barriers.

X was not selected for detailed analysis. The platform now charges substantial fees for access to its API to use data, limiting large-scale data collection. In addition, the design of the platform, with a single constant feed that allows pornography to be posted with minimal restrictions and highly variable descriptions, makes it difficult to distinguish between genuinely adult content and material incorrectly labelled as NSFW.

Reddit offers a more useful case study. Its NSFW flags and subreddit architecture allows distinct communities to be analysed individually, making it possible to examine whether content in forums that would ordinarily be considered suitable for a general audience and available on the open web is nevertheless being placed behind age verification barriers and available only to verified account-holders. This makes it possible to assess the extent to which content unrelated to the categories targeted by the OSA is becoming inaccessible to users who do not verify their age on personal, identifiable accounts.

Reddit operates by labelling adult or mature content as 'NSFW', and in the UK Reddit requires an age-verified account to access such content. However, Reddit has not designed an OSA-specific classification system and instead all NSFW content is age-restricted, regardless of why it received the label.

Posts may be marked as NSFW for several reasons. Users can choose to label specific posts as adults only. Some subreddits, such as those focused on sexually

29 Online Safety Act Blocks Tory Frontbencher's Video on Families, Guido Fawkes, 7th August 2025, <https://order-order.com/2025/08/07/online-safety-act-blocks-tory-frontbenchers-video-on-families/>

explicit content, are entirely labelled as NSFW due to the nature of the material they host. Reddit uses AI and automation to label some accounts as NSFW, sometimes without the user knowing. This is an imprecise system, and can happen if they post content deemed mature or they regularly interact with NSFW threads.³⁰ Any post made by somebody whose Reddit account is rated as NSFW will also be labelled as NSFW. This could mean someone who is widely active on many forums could take part in a legitimate adult focused thread, and then post in a news subreddit and have their thread labelled as NSFW.

Using a third party tool, Big Brother Watch downloaded data covering the year to late May 2026 from a set of 8 large subreddits spanning a range of topics. The analysis had two aims. First, it sought to determine what proportion of content in ostensibly non-adult communities was tagged as NSFW. Second, it sought to identify examples that demonstrate how age verification requirements can restrict access to a far wider range of lawful content than was intended during the passage of the OSA. A bespoke analysis tool was then used to identify NSFW-tagged posts within the dataset and to examine the content to which those labels had been applied. Using a VPN, examples of age-restricted content were reviewed to assess whether the restrictions appeared proportionate to the material being blocked.

Some of the restricted posts identified were spam or attempts to post adult content to inappropriate audiences. However, many others were entirely ordinary posts that had nevertheless been labelled NSFW.

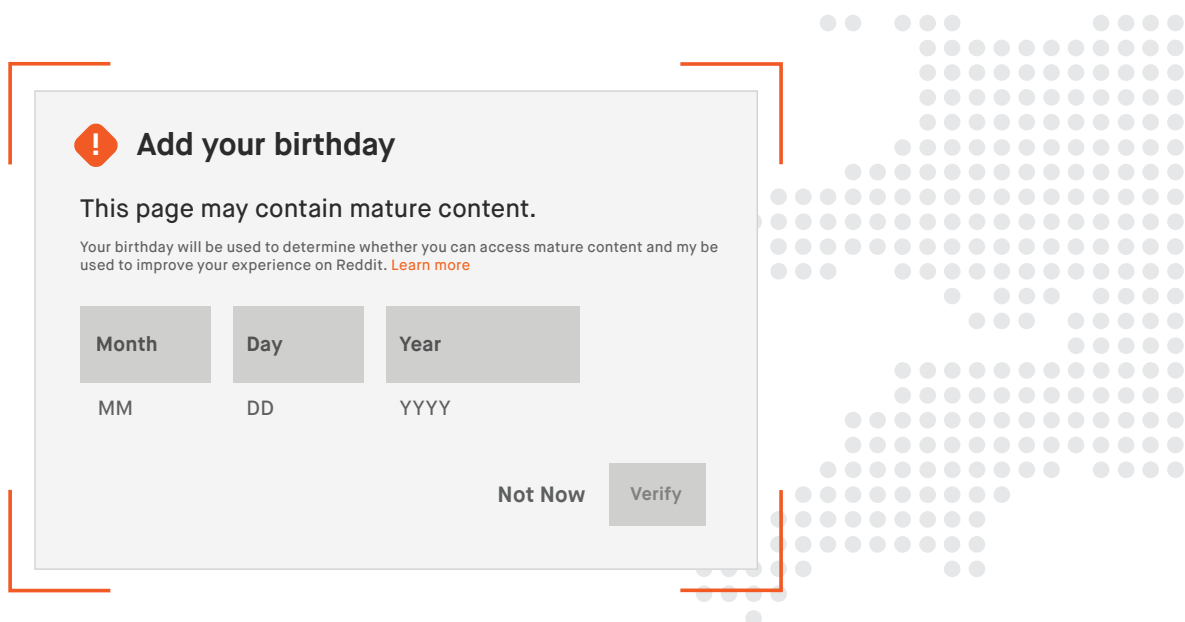
That figure alone, however, does not tell the full story. The subreddits examined did not generally focus on pornography, self-harm or other forms of content that the OSA specifically targets. More significant is the diversity of the material that has been swept into age-gating systems. The examples below demonstrate that users who cannot or will not verify their age may find themselves excluded from a wide range of lawful discussions that bear little relation to the categories of content Parliament intended to restrict under the Act.

30 The NewToReddit Encyclopaedia Reddita v2, r/help, Reddit, 19th October 2021, <https://www.reddit.com/r/NewToReddit/comments/qbb173/comment/hhp7iml/>

None of the posts appeared to contain explicit material from their titles. However, discussions ranging from Gordon Brown's mention in the Epstein files to the grooming gangs scandal were tagged as NSFW.

Examples of 'NSFW' labelled, age-restricted content:

1. An image of Green MPs Hannah Spencer and Zack Polanski sitting on a bench in Levenshulme, linking to a Manchester Evening news article where the Green leader said that the area had "too many bookies and vape shops".³¹
2. A discussion of what measures could be implemented to protect people against a "dangerous" internet, with opinions ranging from restricting children's internet access to tackling the business models of major platforms.³²

A screenshot of a Reddit age verification modal. The modal has a light gray background and is framed by an orange border. At the top left is an orange exclamation mark icon. The title "Add your birthday" is in bold black text. Below the title, it says "This page may contain mature content." followed by a smaller line of text: "Your birthday will be used to determine whether you can access mature content and may be used to improve your experience on Reddit. [Learn more](#)". There are three input fields for "Month", "Day", and "Year". Below each field are the labels "MM", "DD", and "YYYY" respectively. At the bottom right, there are two buttons: "Not Now" and "Verify". The background of the page behind the modal shows a grid of gray dots.

31 Too Many Bookies and Too Many Vape Shops: Zack Polanski in Levenshulme, R/ukpolitics, Reddit, 23 April 2026, <https://www.reddit.com/r/ukpolitics/comments/1stx6w5/>

32 Solutions to a Dangerous Internet?, R/ukpolitics, Reddit, 23rd April 2026, <https://www.reddit.com/r/ukpolitics/comments/1stfdmx/>

Some of the posts tagged as NSFW appeared to be explicit accounts fishing for clicks, while others were news stories about sexual violence. Concerningly, many were ordinary news stories blocked for non-age verified users.

Examples of 'NSFW' labelled, age-restricted content:

1. A post sharing a link to an April 2026 BBC News story about a reported 'triple tap' military strike by Israel in Lebanon that killed three paramedics, with neither the story nor comments in response to the post containing any graphic imagery.³³
2. Reporting from Ukrainian state-backed media on the war in Ukraine that claims invading Russian soldiers are choosing to take their own lives in the face of huge drone attacks, and the supporting image is simply of military vehicles.³⁴
3. A link to a BBC News article about Meta contractors in Kenya who lost their jobs after raising concerns about seeing people having sex through Meta smart glasses feeds they were looking at.³⁵

33 Israeli Triple-Tap Strike Kills Three Paramedics In Lebanon, Officials Say r/worldnews, Reddit, 16th April 2026, <https://www.reddit.com/r/worldnews/comments/1smm7af>

34 Russian Soldiers Increasingly Take Own Lives, r/worldnews, Reddit, 30th March 2026, <https://www.reddit.com/r/worldnews/comments/1s7s4ca/>

35 Dispute Over Fate of Kenyan Workers Who Saw Meta, r/worldnews, Reddit, April 30, 2026, <https://reddit.com/r/world-news/comments/1sztt02/>

Posts on this subreddit are almost entirely on topic. Whilst some of the questions posted do relate to sexual matters, many of the age-gated threads identified in this analysis were clearly not adult topics or in any way related to the categories of content that the OSA intended to restrict.

Examples

1. Somebody seeking advice on what to put in a care package for a friend who has been diagnosed with prostate cancer, and is soon to undergo treatment.³⁶ The responses are detailed and offer thoughtful advice drawn from personal and professional experience.
2. A post of somebody complaining that dog walkers leave bags of dog waste in public spaces rather than disposing of them properly, with commenters expressing frustration at the practice.³⁷
3. A user seeking advice on how they could help their mother-in-law who suffers from alcohol dependency, and who potentially is a victim of domestic violence. The discussion focused on safeguarding family members and accessing appropriate support.³⁸

These examples illustrate how age-gating systems can restrict access to discussions concerning health, public behaviour and family welfare, despite those conversations bearing little resemblance to the categories of content Parliament intended to place behind age verification barriers.

36 Men Who've Had Radiation Treatment for Prostate Cancer - What Helped?, r/AskUK, Reddit, 13th March 2026, <https://www.reddit.com/r/AskUK/comments/1rsrnqx>

37 Dog Walkers Who Leave Their Bags of Dog Sh*t in the, r/AskUK, Reddit, 25th January 2026, <https://reddit.com/r/AskUK/comments/1qmttsj>. The asterisk was used in the original thread.

38 Support for Domestic Violence and Alcoholism North Wales. How to Help MIL Without Forcing Husband to Have Contact (Narcissistic Parent)?, r/AskUK, Reddit, 5th January 2026, <https://www.reddit.com/r/AskUK/comments/1q4u1bq/>

r/Movies

r/Movies is a large community dedicated to discussing films and cinema.

The vast majority of NSFW-tagged threads were on topic and related to films. Some discussed films are rated as 18+ in the UK – however, the OSA does not require such material to be placed behind age verification barriers so these age-gates go beyond what is required by the law.

Examples

1. A thread sharing the poster for an upcoming horror film *Clayface* was tagged as NSFW and age-gated, despite the poster likely featuring on public billboards in the near future.³⁹
2. Behind the scenes footage showing how a sculpture of Arnold Schwarzenegger was built for *Terminator Genisys* (2015), rated 12A in the UK, replicating the actor's appearance in the 1984 original film.⁴⁰
3. A clip from the dystopian classic *Children of Men* (2006). Although the scene contains the bloody death of Julianne Moore's character, the film was rated as a 15 by the BBFC and is therefore considered suitable for at least some under-18s.⁴¹

These examples illustrate how age-gating can extend well beyond the categories of content targeted by the OSA. Material associated with mainstream cinema, including content already assessed and classified by the BBFC, can nevertheless become inaccessible to users who do not verify their age.

39 Official Poster for 'Clayface', r/movies, Reddit, 22nd April 2026, <https://www.reddit.com/r/movies/comments/1ssp66o/>

40 The Practical 1984 Arnold Sculpture Built for *Terminator Genisys* (2015), r/movies, Reddit, 13th February 2026, <https://reddit.com/r/movies/comments/1r3w06d/>

41 *Children of Men* (2006, Dir. Alfonso Cuarón) – The Car, r/movies, Reddit, 17th January 2026, <https://reddit.com/r/movies/comments/1qflvg2/>

This subreddit consists of people discussing all things related to music, from old music videos to current news about major artists. While some NSFW-tagged posts consisted of spam, many related to music videos that did not contain pornography or other forms of priority content that the OSA targets.

Examples

1. A user seeking recommendations on where to begin exploring the work of the seminal New Jersey horror-punk band Misfits, after the death of his brother who had been a fan of the band. Commenters responded with their suggestions and personal reflections.⁴²
2. The music video for the Moody Blues 1986 single Your Wildest Dreams was placed behind an age verification requirement — a song which is not explicit. Redditors commented below the video asking why it was labelled NSFW.⁴³
3. Another music video, F*** Authority by California punk band Pennywise was restricted. While the song contains strong language and political theme it does not contain OSA primary priority content.⁴⁴

These examples demonstrate how age-gating can affect ordinary cultural content that bears little relation to the harms the legislation was designed to address. Users unable or unwilling to verify their age may therefore find themselves excluded from entirely mainstream discussions about music and popular culture.

42 Misfits? Where to Start Pls, r/music, Reddit, 12 May 2026, <https://www.reddit.com/r/Music/comments/1talm3o/>. The post did not discuss any details of the brother's death.

43 Moody Blues - Your Wildest Dreams [Progressive Rock], r/music, Reddit, 2nd May 2026, <https://www.reddit.com/r/Music/comments/1t1c1y>

44 Pennywise - Fk Authority [Punk], r/music, Reddit, 15th January 2026, https://www.reddit.com/r/Music/comments/1qd8nwv/pennywise_f_authority_punk/

Some NSFW-tagged posts in this subreddit were explicitly sexual or looking for meetups. However, others involved people seeking advice, support or reassurance, raising concerns that age-gating is restricting people's access to important sources of advice and community support.

Examples

1. A discreet user asking whether he should seek asylum in the UK due to his sexuality and the homophobia in his home country, also outlining his depression and suicidal thoughts, Commenters directed the user towards support services.⁴⁵
2. A young man seeking advice after a one-night-stand involving drugs, with members of the community offering information and reassurance about potential HIV exposure.⁴⁶
3. A woman in her early 20s seeking support and asking if she should give up socialising and dating after having a difficult time in her dating life, with other users again offering her reassurance.⁴⁷

While some age-restricted content on LGBT forums concerns sexual matters, these examples show that support, advice and community discussion can also become caught up in age-gating systems. Restricting access to such conversations undermines freedom of expression, risking particularly negative consequences where users are seeking help, reassurance or information about sensitive aspects of their lives.

45 Should I Seek Asylum?, r/uklgbt, Reddit, 2nd April 2026, <https://www.reddit.com/r/UKLGBT/comments/1sa6tso/>

46 How Screwed Am I?, r/uklgbt, Reddit, 1st May 2026, <https://www.reddit.com/r/UKLGBT/comments/1t0q5ia/>

47 Should I Just Give Up as a Queer Woman (23F)?, r/uklgbt, Reddit, 26th March 2026, <https://www.reddit.com/r/UKLGBT/comments/1s3s1pr/>

r/TransgenderUK

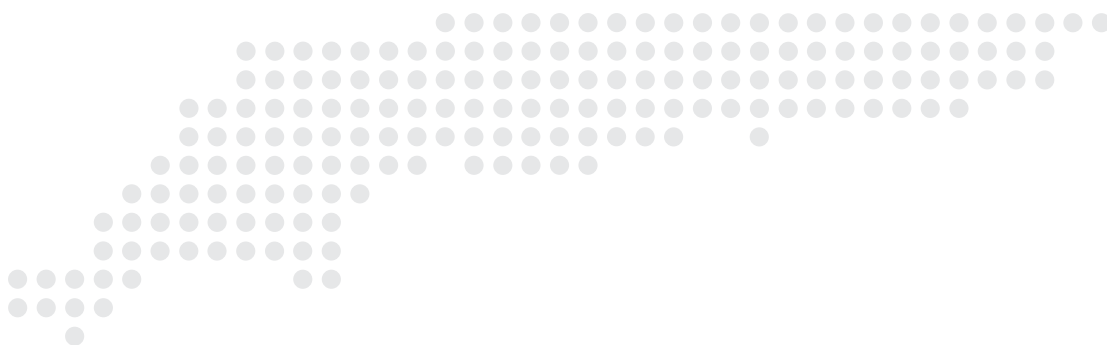
A subreddit for UK-based transgender and genderqueer people

Some NSFW-tagged posts identified in this analysis on this subreddit were explicitly sexual. However, many others involved people seeking support, advice or information about issues that affect transgender people including posts from people seeking advice on how to navigate their lives.

Examples

1. A user expressing their excitement about their upcoming transition surgery and seeking advice from others on how best to prepare, with community members offering practical guidance and support.⁴⁸
2. Discussion about reclaiming a slur that is often used to target transgender people, with users debating whether it is possible or desirable.⁴⁹
3. An individual seeking support and advice about making friends and outlining their struggles in doing so, and lots of people offering reassuring advice and supportive responses.⁵⁰

These examples suggest that age-gating can affect far more than explicitly sexual content. Discussions about healthcare, identity, language and social support may also become inaccessible to users who do not verify their age. For individuals seeking advice or a sense of community, particularly on sensitive issues, such restrictions may limit access to valuable sources of information and support.



48 Surgery in 3 Weeks | Excited, r/transgenderuk, Reddit, 16th January 2026, <https://www.reddit.com/r/transgenderUK/comments/1qeh4bt/>

49 General Question About a Slur, r/transgenderuk, Reddit, 20th March 2026, <https://www.reddit.com/r/transgenderUK/comments/1ryic1f/>

50 I've Been Trying to Just Make Friends for Months and Nothing is Working, r/transgenderuk, Reddit, 7th May 2026, <https://www.reddit.com/r/transgenderUK/comments/1t5wtvg/>

r/MildlyInfuriating

A large subreddit of people posting everyday annoyances, frustrations and irritations in their lives.

This is a huge subreddit where people post about minor grievances and annoyances. The vast majority of posts are clearly suitable for a general audience. While the breadth of the subreddit means some posts touch on adult themes or contain injury images, many age-gated posts identified during this analysis do not relate to the categories of content targeted by the OSA.

Examples

1. A discussion prompted by a professor describing the cover of Rage Against The Machine's self-titled debut album as conspiratorial. The cover features the well-known image of a Vietnamese monk self-immolating in 1963.⁵¹
2. A photograph of somebody's very minor paper cut accompanied by the user's comments expressing annoyance with it.⁵²
3. A photograph of some milk squirting out the side of the bottle, with comments from the user complaining that they had just bought it from the shop. Commenters responded with jokes and puns such as 'Hole Milk'.⁵³
4. A user expressing their irritation at their roommate hiding a dirty oven dish in the oven, accompanied by a photo of the used pot.⁵⁴
5. An artist expressing her confusion and anger after discovering blue paint smeared across a painting depicting a nude woman she had been working on.⁵⁵

51 My Professor Labeled This as 'Conspiracy', r/mildlyinfuriating, Reddit, 13th January 2026, <https://www.reddit.com/r/mildlyinfuriating/comments/1qbpiva/>

52 Cut My Fingertip on Some Paper, r/mildlyinfuriating, Reddit, 14th January 2026, <https://www.reddit.com/r/mildlyinfuriating/comments/1qcxyq2/>

53 Got Home From the Grocery, Sat My Milk Down and it Started Squirting Out, r/mildlyinfuriating, Reddit, 17th January 2026, <https://www.reddit.com/r/mildlyinfuriating/comments/1qfqsbo/>

54 Roommate Put This in the Cupboard Thinking No One Would Notice, r/mildlyinfuriating, Reddit, 25th January 2026,, <https://www.reddit.com/r/mildlyinfuriating/comments/1qmdcpt/>

55 How I Found My Painting This Morning, r/mildlyinfuriating, Reddit, 2 March 2026, <https://www.reddit.com/r/mildlyinfuriating/comments/1riz2im/>

How the Online Safety Act has age-gated Reddit: An analysis

Reddit as a platform does allow sexually explicit material. Under the duties placed on it by the Online Safety Act it is required to age-gate primary priority content. However, this analysis of just eight subreddits paints a picture that a much wider range of content is restricted for unverified accounts.

The content blocked for unverified Redditors ranges from inconsequential posts about irritants in people's daily lives to those in need of support reaching out to their communities for advice. Whether speech is serious or silly, limiting access to it is an infringement on freedom of speech.

Although issue can be taken with Reddit's approach to how it chooses to label content as adults-only or not — the root cause of content being excessively blocked for individuals in the UK is the Online Safety Act. Reddit has a legal duty to age-gate certain content from children, which would all likely be rated as NSFW anyway, so instead of building a bespoke UK age-gating system, platforms such as Reddit have repurposed existing flags for mature content.

Nobody who advocated for the OSA through Parliament intended for children, or anyone, to be blocked from discussions about 1970s punk bands, amusing pictures of broken milk bottles or horror film posters that are on the high street. Yet anyone in the United Kingdom who wants to see those threads must provide their ID.

More seriously, there is evidence that threads of people seeking support and advice have also been placed behind barriers and made inaccessible to many. Someone seeking tips on how to help a friend with prostate cancer, a transgender person looking for advice on how to prepare for surgery and a young bicurious man needing reassurance about HIV were all restricted. Gay rights campaigners warned when the OSA was in bill form that it could lead to LGBTQ+ content being censored and that anonymity was vital for many LGBTQ+ people who want to share their experiences or seek support.⁵⁶ Making it harder for people to seek advice about sensitive subjects, whoever they are, may lead to significant harm as people are left with fewer and fewer places to turn and face exclusion from their communities.

⁵⁶ Online Safety Bill Gives Legal Basis For Censorship Of LGBT people, Stephen Fry And Campaigners Warn, I News, 1st September 2021, <https://inews.co.uk/news/online-safety-bill-would-give-legal-basis-for-censorship-of-lgbt-people-stephen-fry-and-campaigners-warn-1178176>

How the Online Safety Act built the Great British Firewall

The substantial penalties available under the OSA create a strong incentive for platforms to be conservative and err on the side of caution when applying age restrictions to speech. It was never reasonable to expect providers to build an entirely new content-rating architecture to restrict Ofcom's primary priority content. As such, it is unsurprising that Reddit repurposed its existing NSFW tags as the basis for age verification. The result has been that a far wider range of posts have become inaccessible to unverified users than legislators appear to have envisaged and examples of disproportionate age restrictions abound.

Unfortunately, the direction of travel in the United Kingdom seems to be one towards even greater restrictions online; the government is planning social media age restrictions while some peers are calling for VPNs to be an age-restricted product. All of these moves will restrict free expression online.

The damage to small community-led forums should be a warning to policy makers about the unintended consequences of broadly drafted and overly-restrictive internet regulations. Nobody can genuinely believe the loss of communities discussing board games or cycling is in the interest of child safety, yet this has been a consequence of the OSA.

The United Kingdom risks constructing a Great British Firewall, erected brick by brick through successive restrictions rather than a single legislative act. The unintended consequences of the OSA demonstrate how easily lawful expression can become restricted when privacy and free expression are treated as secondary considerations. Further restrictions could risk undermining the openness, privacy and vibrant diversity online that have long been the internet's greatest strengths.



The United Kingdom risks constructing a Great British Firewall, erected brick by brick through successive restrictions rather than a single legislative act.

COMMUNICATIONS OFFENCES



COMMUNICATIONS OFFENCES

Key Findings:

- + Arrests for speech offences are extremely high, and far exceed convictions, raising questions about the overuse of arrests for controversial speech.
- + At least 62,199 people in the UK were arrested for communications offences over 5 years; 18,520 were charged and 12,292 convicted.
- + There is a 'postcode lottery' of speech policing, with drastically varying rates of arrests across police forces, reflecting the elasticity of vaguely defined speech offences in UK law.
- + Cumbria Constabulary arrested 25.7 people per 10,000 over 5 years – 2 ½ times the national average and the highest in the country.
- + Some police forces made 14 times the number of per capita arrests their neighbours did.
- + Sussex Police arrested 10.7 people for each charge, Staffordshire only 0.2 – pointing to a huge disparity in the use of arrest.

In the United Kingdom there are no specific laws regulating what people say online – for the most part legislation predates the rise of social media. The Communications Act 2003 (CA) and the Malicious Communications Act 1988 (MCA), are used to arrest, charge and prosecute people for what they say both online and offline.

The most common offences under these acts fall under Section 1 of the MCA, sending indecent or grossly offensive communication; and Section 127 of the CA, which makes it an offence to send a grossly offensive, indecent, obscene, or menacing message via public communications networks, or to repeatedly make inappropriate use of a public communication network.^{57, 58} The offence under the MCA can be tried either in Crown Court or a Magistrates Court while the CA offence is summary-only. The Communications Act used to include a false communications offence, but that was repealed and replaced with a new false communications offence under Section 179 of the Online Safety Act 2023.⁵⁹

57 Section 1, Malicious Communications Act 1988, <https://www.legislation.gov.uk/ukpga/1988/27/section/1>

58 Section 127, Communications Act 2003, <https://www.legislation.gov.uk/ukpga/2003/21/section/127>

59 Section 179, Online Safety Act 2023, <https://www.legislation.gov.uk/ukpga/2023/50/section/179>

Guidance from the Crown Prosecution Service around charging people for these offences is explicit in stating that the right to free expression in Article 10 of the European Convention of Human Rights (ECHR) must be taken into account.⁶⁰

An important authority on the principle that freedom of expression protects speech that others may find offensive came in the High Court's decision in *Redmond-Bate v Director of Public Prosecutions* in 1999, which predates the ECHR coming into force in the UK. In the case the High Court quashed the conviction of an evangelical preacher Alison Redmond-Bate who was accused of obstructing a police officer while she was proselytising, after police attempted to get her to stop expressing her beliefs fearing a breach of the peace. Lord Justice Sedley wrote in his judgment,



“free speech includes not only the inoffensive but the irritating, the contentious, the eccentric, the heretical, the unwelcome and the provocative provided it does not tend to provoke violence. Freedom only to speak inoffensively is not worth having”.



60 Communications Offences, Crown Prosecution Service, 6th February 2026, <https://www.cps.gov.uk/prosecution-guidance/communications-offences>

Justice Sedley found that the police acted unlawfully in attempting to stop Ms Redmond-Bates preaching.⁶¹

It is clear both from CPS guidance and legal precedent that Article 10 protects speech that is offensive, shocking or disturbing. Prosecutors are instructed to only proceed with charging people under communications offences when the interference with freedom of expression is necessary and proportionate.

However, over the last 10 to 15 years there have been numerous examples of arrests and charges where both the public reaction and the facts of the case have clearly shown that the criminal threshold was not met, and that the police and prosecutors have overstepped the mark.

Analysis by Big Brother Watch of police arrest and charge rates of the past five years has found alarming regional disparities, and it appears there is a 'postcode lottery' as to whether police forces choose to arrest people and charge people for communications offences. There will naturally be some regional disparity for all crimes, but the scale of the differences with the communications offences indicates a serious problem arising from deficiencies in the law. In practice, posting something in one part of the country can be far more likely to result in an individual being arrested, than it would be in another part of the country.

Equality before the law is the cornerstone of the justice system in any democracy – but vague communications offences, coupled with inconsistent approaches to enforcement between police forces, risk undermining that principle. The steady stream of arrests that repeatedly provoke public controversy in the UK indicate that these laws are no longer fit for purpose in the digital age. It is clear that significant reform is needed to the communications offences for them to function in the era of social media.

In the UK, the right to freedom of expression protected by the human rights framework is a qualified right, not an absolute one – it is balanced against the rights of others. However, no one has the right not to be offended. The ability to express views, dissent and share beliefs — even if they are offensive — is vital for a diverse, vibrant, rights-respecting society. However, the UK's declining free speech culture appears to have affected policing and broad communications offences are being interpreted and exercised in an overly restrictive way, chilling free expression in the UK.

⁶¹ Redmond-Bate v Director of Public Prosecutions [1999] EWHC Admin 733, 23rd July 1999, <https://www.bailii.org/ew/cases/EWHC/Admin/1999/733.html>

Historical example 1 — Twitter Joke Trial

The 'Twitter Joke Trial' is one of the most famous cases of an arrest, prosecution and conviction under the Communications Act 2003 which was ultimately deemed unlawful. Paul Chambers, then in his mid twenties, posted on Twitter "Crap! Robin Hood airport is closed. You've got a week and a bit to get your shit together otherwise I'm blowing the airport sky high!!" after a flight cancellation on January 6, 2010.⁶²

Mr Chambers was prosecuted under Section 127 of the Communications Act for sending a menacing tweet, after airport management passed it to South Yorkshire Police despite not deeming it a credible threat. Anti-terror police confiscated his phone and computer, and the ordeal led to Mr Chambers losing his job. He was convicted in May 2010 and given almost £1,000 in fines. The conviction was appealed to the Crown Court but upheld, while an initial High Court appeal returned no judgment. The prosecution is claimed to only have proceeded at the insistence of Sir Keir Starmer, who was Director of Public Prosecutions at the time, although this has been denied by the CPS.⁶³

Eventually, a second High Court appeal in front of the Lord Chief Justice Lord Judge quashed the conviction with the court finding that the tweet could not be menacing if it did not actually create fear among those who saw it. The judgment added that if people who see the post would reasonably view it as a silly joke, a joke in poor taste or bombastic banter then it cannot be menacing.⁶⁴ Effectively, the court found that the tweet was clearly a joke and did not come close to a criminal threshold.

Historical example 2 — Black woman using N-word online

Jamila Abdi, a Black university student, faced charges in relation to Section 127 of the Communications Act for using the N-word online. The London-based student used the term "nigga" to refer to then-Newcastle United striker Alexander Isak on Twitter, in response to a post from another Black person based in the USA.⁶⁵

She was charged in late 2023 for the post after it was flagged to the Metropolitan Police by a data monitoring group. The CPS only dropped charges against the

62 Twitter Joke Trial: Paul Chambers Wins High Court Appeal Against Conviction, The Guardian, 27th July 2012, <https://www.theguardian.com/law/2012/jul/27/twitter-joke-trial-high-court>

63 'Twitter Joke' Case Only Went Ahead At Insistence Of DPP, The Guardian, 28th July 2012, <https://www.theguardian.com/law/2012/jul/29/paul-chambers-twitter-joke-airport>

64 Chambers v Director of Public Prosecutions [2012] EWHC 2157, 27th July 2012, <https://www.judiciary.uk/wp-content/uploads/JCO/Documents/Judgments/chambers-v-dpp.pdf>

65 Charges Dropped Against Black Woman Who Used N-Word On Social Media, The Voice, 14th March 2025, <https://www.voice-online.co.uk/news/uk-news/2025/03/14/charges-dropped-against-black-woman-who-used-n-word-on-social-media/>

woman almost a year and a half later, after her lawyers argued that the term “nigga” was commonly used both in African American Vernacular English and Black British English, and it was not equivalent to the racial slur ending in “-er”.⁶⁶ They added that the prosecution interfered with her Article 10 rights and that nobody had actually taken issue with her post. Ms Abdi told the Guardian after the charges were dropped:

“I can go outside right now... and there’d be a million people who listen to rap songs that have the N-word in there and they sing along to it but nothing will ever happen to them, but they will get you, a black person, for saying the N-word in your language.”



66 Black Student Accuses Met And CPS Of Misusing Laws Over Use Of N-Word, The Guardian, 21st March 2025, <https://www.theguardian.com/world/2025/mar/21/black-student-police-cps-hate-speech-laws-n-word>

Section 1, Malicious Communications Act 1998:⁶⁷

It is an offence to send a letter or electronic communication which is indecent or grossly offensive for the purpose of causing distress or anxiety to another person.

Section 127, Communications Act 2003:⁶⁸

It is an offence to send a message which is grossly offensive or of an indecent, obscene or menacing character by a public electronic communications network, or to persistently use such a network to cause someone annoyance, inconvenience or needless anxiety.

Section 179, Online Safety Act 2023:⁶⁹

It is an offence to send a message containing information the sender knows to be false with the intent of causing non-trivial physical or psychological harm to anyone who might see the message.

Communications Offence Data Analysis

	Actual	Estimated
Arrests	62,199	73,023
Charges	18,510	21,339
Convictions	12,292	13,779

Total communications offences arrests, charges & convictions for 2021-2025⁷⁰

⁶⁷ Section 1, Malicious Communications Act 1988, <https://www.legislation.gov.uk/ukpga/1988/27/section/1>

⁶⁸ Section 127, Communications Act 2003, <https://www.legislation.gov.uk/ukpga/2003/21/section/127>

⁶⁹ Section 179, Online Safety Act 2023, <https://www.legislation.gov.uk/ukpga/2023/50/section/179>

⁷⁰ Arrest and charge data complete for 36 of 45 forces. Arrest data is partial for 6 forces and is missing for 3 forces, charge data is partial for 1 force and missing for 8. Conviction data is England and Wales only.

Arrests

Between 1st January 2021 and 31st December 2025 there were at least 62,199 arrests across the UK for offences under Section 1 of the Malicious Communications Act 1988, Section 127 of the Communications Act 2003 and Section 179 of the Online Safety Act 2023.⁷¹ This amounts to approximately 34 arrests a day over the five year period — or one arrest for every 1,113 people in the country.

This data was obtained from a series of Freedom of Information requests sent to each of the 45 territorial police forces in the UK. Complete arrest data has been received from 38 of the 45; both West Midlands and Humberside Police did not hold data for 2021, data is still pending from Derbyshire for 2021-2023. Police Scotland, Lancashire and West Mercia all refused to provide data on grounds of cost, as did Dyfed-Powys for the years 2021-2023.

As data has not been provided for all forces, the true number of arrests is likely to be significantly higher than 62,199. If the forces with missing or incomplete data made arrests at the national average rate, the total would be around to 73,00 over five years – about 1 arrest for every 940 people living in the UK today.

The national average figure from forces that returned data is 10.5 arrests per 10,000 people over the five year period. However, this average masks shocking disparities between police forces, with some seeing arrest rates almost ten times higher than their neighbouring forces.

Cumbria Constabulary has the highest arrest rate — the force made 25.7 arrests per 10,000 residents between 2021 and 2025. Northamptonshire Police made 23.4 arrests per 10,000 people and City of London Police made 20.5 arrests per 10,000, although the unique circumstances of the City of having few residents and a high working population mean that the force is less useful for cross-area comparisons.

⁷¹ 2021-2025 Data Table, Communications Offences, Appendix X

Police Forces	Arrests per 10,000 people 2021-5
Cumbria	25.69
Northamptonshire	23.35
City of London	20.51
Essex	19.57
Durham	17.00

Police forces with the highest per capita arrest rates

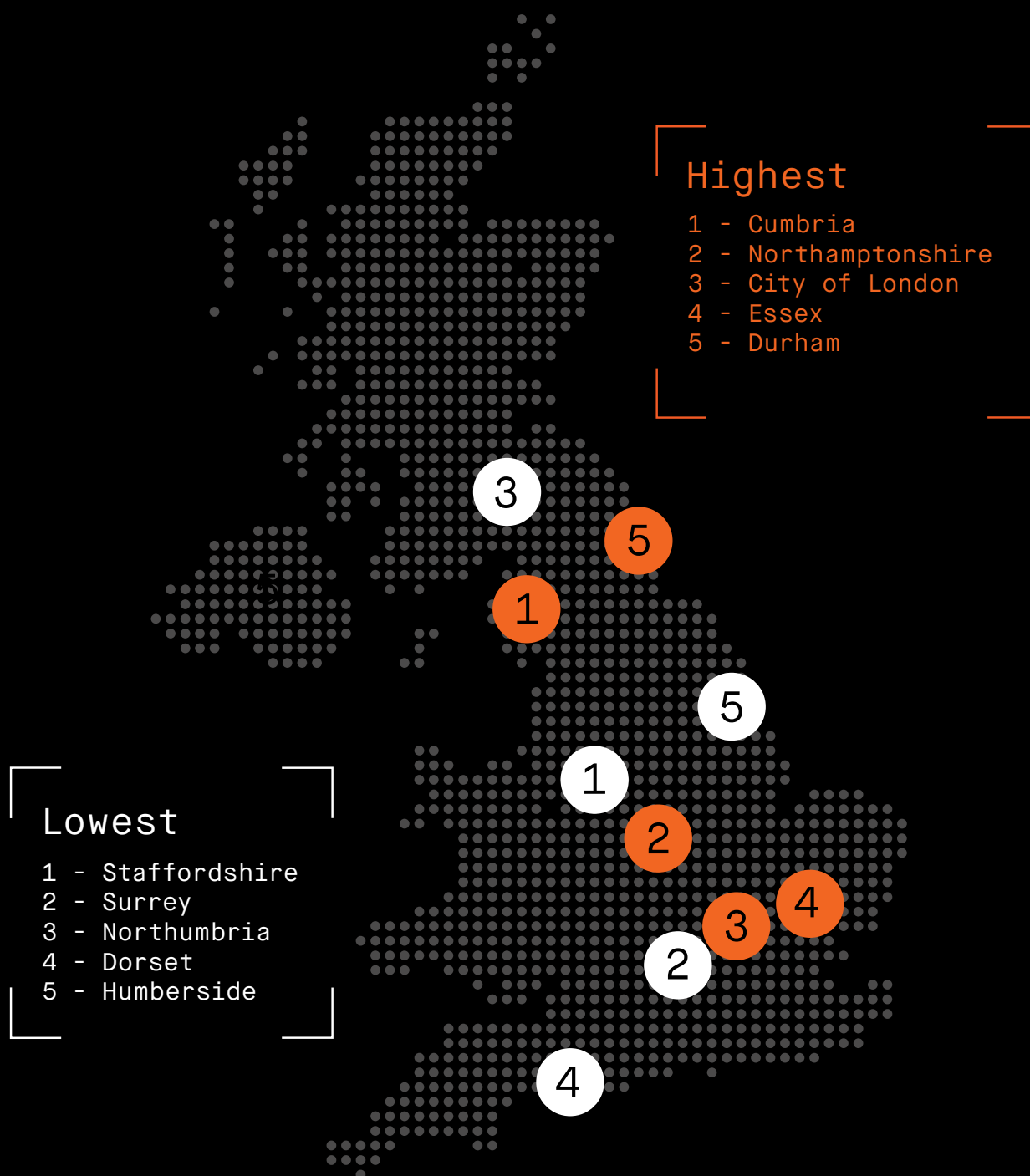
By comparison, Surrey Police made 1.7 arrests per 10,000 and Northumbria, which borders Cumbria, made 1.9 arrests per 10,000 residents. The police force with the lowest arrest rate is Staffordshire, which reported just 0.6 arrests per 10,000 people. By contrast, Cumbria's arrest rate of 25.7 per 10,000 is 43 times that of Staffordshire's.

Police Forces	Arrests per 10,000 people 2021-5
Staffordshire	0.58
Surrey	1.70
Northumbria	1.87
Dorset	2.18
Humberside	4.13

Police forces with the lowest per capita arrest rates⁷²

⁷² Derbyshire and Dyfed-Powys excluded due to incomplete 5 year data, forces with incomplete data not included in comparison tables throughout

Police Forces With the Highest and Lowest Per Capita Arrest Rates



The data suggests that there is a 'postcode lottery' in the enforcement of communications offences, with individuals facing markedly different risks of arrest depending on where they live.

Although some differences between areas are expected — the UK is not homogeneous — disparities on this scale cannot be easily explained by such variance. It is highly unlikely that people in Carlisle are dozens of times more likely to commit communications offences than people living in Stoke — but police in these two areas arrest at significantly different rates. This begs the question of whether Cumbria Constabulary has been enabled by excessively broad communications offences to develop a more censorial culture than other forces meaning, for example, that the residents in Staffordshire are effectively freer to speak than those in Cumbria. If individuals face substantially different risks of arrest depending on where they live, the principle of equal treatment under the law is called into question.

Charges

Most police forces provided data for the number of people they have charged for communications offences alongside their arrest rates. Complete data was received from 38 of the 45 forces. Police forces from Lancashire, Dyfed-Powys, Scotland and West Mercia refused on cost grounds. Humberside and West Midlands both did not hold data for 2021. Derbyshire Police returned data for Malicious Communications and the OSA, but not the Communications Act.

One would expect to see discrepancies between data on arrests and charges, not only because not all arrests result in charges but not all charges involve an arrest. Police guidance under PACE Code G states that an arrest is only lawful if it is necessary.⁷³ An arrest would not be necessary if someone attending a voluntary interview is a practicable alternative. For offences that can be tried in a magistrates court, it is likely that many people are interviewed under caution rather than arrested.

However, examining the number of charges brought by each police force for communications offences reveals regional disparities. It is clear that some police forces greatly exceed the number of arrests compared to the number of charges they make, suggesting that many of those arrests fail to meet the threshold for prosecution.

Between 2021 and 2025, 18,520 people were charged for communications offences by the police forces that provided data, which amounts to 3.1 charges per 10,000 people in the UK.

As with arrests, Cumbria Constabulary had the highest per-capita charge rate — charging 8.3 people per 10,000 residents — approximately 2.7 times the national

⁷³ PACE Code G, Home Office, 5th August 2022, <https://www.gov.uk/government/publications/pace-code-g-2012/pace-code-g-2012-accessible>

average. This suggests that police in Cumbria target communications offences heavily, as both its arrest and charge rates are among the highest in the country.

Examining the number of arrests made for each charge brought by forces offers some interesting geographical disparities. Across the country police made on average 3.4 communications offence arrests for each charge — but some areas saw much higher rates.

Police Forces	Arrests per 10,000 people 2021-5	Charges per 10,000 people 2021-5
Cumbria	25.69	8.34
Merseyside	25.37	7.94
PSNI	16.14	7.56
Essex	19.57	7.11
Norfolk	13.06	5.73

Police forces with the highest per capita charge rates⁷⁴

Merseyside Police and the Police Service of Northern Ireland (PSNI) both had per-capita charge rates at around 2.5 times the UK-average. However, police in Merseyside had a low arrest rate of 5.4 per 10,000 — around half the national average, which suggests that officers in the area were not using arrest as the first tool in their arsenal. PSNI's per-capita arrest rate was 60% above the national average alongside their very high charge rate which suggests Northern Irish police made significant use of arrest powers and brought charges frequently.

Some of the forces with per-capita arrest rates much higher than the national average were found to bring charges at rates below the mean UK per person rate. Durham, Gwent, Northamptonshire and Thames Valley Police all had per-person arrest rates at 40% or more above the national average, but charged people at a rate lower than the national average. The most shocking disparity was in Thames Valley, where the force made 14.1 arrests per 10,000 people (national average 10.1) but charged 1.51 people per 10,000 residents (national average 3.4), begging the question as to whether many of the 3,714 arrests made by the force were strictly necessary.

⁷⁴ Derbyshire and Dyfed-Powys excluded due to incomplete 5 year data

Police Forces	Arrests per 10,000	Charges per 10,000	Arrests for each charge laid
<i>Most Arrests Per Charge</i>			
Lincolnshire	7.47	0	<i>N/A</i>
Sussex	11.19	1.05	10.7
Thames Valley	14.07	1.50	9.4
Cambridgeshire	9.84	1.09	9.0
West Midlands	5.31	0.74	9.0
<i>Fewest Arrests Per Charge</i>			
North Wales	9.71	5.28	1.8
Dorset	2.18	1.44	1.5
Northumbria	1.87	2.27	0.8
Merseyside	5.37	7.94	0.7
Staffordshire	0.58	3.31	0.2

Police forces with the 5 highest number of arrests per charge laid, and the 5 lowest

The sharp disparities between forces in the number of arrests made for each charge laid raises questions about how necessary many arrests were. It is clear that some forces arrested large numbers of people who were not later prosecuted for offences. Although some may have seen alternative resolutions, such as cautions, the data appears to show that some police forces used their power of arrest with high frequency but did not have significant follow through on many of them.

Big Brother Watch spoke to people who were arrested for communications offences and they explained how stressful the arrest itself was. Even for people who were never charged, the process of being arrested is punitive and a temporary restriction on liberty that can have lasting effects.

Police Forces With the Highest and Lowest Arrest Per Charge Laid

Most Arrests Per Charge

Lincolnshire	●	●	●	●	●	●	●	●	●	N/A
Sussex	●	●	●	●	●	●	●	●	●	10.7
Thames Valley	●	●	●	●	●	●	●	●	●	10.4
Cambridgeshire	●	●	●	●	●	●	●	●	●	9.0
West Midlands	●	●	●	●	●	●	●	●	●	9.0

Fewest Arrests Per Charge

North Wales	●	●	●	●	●	●	●	●	●	1.8
Dorset	●	●	●	●	●	●	●	●	●	1.5
Northumbria	●	●	●	●	●	●	●	●	●	0.8
Merseyside	●	●	●	●	●	●	●	●	●	0.7
Staffordshire	●	●	●	●	●	●	●	●	●	0.2

“Some police forces used their power of arrest with high frequency but did not have significant follow through on many of them.”

Convictions

The Home Office also publishes data about the number of people prosecuted for communications offences, and those who are subsequently convicted or sentenced. Across the 5 years there were 12,292 convictions in England and Wales for the three communications offences. Due to the time it takes for cases to get to court and the fact that arrest and charge data comes from a different source, it is not possible to treat conviction data as an endpoint for a pipeline of arrests to convictions or make detailed comparisons across the whole justice process. However, it is possible to examine how many convictions occur in each police force area in comparison to the national average and make broader observations about how this varies across the country. Unfortunately the Home Office only publishes this data for England and Wales, so Scotland and Northern Ireland are excluded.

Nationally over the five year period there were 1.77 convictions for communications offences per 10,000 people between 2021 and 2025, with most police force areas recording rates within 25% of the national average. However, there are some police force areas that stand out as outliers with much higher or much lower per-capita conviction rates for these offences.

Cumbria once again recorded the highest level of communications offence convictions, with around 1 in 2,200 people being convicted of a communications offence between 2021 and 2025. Cheshire saw around 1 conviction for every 2,600 people and Merseyside 1 for every 2,700.

That Cumbria has the highest per capita arrest, charge and conviction rates in England and Wales suggests that either residents commit dramatically more communications offences than those who live elsewhere, or more likely that Cumbria Constabulary chooses to pursue communications offences much more often than other police forces.

In addition to Cumbria, which is significantly above the national average for all three metrics, there are four more forces which are also above the per capita national average on all three — albeit on a much lesser scale.

Greater Manchester Police recorded arrests at approximately 1.5 times the national average rate; recorded roughly 1.3 times the national average of convictions; and brought just over the national average number of charges per capita. Meanwhile, West Yorkshire police recorded arrests at 1.5 times the national average rate, while charges and convictions were slightly over the UK mean. Suffolk Police's charge rate was 65% above average, with a conviction rate 24% above the mean and an arrest rate around 10% higher than average. Cleveland Police arrested at 1.44

times the national average rate, whilst the force's charges were 10% higher and convictions were around two thirds above the UK-wide mean.

Conclusions

Analysing the data across arrests, charges and convictions reveals significant variance between forces, suggesting that in practice the right to freedom of expression is a 'postcode lottery' in the UK. There are significant regional disparities in arrest rates, and how often those arrests lead to charges — while people are also convicted for these offences at much higher rate in some areas than others.

Some variation in this data across the country is inevitable. The UK is diverse and per capita arrest rates will never be completely even. However, it is difficult to explain why a force like Cumbria arrests, charges and convicts people for communications offences at a rate that is much higher than the national average, when other neighbouring forces have much lower rates. That these disparities have persisted over a five-year period raises serious questions about the consistency of enforcement across police forces.

The significant variance in arrest data between 2021 and 2025 for each police force illustrates the markedly different ways in which communications offence powers are used across the country. Police in the UK do not have to arrest people just because an allegation is made, even if it appears to be substantiated. Rather, arrests should only be made when they are necessary.⁷⁵

It is well documented that policing resources are stretched in the UK and investigations into even very serious offences are often resulting in voluntary interviews rather than arrests being made.⁷⁶ His Majesty's Chief Inspector of Constabulary (HMCIC) found in an April 2026 report that some police forces are using voluntary interviews instead of arrests to deal with allegations of online child sexual abuse — with resource management being a key reason for this. The HMCIC report found that the duty to safeguard victims was often not considered when officers decided not to arrest online child sex abuse suspects, though the inspectorate did not name the forces in question.

⁷⁵ PACE Code G, Home Office, 5th August 2022, <https://www.gov.uk/government/publications/pace-code-g-2012/pace-code-g-2012-accessible>

⁷⁶ The Policing Response To The Investigation Of Online Child Sexual Abuse And The Management Of Registered Sex Offenders, His Majesty's Inspectorate of Constabulary and Fire & Rescue Services, 15th April 2026, <https://hmicfrs.justiceinspectorates.gov.uk/publication-html/policing-online-child-sexual-abuse-and-managing-registered-sex-offenders/>

62,199 arrests

Were made for communications offences across the UK in just 5 years.

3.4 arrests

Were made for every communications offence charge in the UK.

23.4 arrests

per 10,000 people were made by Northamptonshire Police, 2.2x the national average.

At least **62,199** arrests were made for communications offences across the UK in just 5 years — but as the data shows, the per capita rate varied significantly.

Offences under the Section 127 of the CA and Section 179 of the OSA are limited to being heard in a magistrates court with a maximum sentence of six months in prison. Section 1 of the MCA is an either way offence with a maximum sentence of two years. In practice, the sentences handed down for these offences are usually much below the maximum.

By contrast, online child sexual exploitation offences are some of the most grievous, harmful crimes, carrying substantial prison sentences. The use of voluntary interviews by some forces due to 'resource management' while tens of thousands of people are arrested on suspicion of speech offences raises serious questions about police priorities.

These concerns are only amplified when considering the substantial disparity between arrests and charges. Of course, non-court options, such as a caution or community resolution could be used to resolve cases. However, where an investigation does not result in a charge it is reasonable to ask whether the arrest was a necessary and proportionate step in the first place. An arrest is a significant inference with an individual's liberty, and the thousands of arrests now being carried out year on year for communications offences is having a cumulative, chilling effect on the public's right to free speech as a whole. Further, individuals may be subject to bail conditions that infringe on their liberties, while the ordeal of being detained and processed by police is stressful, embarrassing and can have both personal and professional consequences.

On average, police in the UK are arresting **3.4 people** for every communications

offence charge they make. However, as with arrests, the ratio of arrests to charges varies significantly across the country. Sussex Police's rate of **11.3 arrests** per charge is three times the national rate, while Thames Valley Police arrests **9.4 people** for each charge and Cambridgeshire Police **9 people** per charge. The substantial drop off between arrests and charges raises questions about the necessity and proportionality of many communications offence arrests, and whether the conduct in question had any prospect of meeting the threshold for prosecution. Where large numbers of cases do not ultimately result in a charge, it is reasonable to ask whether arrests were required or whether less intrusive alternatives could have been used.

Free expression — the ability to dissent and say what you think, whether it is silly or serious — must be protected equally and vigorously in a democracy. Citizens should not have to fear that they could be arrested or prosecuted for a joke made in poor taste or a controversial opinion — nor should that risk depend on where they live. Such inconsistent enforcement creates uncertainty about the boundaries of lawful expression, increasing the likelihood that individuals will choose to self-censor rather than risk police intervention.

These findings raise serious questions about the suitability of current communications offences for the modern age. If some police forces are arresting ten people for each charge they make, there is an argument that the potential interpretation of these offences is too broad and allows for excessive, highly interventionist policing where people are detained without their cases resulting in a prosecution. Perhaps the most striking example is Northamptonshire Police who arrest **23.4 per 10,000 people** (**2.2 times** the national average) but only charged **2.7 people per 10,000**, below the national average — making **8.8 arrests** per charge.

Unnecessary arrests for speech are detrimental to individuals' rights and ultimately undermine trust in policing and the rule of law.

The statistics illustrate the scale and inconsistency of enforcement. The following case studies demonstrate what those figures mean in practice for the individuals caught up in the system.

Case studies: The human impact of communications offences

As part of this research, Big Brother Watch spoke to three people affected by disproportionate police interventions involving communications offences powers.

Case Study 1: Ian Johnson

Ian Johnson, 68, from Frinton-on-Sea in Essex, explained how a dispute over an out-of-control dog that killed his Westie terrier escalated to him facing Malicious Communications charges. Mr Johnson has not told his story publicly before.

Mr Johnson explained that three years ago an out of control dog injured his and his wife's beloved Westie, ultimately leading to their pet being euthanised. The dispute with the other dog's owner saw Mr Johnson facing court. Initially, the other man had paid the vet's bills to put his Westie to sleep after the injuries but then the man began to engage in a campaign of harassment against Mr Johnson and his wife, bombarding them with texts and emails. The harassment and the death of his dog deeply affected the couple. Eventually, Mr Johnson says he "snapped" and phoned the man back, using some choice swear words, calling him a "c***" and making it clear that he should leave them alone. This was followed up with a text warning that harassment could lead to police action, and that this is something that could affect the man's immigration status as an Eastern European national.

Soon after, Mr Johnson faced arrest from Essex Police and was charged with Malicious Communications offences. The legal ordeal went on for two years before it was heard in court and Mr Johnson was found not guilty. Mr Johnson said that his Legal Aid solicitor told him the case was "ridiculous". Despite being found not guilty, and the case stemming from a reaction to a campaign of harassment following the loss of a beloved family pet, Mr Johnson still suffered through years of being under investigation which placed a huge stress on his family.

Mr Johnson's ultimately fruitless arrest was by the same police force that controversially visited journalist Allison Pearson at home in November 2024 to talk about a non-crime hate incident over a since-deleted Twitter post.

Case Study 2: Child A

A mother from the West Midlands got in touch with Big Brother Watch to explain how police arrived at her door and demanded that her vulnerable teenage daughter ('Child A') hand over all her devices, and either attend a voluntary interview or

face arrest after being accused of communications offences. The alleged offences related to a TikTok post containing a teacher's image alongside negative and insulting comments about them at her school.

Video footage of the police attending the family home later went viral online in September 2025. The mother explained to Big Brother Watch that a TikTok post had circulated at Child A's school containing a teacher's image alongside negative and insulting comments about them. The child provided her phone to the school so staff could check whether she was connected to the TikTok account responsible for the post. No TikTok account linked to the content was found on the child's device. Although Child A had only viewed the post and had not created, shared or commented on it, the school later contacted police regarding the post and provided the child's name to officers despite no evidence linking her to the creation or distribution of the content.

The mother also explained that during the school's handling of the matter, while attempting to identify who had created the TikTok post about the teacher, a male Head of Year searched through students' phones and copied and saved images from Child A's phone onto his personal mobile phone. A formal complaint was made regarding the copying, saving and sharing of the child's images on a personal device.

Not long afterwards, police arrived at the family home alleging that Child A had committed an offence under the Malicious Communications Act. In footage of the incident later shared online, officers attempted to seize the child's phone and warned the mother they would "escalate this further" if the device was not handed over. The mother states that after officers threatened that Child A could be arrested, she offered to hand over the phone under duress in order to avoid further escalation and protect her child from arrest. She says that while the handover of the phone was taking place, officers still entered the property without consent and pursued the child upstairs while demanding access to the device.

The mother repeatedly explained that her daughter had only viewed the TikTok post and had no involvement in creating, sharing or commenting on it.

The following day the family attended a voluntary interview under duress, where the mother again made clear that Child A had no involvement in creating the TikTok video. The child also provided a written statement to police confirming she had no involvement in the TikTok post. In that statement, concerns were raised about why the IP address linked to the account had not been checked and what police powers had been relied upon during the incident at the family home.

Eventually during the course of the investigation, it became clear that Child A had no involvement in creating or distributing the video. The investigation was later concluded and the child was formally informed that no further action was taken.

The mother says it later emerged that basic investigative checks had not initially been carried out, which would likely have established far earlier that her daughter was not responsible for the account or video in question. The family believe the matter should never have escalated to the level of a police visit, entry into the family home, seizure of devices or threats of arrest against an innocent vulnerable child.

After the video went viral, West Midlands Police published a public statement defending their actions and claiming they were investigating alleged malicious communications offences. Fact checkers including Yahoo and Reuters also repeated claims suggesting the police response had been justified in order to investigate an offence.⁷⁷⁷⁸ However, police later confirmed that no further action would be taken against Child A and Reuters subsequently withdrew its fact check. The police statement remained online for several months after the child had received no further action, still publicly linking her to allegations relating to a matter police knew she had no involvement in.

The mother explained that the incident caused significant emotional distress to Child A. She says details contained within the police statement created a jigsaw identification effect which made Child A identifiable to members of the public and resulted in further bullying and harmful comments online despite her being innocent. The mother maintains that her daughter merely viewed a social media post yet was treated as though she had committed a criminal offence.

The family believe serious questions remain regarding the proportionality of the police response, the treatment of vulnerable children, the handling of the investigation by both the school and police, and the failure to publicly correct statements once the child had been cleared. The mother also believes that the publication of public statements linking children to alleged criminal offences where they have not been arrested or charged, and where there is no evidence of wrongdoing, should not happen. The mother further states that the incident caused the child significant psychological harm and severe emotional distress, with a serious impact on her mental wellbeing.

77 Fact Check: English Police Did NOT Go After Child's Phone For 'Looking At A Social Media Post' -- Police Say They're Investigating Sending Of 'Malicious Communications', Yahoo News, 23rd September 2023, <https://www.yahoo.com/news/articles/fact-check-english-police-did-011524465.html>

78 Fact Check: Girl Investigated Over Indecent Messages, Not For Viewing Social Media Post, Reuters, 29th September 2025, <http://archive.today/2zj6S>

Case Study 3: Threatened With “Thinking Skills Course” For Telling The Truth

Sussex Police visited the wildlife presenter and animal rights campaigner Anneka Svenska at her home in July 2026, accusing her of breaching Section 179 of the Online Safety Act by knowingly spreading lies with the intent to cause non-trivial harm. The accusation related to a video she posted in January 2026, in which she claimed a Cambridgeshire company that breeds beagles for scientific research, MBR Acres, sends hundreds of kilograms of animal remains to incinerators. Police asked her if she would agree to a set of conditions as part of a “community resolution”, which included completing an “online thinking skills” course and an “online impact”. If she refused, police claimed that the matter could be passed back for further investigation and potential action.

The presenter told Big Brother Watch that she felt that the law was being abused by big companies to intimidate campaigners who share information that could do them reputational harm and branded the police visit as an “attack on free speech”.

A video of the police encounter shows two Sussex officers telling Ms Svenska they had been passed a complaint by a different force, understood to be Cambridgeshire Police, about false allegations online. This was then confirmed to be MBR Acres, and Ms Svenska then got the officers to confirm that the allegation related to her video about the company disposing of a huge number of beagles.

Speaking to Big Brother Watch, Ms Svenska said that her information came from a whistleblower and a leaked purchase order for the removal and incineration of hundreds of kilograms of beagle remains. However, police did not try to check the veracity of the information before arriving at her door and urging her to complete a “thinking skills” course.

Working with a lawyer, she wrote to Cambridgeshire Police and provided the evidence used to back up her video alongside FOI documents she obtained from the Home Office to support her claims. Ms Svenska told Big Brother Watch that police dropped the case “15 minutes” after receiving the legal letter – despite the fact that the evidence she relied on was also shared in the initial video.

She suggested that the “law is being abused” by large, wealthy companies, and that individual activists’ and protester’s ability to express their views was at risk if they could be visited by police relying on spurious claims under the OSA.

PROTEST RIGHTS



PROTEST RIGHTS

Key Findings:

- + London's Metropolitan Police is the only force known to have used new suspicionless search powers at a protest, and mostly targeted a single pro-Palestine demonstration with them.
- + Two new major laws have placed a number of draconian limits on protest rights: the Police, Crime, Sentencing and Courts Act 2022 and Public Order Act 2023 with other laws introducing additional anti-protest measures.
- + Police have repeatedly arrested people for speech at protests that is clearly not unlawful.

Few issues have come to define the debate over freedom of expression in the United Kingdom during the 2020s more than the protection of protest rights. Two major pieces of legislation have been passed that significantly restrict the right to protest, with some provisions effectively targeted at certain individuals or protest groups. Meanwhile, the surge in demonstrations following the 7th of October 2023 Hamas attacks on Israel and the subsequent allegations of genocide and other crimes against humanity arising from Israel's military response in Gaza have led politicians across the political spectrum to debate whether there should be further restrictions on the right to protest.

The Police, Crime, Sentencing and Courts Act 2022 and the Public Order Act 2023 both introduced significant anti-protest powers, including giving the police the ability to effectively ban static assemblies in some places, targeting single person protests and their noise levels and even introducing suspicionless stop and search powers for certain items at demonstrations.⁷⁹⁸⁰ Our research has identified that these powers have already been repeatedly used in a way that undermines the right to protest and dissent in the UK.

Meanwhile, there have also been calls from the Leader of the Opposition Kemi Badenoch to ban pro-Palestine marches, arguing that there have been too many of them. This position from such a prominent political figure is concerning, because it misconstrues the fundamental human right to freedom of expression that belongs to each and every individual as a privilege that to be rationed out by the state.

Police forces have also adopted diverging approaches to censorship and the enforcement of communications offences at protests, again demonstrating the lack

79 Public Order Act: New Protest Offences & 'Serious Disruption', Liberty, accessed 15th May 2026, https://www.libertyhumanrights.org.uk/advice_information/public-order-act-new-protest-offences/

80 How Does The New Policing Act 2022 Affect My Protest Rights?, Liberty, accessed 15th May 2026, https://www.liberty-humanrights.org.uk/advice_information/pcsc-policing-act-protest-rights/#page-section-12

of clarity and elasticity of the law. The Metropolitan Police and Greater Manchester Police both committed to make arrests in response to chants and placards stating "globalise the intifada", commonly seen and heard at pro-Palestine marches, whilst stating this was in spite of advice from the Crown Prosecution Service that such phrases do not meet the prosecution threshold, and while a review by Lord Macdonald of public order and hate crime, which will cover slogans and chants at protests, was outstanding.^{81,82} Indeed, it is not clear whether and in what circumstances this phrase would constitute an offence under the relevant communications laws.

Big Brother Watch researchers have been attending protests in 2026 to monitor how they are policed and to speak to people across the political spectrum to understand their experiences of exercising their rights to protest and their views on restrictions. Attendees almost universally agreed that the right to speak and dissent should be protected, but also that they felt free speech "doesn't really exist any more" in the UK and that civil liberties have "suffered".⁸³

New Legislation

Protest rights have been reshaped primarily by two pieces of legislation that have passed in the past five years: the Police, Crime, Sentencing and Courts Act 2022 (PCSCA) and Public Order Act 2023 (POA). Together, they significantly expanded police powers to restrict protests and introduced a range of new protest-related criminal offences. Both laws were fiercely resisted by campaigners and civil liberties groups as an assault on the right to protest.

The PCSCA introduced a range of provisions that expanded the ability of police to limit protests that are deemed to impact others. It allows limits on any procession where noise could result in "serious disruption" to activities of organisations or have a "significant impact" of people nearby, and granted the Home Secretary the power to define "serious disruption".⁸⁴ It also granted the Home Secretary the power to define what "serious disruption to the life of the community" means – a phrase in existing public order legislation⁸⁵ that allowed for processions to be limited.⁸⁶ Both definitions could be made by secondary legislation.

81 Badenoch: Ban pro-Palestine marches in wake of Golders Green, Sky News, 2nd May 2026, <https://news.sky.com/video/badenoch-ban-pro-palestine-marches-in-wake-of-golders-green-13539158>

82 Joint Statement from the Commissioner of the Metropolitan Police and the Chief Constable of Greater Manchester Police, Metropolitan Police, 17th December 2025, <https://news.met.police.uk/news/joint-statement-from-the-commissioner-of-the-metropolitan-police-and-the-chief-constable-of-greater-manchester-police-504494>

83 Facial Recognition Was Quietly Deployed At A Protest, Big Brother Watch, YouTube, 20th May 2026, <https://youtu.be/d9WJoJ6aEhA?si=UINtPQPfY-vmtci4>

84 Section 73, Part 3, Police, Crime Sentencing and Courts Act 2022, <https://www.legislation.gov.uk/ukpga/2022/32/section/79>

85 The phrase is used in Sections 12 and 14 of the Public Order Act 1986.

86 Section 12, Part II, Public Order Act 1986, <https://www.legislation.gov.uk/ukpga/1986/64/section/12>

Soon after the legislation passed, the then-Home Secretary Suella Braverman passed regulations stating that “serious disruption” meant anything “more than minor”, a definition that had previously been rejected by Parliament.⁸⁷ Liberty successfully challenged the definition in court and it was overturned, due to Mrs Braverman’s passage of regulations that were previously rejected with the court finding that the threshold for serious disruption was high.⁸⁸

The PCSC Act also introduced additional powers to limit assemblies. Previously police had much stronger powers to limit processions under Section 12 of the Public Order Act 1986, whereas the bar to place conditions on static assemblies was much higher under Section 14 of the same Act due to assemblies being inherently less disruptive.^{89,90} The new law removed the distinction and gave police equal powers to limit both kinds of demonstrations — despite the lower impact of assemblies.

Specific restrictions around one-person protests were another part of the PCSC Act, amending the Public Order Act 1986 to create Section 14ZA.⁹¹ Single-person protests were broadly outside the scope of police powers to limit protests on the grounds of serious disruption, but the new law introduced sentences of up to 51 weeks in prison for breaching disruption-related conditions placed on them. It was widely understood that anti-Brexit protester Steve Bray, who frequently stages single-person protests outside Parliament, was a key reason for that section of the Act.

The offence of causing a public nuisance was placed on statutory footing by the PCSC Act, replacing what had been a common law offence.⁹² It became a crime to do anything that caused a risk of serious harm to a section of the public, or limit a section of the public from exercising their rights, with the offence worded broadly.⁹³ Blocking the entrance to buildings or hanging off a bridge in a way that closes an underpassing road are potential examples of behaviour that cause a public nuisance.

Other clauses in the PCSC Act lowered the limits of how aware someone had to be to be guilty of offences relating to protest conditions, increased sentences for blocking the highway and expanded limits on demonstrations around Parliament.⁹⁴

87 Court Grants Permission For Liberty Legal Action Against Home Secretary. Liberty, 4th October 2023, <https://www.libertyhumanrights.org.uk/issue/court-grants-permission-for-liberty-legal-action-against-home-secretary/>

88 Court Of Appeal Holds Serious Disruption Regulations Unlawful, Matrix Chambers, 2nd May 2025, <https://www.matrix-law.co.uk/news/court-of-appeal-holds-serious-disruption-regulations-unlawful/>

89 Section 12, Part II, Public Order Act 1986, <https://www.legislation.gov.uk/ukpga/1986/64/section/12>

90 Section 14, Part II, Public Order Act 1986, <https://www.legislation.gov.uk/ukpga/1986/64/section/14>

91 Section 79, Part 3, Police, Crime Sentencing and Courts Act 2022, <https://www.legislation.gov.uk/ukpga/2022/32/section/79>

92 Section 78, Part 3, Police, Crime Sentencing and Courts Act 2022, <https://www.legislation.gov.uk/ukpga/2022/32/section/79>

93 How Does The New Policing Act 2022 Affect My Protest Rights?, Liberty, accessed 15th May 2026, https://www.libertyhumanrights.org.uk/advice_information/pcsc-policing-act-protest-rights/#page-section-12

94 Briefing on the Police, Crime, Sentencing and Courts Bill; House of Lords Report Stage, Big Brother Watch, January 2022, <https://bigbrotherwatch.org.uk/wp-content/uploads/2022/01/Big-Brother-Watch-briefing-on-the-Police-Crime-Sentencing-and-Courts-Bill-House-of-Lords-Report-Stage-Fi7039.pdf>

Key Changes In The Public Order Act			
Section	New Protest Powers	What	Situation Before
1	Locking on	Created specific offence of locking on	Dealt with as trespass or obstruction. Blocking ambulances was already an offence
3 & 4	Tunnelling	Created specific offence of tunnelling	Dealt with as aggravated trespass or criminal damage
2 & 5	Going equipped for locking on or tunnelling	Created specific offence of going equipped to lock on or tunnel	No specific offence
10	Stop and search with suspicion	Police can search demonstrators on suspicion of having certain items to lock on, tunnel, obstruct transport works or interfere with KNI	Search could occur if an officer suspected someone was equipped to commit a crime
11	Stop and search without suspicion	With a senior officer's authorisation police can search any protest without suspicion	Senior officer could authorise suspicionless search in an area if they suspected serious violence could occur or weapons were being carried
20 & 21	Serious disruption prevention orders (SDPOs)	After conviction for two protest-related offences someone can be given an order limiting their ability to protest to prevent serious disruption	Did not exist
9	Interference with abortion access	Created safe zones around abortion clinics, and it is an offence to interfere with someone within them	Local Public Space Protection Orders were used, or dealt with under public order legislation for causing "harassment, alarm or distress"
6	Obstruction etc of major transport works	Created a specific offence of obstructing major transport works	Dealt with as aggravated trespass or criminal damage
7	Interference with use or operation of key national infrastructure (KNI)	Created specific offence of interfering with KNI	Dealt with as aggravated trespass or criminal damage, or a specific 1861 law on damaging trains
17	Protection for journalists	Prohibits police from using their powers to block anyone reporting on protests, or policing at protests	No protections existed
34	Definition of "serious disruption"	Specific definition of serious disruption laid out in law	Home Secretary had the power to define serious disruption

In the following year, additional anti-protest laws were introduced in the Public Order Act 2023 (POA 2023) — including powers that initially failed as amendments to the PCSC Act. As with the POA, parts of the law appeared to target certain campaigns. Locking on, or attaching oneself, somebody else or an object to another person, an object or land — or being equipped to lock on, became an offence.⁹⁵ This tactic was often used by environmental activist group Extinction Rebellion, among others. During the debate on the (then) Bill in the House of Lords, crossbench peer Baroness Fox said that Conservative politicians told her explicitly that the aim of the legislation was to stop Extinction Rebellion.⁹⁶ These offences criminalise carrying everyday objects such as a bike lock to a demonstration if police believe it could be used to “lock on”.

Additional offences relating to tunnelling and being equipped to tunnel, obstructing major transport works and interfering with key national infrastructure were all also introduced in the legislation.⁹⁷

Subsequently, the POA 2023 introduced sweeping new stop and search powers to be used at protests. Under the Act, police officers are empowered to search anybody on suspicion of a string of offences:⁹⁸

- + Wilful obstruction of the highway
- + Public nuisance
- + Locking on
- + Tunnelling
- + Obstructing major transport works
- + Interfering with key national infrastructure

More concerningly, suspicionless stop and search powers were introduced for the same string of offences. Searches are authorised if a police officer of the rank inspector or higher “reasonably believes” that one of those offences might be committed, or that anyone is carrying prohibited objects in the area.⁹⁹

95 Section 1, Part 1, Public Order Act 2023, <https://www.legislation.gov.uk/ukpga/2023/15/section/1>

96 Column 436, Volume 827, Hansard HL Debate (Public Order Bill), 30th January 2023, <https://hansard.parliament.uk/lords/2023-01-30/debates/90096A36-7A89-4C49-B83E-3E488B5DF430/PublicOrderBill#contribution-8A6EAE33-293D-4E73-BC6F-0F1972694667>

97 Public Order Act: New Protest Offences & ‘Serious Disruption’, Liberty, accessed 15th May 2026, https://www.liberty-humanrights.org.uk/advice_information/public-order-act-new-protest-offences/#page-section-5

98 Section 10, Part 1, Public Order Act 2023, <https://www.legislation.gov.uk/ukpga/2023/15/section/10>

99 Section 11, Part 1, Public Order Act 2023, <https://www.legislation.gov.uk/ukpga/2023/15/section/11>

Serious Disruption Prevention Orders (SDPO) — civil orders that place wide-ranging limits on people who have carried out protest-related activity – were established by Part 2 of the Act.¹⁰⁰ These orders can either be applied on conviction of a second (or subsequent) protest related offence in a five year period, or police can apply after the fact if somebody has on two occasions been convicted of a protest related offence and/or breached an injunction in relation to a protest.¹⁰¹

SDPOs can be applied whenever the court deems it necessary to stop someone committing further protest offences or helping others do so, or to protect people and/or organisations from the risk of disruption. The conditions that the orders can contain are broad and include limits on being with certain people, in certain places, involved with certain activities, or carrying particular items and can even involve restrictions on internet use.¹⁰² There can also be bail-like conditions such as presenting oneself to a police station or curfews. Although an SDPO is a civil order, breaching its terms constitutes a criminal offence punishable by imprisonment.

Serious disruption itself was defined for the purposes of the POA 2023 as anything causing more than a minor hindrance of people carrying out their day-to-day activities, or to construction or maintenance works.¹⁰³

Further protest restrictions were introduced in the Crime and Policing Act 2026 which brought in a new offence of wearing an item to conceal one's identity in an area designated by police.¹⁰⁴ This area may be a protest. Previously police were able to designate an area where they could ask people to remove face coverings, and only then arrest them when they refused. Now covering one's face in a designated area will automatically be an offence that could lead to a month in prison or a £1,000 fine. The law only came into force in June 2026 so its effects on demonstrations in practice are yet to be seen.

100 Part 2, Public Order Act 2023, <https://www.legislation.gov.uk/ukpga/2023/15/part/2>

101 Public Order Act: New Protest Offences & 'Serious Disruption', Liberty, accessed 15th May 2026, https://www.liberty-humanrights.org.uk/advice_information/public-order-act-new-protest-offences/#page-section-5

102 Public Order Act: New Protest Offences & 'Serious Disruption', Liberty, accessed 15th May 2026, https://www.liberty-humanrights.org.uk/advice_information/public-order-act-new-protest-offences/#page-section-5

103 Part 3, Public Order Act 2023, <https://www.legislation.gov.uk/ukpga/2023/15/part/3>

104 Crime And Policing Act 2026: Public Order Offences Factsheet, Home Office, 19th May 2026. <https://www.gov.uk/government/publications/crime-and-policing-act-2026-factsheets/crime-and-policing-act-2026-public-order-offences-factsheet>

Application of the New Legislation

The PCSC Act placed an obligation on the Home Secretary to obtain data about the use of the new police powers and to lay a report before Parliament about their use within two years of them coming into force.¹⁰⁵ All 43 forces in England and Wales provided data to the Home Office, however the Metropolitan Police and West Yorkshire Police were only able to provide data starting from April 2023, meaning the first ten months after the principal protest powers under the Act came into force were not captured for those forces.

The Home Office has continued to gather this data after the initial report was laid before Parliament, and has included wider information about the use of Section 12 and 14 restrictions. Across the three year period covered by the available data, 17 of the 43 forces imposed conditions under Sections 12, 14 and 14ZA of the Public Order Act 1986 (as amended by the PCSC Act) to 640 protests — 465 processions and 175 assemblies. No conditions have been placed on single-person protests. The vast majority of conditions were applied by the Metropolitan Police, which made up 570 (89%) of the total.

Section	Applies To	Amended By
Section 12	Processions (moving protests)	Section 73 PCSC Act
Section 14	Assemblies	Section 74 PCSC Act
Section 14Z	One-person protests	Created by Section 79 PCSC Act

¹⁰⁵ Police Protest Powers June 2022 to March 2025, Home Office, 5th February 2026, <https://www.gov.uk/government/statistics/police-protest-powers-june-2022-to-march-2025/police-protest-powers-june-2022-to-march-2025>

Section 73 of the PCSC Act amended section 12 of the Public Order Act 1986 (conditions on public processions i.e. marches). It:

- + added noise as a new ground on which conditions may be imposed
- + expanded the meaning of “serious disruption to the life of the community”
- + gave the Home Secretary power to define “serious disruption” by regulations
- + changed the offence of breaching protest conditions so that a person commits an offence if they know or ought to know that conditions have been imposed

Section 74 of the PCSC Act made equivalent amendments to section 14 of the Public Order Act 1986 (conditions on public assemblies i.e. static demonstrations).

Section 79 of the PCSC Act inserted section 14ZA into the Public Order Act 1986 (conditions on one-person protests). It:

- + created a new power for police to impose conditions on one-person protests
- + permitted conditions where the noise generated may result in “serious disruption”
- + made it an offence for a person to breach those conditions if they know or ought to know they have been imposed

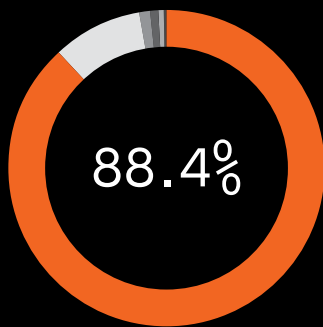
Section 12 — Processions

Conditions were applied to 465 processions between June 2022 and March 2025 with the Metropolitan Police being the most frequent user of these powers on 453 occasions. Other forces that used these powers were the City of London which applied Section 12 powers 8 times, West Mercia Police which applied them twice and Bedfordshire and South Wales Police which applied them once each.¹⁰⁶

¹⁰⁶ Police Protest Powers June 2022 to March 2025, Home Office, 5th February 2026, <https://www.gov.uk/government/statistics/police-protest-powers-june-2022-to-march-2025/police-protest-powers-june-2022-to-march-2025>

Theme of processions with restrictions between June 2022 and March 2025

Theme	Number of processions with restrictions										
Environment	●	●	●	●	●	●	●	●	●	●	411
International	●	●	●	●	●	●	●	●	●	●	43
Anti-fascism	●	●	●	●	●	●	●	●	●	●	6
Anti-government	●	●	●	●	●	●	●	●	●	●	4
Cultural nationalism	●	●	●	●	●	●	●	●	●	●	2
Not Applicable	●	●	●	●	●	●	●	●	●	●	1



88.4% of restricted processions were **environmental related**.

9.2% were international processions, with all other themes accounting for just 2.4% combined.

Reasons

Serious Disruption **431 Cases**

Prevention of Disorder **24 Cases**

Damage **12 Cases**

Intimidation and Noise **Twice Each**

Purpose not recorded **21**

98% route restricted

of processions with conditions faced location or route limits.

7% duration limits

or other extra restrictions were applied to processions with conditions.

Serious disruption was the most common reason for police applying Section 12 conditions, in 431 cases. The prevention of disorder was cited 24 times, damage 12 times, and intimidation and noise twice each. Concerningly, there are 21 examples — all from the Metropolitan Police — where the purpose of applying conditions was not recorded.

The vast majority of procession conditions related to the location or route, with 98% of processions subjected to conditions being subjected to these kind of restrictions, while 4% had their duration restricted and 3% were subjected to other limits. These numbers are greater than the 465 total processions with limits as some had multiple restrictions applied.

At the time of writing the Metropolitan Police has not responded to FOI requests asking for details of their authorisations for restrictions under Section 12 of the POA and the groups affected. However, the context of the timings and nature of the conditions indicate which groups were likely most affected by the restrictions.

The six months between April and September 2023 saw the overwhelming majority of procession-related conditions, with 412 processions facing restrictions. All but two of these marches were environment-related, with the remaining two being “anti-government”.¹⁰⁷

Between spring and summer 2023 there was a period of significant action from Just Stop Oil (JSO), an environmental activist group which engaged in numerous “slow marches” down public roads across London. These led to restrictions being applied under Section 12 to move protesters out of the road and onto the pavement on many occasions.^{108, 109} It has been reported that on some occasions the Metropolitan Police applied broad, pre-emptive Section 12 conditions to restrict JSO protesters from demonstrating on any road in the capital.

Significant numbers of people were arrested for breaching Section 12 conditions at JSO protests — with one demonstration on 11th May 2023 seeing around 13 arrests.¹¹⁰

107 Police Protest Powers Data Tables, Home Office, 5th February 2026, <https://assets.publishing.service.gov.uk/media/697ba5eff8f4a746d9572f5a/police-protest-powers-data-tables-mar-2025.ods>

108 Just Stop Oil Supporters Arrested After Blanket Ban Imposed On Peaceful Procession, Just Stop Oil, 11th May 2023, <https://juststopoil.org/2023/05/11/just-stop-oil-supporters-arrested-after-blanket-ban-imposed-on-peaceful-procession/>

109 Just Stop Oil: Met Police Says Protests Have Cost It £20m, BBC News, 7th December 2023, <https://www.bbc.co.uk/news/uk-england-london-67639741>

110 Just Stop Oil Supporters Arrested After Blanket Ban Imposed On Peaceful Procession, Just Stop Oil, 11th May 2023, <https://juststopoil.org/2023/05/11/just-stop-oil-supporters-arrested-after-blanket-ban-imposed-on-peaceful-procession/>

Home Office data is not granular enough to see how many arrests were made in the period where procession-related arrests spiked. However, overall there were 226 arrests for breaching procession conditions in the three year period, all by the Metropolitan Police. It is a reasonable assumption that with almost nine out of ten processions facing restrictions being during the JSO-linked spike, many of the arrests would have occurred in that period too.

The use of powers to impose procession-related restrictions fell sharply after October 2023 — and this may have been linked to powers introduced in the Public Order Act 2023 coming into force. Criminalisation of interference with key national infrastructure under section 7 of the POA included the “road transport network” in its definition, effectively making slow marching a specific offence rather than something to be restricted by section 12 conditions.¹¹¹ Slow marches in November 2023 saw arrests for breaches of section 7 of the POA 2023 rather than conditions breaches, underlining the shift away from using restrictions on processions to criminalise slow walkers and relying on section 7 instead.¹¹²

Section 14 — Assemblies

Fourteen police forces imposed section 14 conditions on static assemblies between June 2022 and March 2025 with 175 protests being subjected to restrictions. Again, the Metropolitan Police was responsible for the majority of these (117 of protests where conditions were applied), Northumbria used the powers 27 times, West Yorkshire 7 times, Lancashire 5 times, Gwent, South Yorkshire and British Transport Police all used them thrice and Hampshire, Leicestershire and West Mercia twice. Avon and Somerset, Cambridgeshire, Gloucestershire and North Wales each used them once.^{113,114}

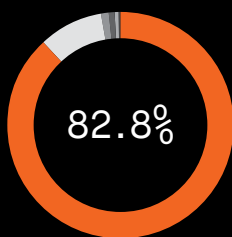
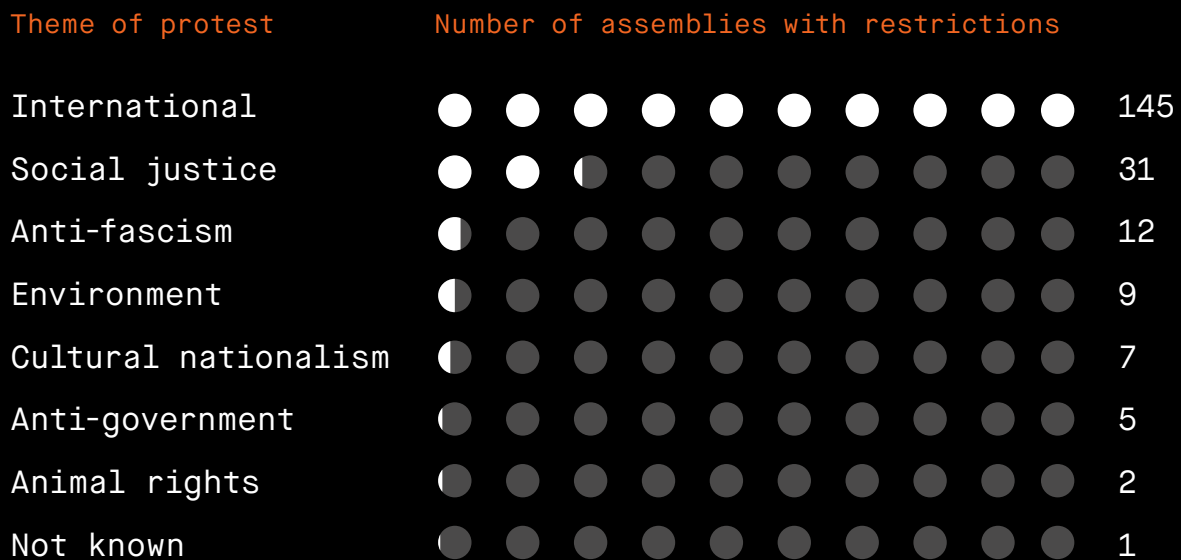
¹¹¹ Section , Part 1, Public Order Act 2023, <https://www.legislation.gov.uk/ukpga/2023/15/section/7>

¹¹² Metropolitan Police Overwhelmed By Slow March Of 100 Just Stop Oil Supporters, Just Stop Oil, 13th November 2023, <https://juststopoil.org/2023/11/13/metropolitan-police-overwhelmed-by-slow-march-of-100-just-stop-oil-supporters/>

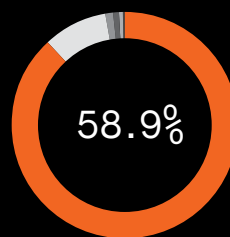
¹¹³ Police Protest Powers June 2022 to March 2025, Home Office, 5th February 2026, <https://www.gov.uk/government/statistics/police-protest-powers-june-2022-to-march-2025/police-protest-powers-june-2022-to-march-2025>

¹¹⁴ Police Protest Powers Data Tables, Home Office, 5th February 2026, <https://assets.publishing.service.gov.uk/media/697ba5eff8f4a746d9572f5a/police-protest-powers-data-tables-mar-2025.ods>

Themes of assemblies with restrictions between June 2022 and March 2025

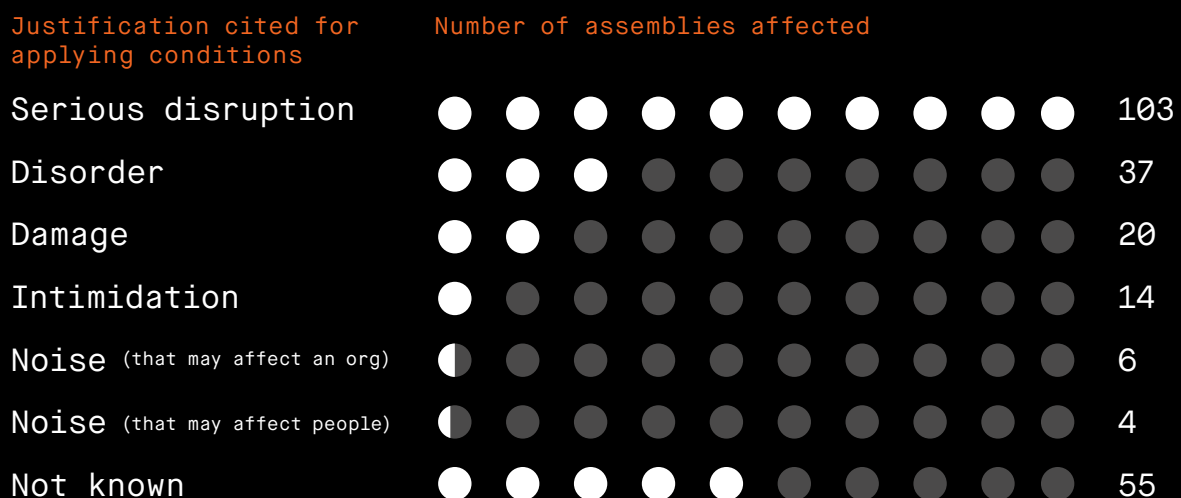


of restricted
assemblies were
international
related.



of restricted
assemblies cited
serious disruption.

Reasons given to justify restrictions being applied



Home Office data gives “international” as the theme for the vast majority of assemblies facing conditions but little other data. It is likely that demonstrations relating to the Israel-Gaza conflict are the focus for these protests as 143 of the 145 took place after October 2023. However, the Metropolitan Police has delayed its response to FOI requests for data relating to the conditions, so this remains unclear.

Serious disruption was cited as the most common purpose for restrictions being imposed — although some assemblies can have multiple “triggers”. Worryingly, almost a third of restrictions had no data recorded on the purpose of the conditions applied— again, the Metropolitan Police is responsible for every case where the justification was not recorded.

Almost every assembly subject to conditions was restricted on where it could take place (167 of 175), while 78 had restrictions applied to their duration. A handful had noise restrictions or limits put on the number of attendees permitted, 26 had ‘other’ limits applied (not laid out in the data), and two assemblies were subject to conditions the detail of which was not recorded.

Across the country, 293 people were arrested for breaching Section 14 conditions according to the Home Office data, with 251 of these arrests being by the Metropolitan Police. However, no further data was published by the Home Office on which protests these arrests were at or which conditions were breached.

Netpol, the campaigning organisation that monitors policing of protests, obtained Metropolitan Police data about arrests for section 14 breaches spanning April 2024 to March 2026, which gives some helpful insight about where arrests were made.¹¹⁵ The data is qualified by the limitation that police did not provide data when 5 or fewer arrests were made. Despite the limitation, the data obtained by Netpol from the Metropolitan Police covers 218 arrests under section 14 over the period covered by the Home Office data, so there is clear data for 87% of the arrests in scope.

Of the 218 arrests, 94 arrests were made at a Whitehall rally organised by the white supremacist group Patriotic Alternative on 31st July 2024 that took place in the wake of the Southport murders, with 10 people charged. Conditions placed on the demonstration included for protesters to remain on Whitehall and for the protest to end by 8:30pm.¹¹⁶ 81 people were arrested at the National March for Palestine on 18th January 2025 with conditions placed on the demonstration including limits on when the assembly had to stop and start, and location limits — including a ban on

¹¹⁵ What Does Partial Metropolitan Police Data Say About Protest Restrictions In London?, Netpol, 26th May 2026, <https://netpol.org/2026/05/26/what-does-partial-metropolitan-police-data-say-about-protest-restrictions-in-london/>

¹¹⁶ Sections 12 and 14 of the Public Order Act 1986 applied from October 2023, 01.FOI.25.044329, Freedom of Information Request to the Metropolitan Police, June 2025, <https://www.met.police.uk/foi-ai/metropolitan-police/disclosure-2025/june-2025/sections-12-14-poa1986-applied-october2023/>

congregating outside the BBC, a move the Metropolitan Police justified due to the proximity of a nearby synagogue. Subsequently, 24 people were charged, while sitting MPs Jeremy Corbyn and John McDonnell were questioned by police for breaching the condition not to assemble outside the BBC, but no further action was taken.¹¹⁷

A further 18 arrests were made at a June 2025 Youth Demand assembly, where spontaneous conditions imposed during the protest banned the demonstration from being on the road. 9 arrests were made at a July 2024 Workers for Free Palestine protest, where conditions were applied to move protesters out of the arch on King Charles Street of Whitehall. 6 arrests were made at a May 2024 Palestine Solidarity Campaign demonstration at which section 14 conditions limited protesters to a specific area.

In addition to banning the National March for Palestine protesting outside the BBC on the basis of preventing “serious disruption to life in the community”, senior Metropolitan Police officers have also used their new powers to move protests by the right-wing UK Independence Party (UKIP) party across the city. Two assemblies organised by the party — the first in October 2025, which was initially a march that was revised to a rally, and the second in January 2026 – were banned from taking place in any part of the London Borough of Tower Hamlets.^{118,119} Officers argued that the demonstrations would cause serious disruption, with counter-demonstrations planned, and in January 2026 a senior Met officer said: “we do know that many will find it provocative and that provocation is likely to lead to an adverse local reaction.”

Both demonstrations eventually took place in central London. However, a planned counter-demonstration to the October 2025 UKIP protest was permitted and did still take place in Whitechapel. The imposition of conditions requiring an assembly to relocate across London, while permitting a counter-demonstration to proceed, sets a concerning precedent. It suggests that the prospect of “provocation” may increasingly be relied upon to justify significant restrictions on the exercise of protest rights.

Stop and Search

The POA 2023 introduced the first ever protest specific stop and search powers. Data on stop and search published by the Home Office for the period from 1st April 2024 to 31st March 2025 (the first full 12 month period the powers were in force) shows that 270 searches were conducted under sections 10 and 11 of the Public

117 Corbyn And McDonnell To Face No Action After Rally, BBC News, 13th June 2025, <https://www.bbc.co.uk/news/articles/c4gen2vn9x0o>

118 Met Bans UKIP From Protesting In Tower Hamlets, BBC News, 21st October 2025, <https://www.bbc.co.uk/news/articles/ce86vym0pyzo>

119 Conditions Imposed On UKIP Whitechapel Protest To Prevent Disorder, Metropolitan Police, 23rd January 2026, <https://web.archive.org/web/20260207010532/https://news.met.police.uk/news/conditions-imposed-on-ukip-whitechapel-protest-to-prevent-disorder-505444>

Order Act 2023.¹²⁰ As the powers are reasonably new, the data may be affected by recording errors.

Of the 270 searches 224 were suspicion-led searches and 46 were suspicionless. Only 20 per cent (46 of 224) of the suspicion-led searches had an outcome linked with the reason for search, such as finding items to lock on. Around 8.5% (19) had an outcome that was not linked, 69% (156) saw no object found and in 3 searches the outcomes were not reported in the Home Office data.

42 of the 46 suspicionless searches (93%) resulted in no relevant object being found, while the outcomes of the remaining 4 searches was not reported in the data — meaning there were zero confirmed outcomes where anything was found following suspicionless searches in 2024-5.

The Home Office does not split this data by force, but separate Metropolitan Police stop and search data shows that 55 of the 270 searches were conducted in London for that period. Only nine of the 55 were suspicion-led, with three leading to an arrest and six to no further action.

The other 46 were suspicionless searches, suggesting that the Metropolitan Police was the only force to use this power in 2024/5.¹²¹ Metropolitan Police data shows that four of the 46 suspicionless searches led to an arrest, meaning that 91% led to no further action.

93% of suspicionless

protest searches found nothing, with no confirmed cases in which a prohibited item was discovered

70% of suspicion-led

protest searches found no relevant object.

120 Police Powers And Procedures: Stop And Search, Arrests And Mental Health Detentions, England And Wales, Year Ending 31 March 2025, Home Office, 6th November 2025, <https://www.gov.uk/government/statistics/stop-and-search-arrests-and-mental-health-detentions-march-2025/police-powers-and-procedures-stop-and-search-arrests-and-mental-health-detentions-england-and-wales-year-ending-31-march-2025>

121 MPS Stop and Search Dashboard, London Datastore, May 2026, <https://data.london.gov.uk/dataset/mps-stop-and-search-dashboard-data-e6ygz/>

Almost every Metropolitan Police use of the suspicionless stop and search power was linked to a Youth Demand protest related to Gaza. 39 of the 46 suspicionless searches occurred on 13th July 2024, when the group held a protest — but every single search led to no further action. Police searched every person assembling at Russell Square in Camden, London, ahead of a march to Marble Arch.¹²² At the time of writing this appears to be the only mass deployment of this power. Indiscriminate police searches of everyone attending an assembly is likely to seriously chill the exercise of protest rights. They risk creating the impression that submitting to a police search has become a condition of exercising one's right to peaceful protest.

Stop and search powers can be used to create an intimidating environment, and the fact that suspicionless search powers were used to target a protest but led to no arrests raises serious questions about how police could use these powers in a disproportionate, discriminatory, or politicised manner.

Speech and Slogans at Protest

In recent years there has been growing policing of language and slogans used at protests — going far beyond support for proscribed organisations or direct calls to immediate violence. Some of this has stemmed from the frequent demonstrations in support of Palestine, which have led to debates about the meaning of certain phrases and whether they should be permitted at protests. However, increasingly speech policing is not limited to only pro-Palestine demonstrations. Police have shown a propensity to use powers of arrest liberally for people who display controversial placards, whether related to conflict, religion or the monarchy.

At the time of writing, there is an ongoing review by the government on public order and hate crime legislation that is expected to report on the use of certain slogans and chants at protests. While that review means the issue remains unresolved, there is already evidence that policing of particular phrases has hardened over the past year.¹²³

122 Youth Demand Supporters Commence Week Of Action By Blocking Marble Arch To Demand Labour Stop Supporting Genocide, Youth Demand, 13th July 2024, <https://youthdemand.org/2024/07/13/youth-demand-supporters-commence-week-of-action-by-blocking-marble-arch-to-demand-labour-stop-supporting-genocide/>

123 Review Of Public Order And Hate Crime Legislation, Home Office, 15th November 2025, <https://www.gov.uk/government/news/review-of-public-order-and-hate-crime-legislation>

Palestine-Related Chants

The phrases “globalise the intifada” and “from the river to the sea” have been at the centre of controversy at protests relating to the war in Gaza. In Arabic the word “intifada” translates as “uprising” or “shaking off” and proponents of the phrase argue that the slogan means resisting Israel’s ongoing occupation of and influence over the Palestinian people and their territories.¹²⁴ However, it is contested whether such resistance should be understood as violent or not.

Ben Jamal, former director of the Palestine Solidarity Campaign, which is one of the organisers of the large London pro-Palestine protests, argues the phrase is a “call for worldwide support for an end to the oppression of the Palestinian people through all means of legitimate resistance”. As to whether such resistance may be violent, in an October 2025 Times Radio interview Jamal claimed that “international law also enshrines an oppressed people’s (...) right to resist, including through armed resistance (...) but they don’t have a right to resist by attacking civilians.” When questioned as to whether violence on October 7th 2023 against members of the Israel Defence Forces (IDF) were legitimate, he said “You’d have to examine each and every one of those incidents but international law is very very clear.”¹²⁵ The circumstances and extent to which international law protects armed resistance is contested.

“Intifada” also refers to the two Intifadas against Israeli rule in the occupied territories in 1987-93 and 2000-2005. The First Intifada involved mass protests, civil disobedience, serious violence and many hundreds of deaths. The Second Intifada was marked by widespread armed attacks, including suicide bombings and other acts of terrorism that killed around 1,000 Israelis and around 3,000 Palestinians. As a result, some people who hear chants to “globalise the intifada” view the phrase as advocating for violence against Israel, Jews and supporters of Israel.

Phil Rosenberg, president of the British Board of Deputies, linked it to “murderous attacks” and said: “We have long warned that people chanting slogans like ‘Globalise the Intifada’ are inciting violence, and we have been making the case for robust enforcement in relation to this slogan with government at all levels for some time.”¹²⁶ The Campaign Against Antisemitism said that the overwhelming

124 Why Are The Phrases ‘Globalise The Intifada’ And ‘From The River To The Sea’ So Contested?, The Conversation, 23rd February 2026, <https://theconversation.com/why-are-the-phrases-globalise-the-intifada-and-from-the-river-to-the-sea-so-contested-275668>

125 Israel’s Legitimacy Challenged In Fiery Clash With Andrew Neil | Ben Jamal – YouTube, 6 October 2025: <https://www.youtube.com/watch?v=a5wfTiSudXU>

126 Board Of Deputies Welcomes Police Toughened Response To Incitement And Hate, Board of Deputies, 17th December 2025, <https://bod.org.uk/bod-news/board-of-deputies-welcomes-polices-announced-toughened-response-to-incitement-and-hate/>

majority of British Jews see the phrase as a call for violence against the Jewish people.¹²⁷ Former Prime Minister, Sir Keir Starmer, described the phrase during his premiership as “extreme racism” and said “If you stand alongside people who say globalise the intifada, you are calling for terrorism, terrorism against Jews”.¹²⁸

The Metropolitan Police’s Public Order Command ‘MO6’ had previously issued guidance to officers which emphasised the importance of context. It stated:

“If an officer has reasonable suspicion the phrase intifada is being used to refer to a violent uprising then the officer may consider whether the language is threatening and whether any person is, or is likely to be, caused harassment or distress.”¹²⁹

The guidance had significant shortcomings. If calls to “globalise the intifada” are used in reference to the previous two Intifadas, involving terror attacks and thousands of civilian deaths, it is difficult to see how this would be anything other than threatening – yet the guidance makes no such conclusion. Moreover, it fails to provide officers with practical criteria for assessing the intended meaning of such phrases in the context in which they encounter them.

Crown Prosecution Service guidance issued in May 2026 also emphasised that context is important when determining criminality, stating that “a blanket approach cannot and should not be adopted”.¹³⁰

Following recent antisemitic terrorist attacks targeting the Jewish community in London and Manchester in the UK, and Bondi Beach in Australia, calls for action against the phrase intensified.

127 Campaign Against Antisemitism, X, 12th February 2026, <https://x.com/antisemitism/status/202195188797709608>

128 ‘Globalise The Intifada’ Chant Is Racist, Says Starmer, BBC News, 30th April 2026, <https://www.bbc.co.uk/news/articles/c78k1r7d7ko>

129 Two Documents By MO6 In Relation To Gaza Protest October 2023, 01.FOI.24.036436, Freedom of Information Request to the Metropolitan Police, May 2024, <https://www.met.police.uk/foi-ai/metropolitan-police/disclosure-2024/may-2024/two-documents-mo6-relation-gaza-protest-october2023/>

130 Offences During Protests, Demonstrations Or Campaigns, Crown Prosecution Service, 14th May 2026, <https://www.cps.gov.uk/prosecution-guidance/offences-during-protests-demonstrations-or-campaigns#pro6a>

In December 2025, the Metropolitan Police and Greater Manchester Police issued a statement stating that the phrase “globalise the intifada” would ordinarily lead to arrest, stating:

“We know communities are concerned about placards and chants such as “globalise the intifada” and those using it at future protest or in a targeted way should expect the Met and GMP to take action. Violent acts have taken place, the context has changed — words have meaning and consequence. We will act decisively and make arrests.”¹³¹

The forces called current laws inadequate and said CPS advice was “many of the phrases causing fear in Jewish communities don’t meet prosecution thresholds”. Despite this, they stated that officers would arrest individuals using the phrase, suggesting a move towards enforcement first and legal assessment later.

In January 2026, the campaigner Peter Tatchell was arrested at a pro-Palestine march in central London for carrying a sign saying “Globalise the intifada: Non-violent resistance. End Israel’s occupation of Gaza & West Bank.”¹³² Mr Tatchell’s sign explicitly made a call for non-violence yet he was still arrested by police. The police and CPS later dropped all proceedings against him. However Mr Tatchell told Big Brother Watch that for three months he was subject to bail conditions that prohibited him from attending Palestine-related protests. That restriction was only lifted after his solicitor successfully challenged it in court, just days before the police resolved to take no further action against him. Police had initially threatened him with a complete ban on entering central London and phone confiscation, but Mr Tatchell and his lawyer pushed back on these potential conditions. Other people may have less success in pushing back, and could face similarly long waits with punitive bail restrictions only to have all charges dropped. In such cases, arrests and bail conditions are effectively punishment for ‘crimes’ that were never committed.

131 Joint Statement from the Commissioner of the Metropolitan Police and the Chief Constable of Greater Manchester Police, Metropolitan Police, 17th December 2025, <https://news.met.police.uk/news/joint-statement-from-the-commissioner-of-the-metropolitan-police-and-the-chief-constable-of-greater-manchester-police-504494>

132 Campaigner Peter Tatchell Arrested For Carrying ‘globalise The Intifada’ Placard, The Guardian, 31st January 2026, <https://www.theguardian.com/uk-news/2026/jan/31/peter-tatchell-arrested-palestine-protest-london-globalise-the-intifada-placard>

Mr Tatchell branded his arrest an assault on free expression, saying in a statement to Big Brother Watch:



“My arrest over the use of the word intifada on a placard was an attack on free speech and the right to protest — another example of the police inventing interpretations of law that have never been agreed by Parliament. I was seized even though my placard explicitly stated ‘non-violent resistance’. The police took no account of the context, intent or qualification of my use of the word intifada.”

Although there will often be legitimate debates about the permissibility of certain words in certain contexts, it is very risky from a free speech perspective for police to determine that certain words, irrespective of context, are inherently grounds for arrest.



F*** Islam Signs

Two people at the 16th May 2026 Unite the Kingdom rally, organised by the far-right campaigner known as “Tommy Robinson” (Stephen Yaxley-Lennon), were arrested for holding signs stating “F*** Islam, Christ Is King”. Officers cited section 18 of the Public Order Act 1986 during one such arrest, which makes it a criminal offence to use or display threatening, abusive, or insulting material with the intent to stir up racial hatred. In practice, the signs criticised one religion while promoting another.

It is not an offence in the UK to express opposition to any religion. Indeed, there have been no laws against blasphemy since 2008. The criminal law draws an important distinction between criticism of a religion and hostility towards individuals on the basis of their religion. That distinction was recently addressed in the Koran-burning case (*Rex v Hamit Coskun*), in the October 2025 judgment of Bennathan J in the Crown Court which stated:¹³³

“There is no offence of blasphemy in our law. Burning a Koran may be an act that many Muslims find desperately upsetting and offensive. The criminal law, however, is not a mechanism that seeks to avoid people being upset, even grievously upset. The right to freedom of expression, if it is a right worth having, must include the right to express views that offend, shock or disturb.

“(…) demonstrating hostility to a racial or religious group is not, by itself, an offence. It is only when an accused is found to have committed another offence that they are held to have committed a yet more serious crime by reason of their expressed prejudice.”

In a free and democratic society, individuals must be free both to express their own religious beliefs and to criticise the beliefs of others. It sets a concerning precedent if an individual can be detained merely for expressing criticism of a particular religion, even where that criticism is expressed in a vulgar or offensive way.¹³⁴

133 *Rex v Hamit Cosun* [2025] EWCC Southwark Crown Court, 10th October 2025, <https://www.judiciary.uk/wp-content/uploads/2025/10/Rex-v-Hamit-Coskun.pdf>

134 Police Arrest 43 At ‘Unite The Kingdom’ and Pro-Palestine Marches In London, The Guardian, 17th May 2026, <https://www.theguardian.com/uk-news/2026/may/17/arrests-unite-the-kingdom-rally-pro-palestine-march-london>

Anti-Monarchy Signs and Chants

Policing of demonstrations around the accession and coronation of King Charles III saw some particularly shocking examples of over-zealous policing. Campaigners from the anti-monarchy group Republic were arrested on suspicion of conspiracy to cause a public nuisance, including the group's chief executive Graham Smith.¹³⁵ The Metropolitan Police claimed that they suspected the group of having devices they could use to "lock on", an offence under the Public Order Act, and one person was in possession of a bladed article.

After being held for 16 hours the campaigners were released without charge and the Metropolitan Police claimed "it was not clear at the time" that the group had been engaging with police's Protest Liaison Team positively about holding a lawful protest at the Coronation far in advance of the event.¹³⁶ Republic had engaged with police for weeks ahead of the day and the group explained that the luggage straps were simply there to help pack and transport placards for the protest.¹³⁷ Although the Metropolitan Police subsequently expressed "regret" about the arrests, legal action against the police by the group for interfering with their protest rights is ongoing.

In another case, an anti-monarchy campaigner was paid £2,500 for an unlawful arrest in Oxford in September 2022 by Thames Valley Police. Symon Hill shouted "who elected him?" during the proclamation of Charles III, leading to his arrest and charge for using "threatening or abusive words or disorderly behaviour likely to cause harassment, alarm or distress".¹³⁸ The CPS later dropped the charges and Mr Hill then secured compensation from Thames Valley Police, which admitted "the grounds of the offence for which he was arrested were unlawful".

In September 2022, in central London, a barrister was told by a Metropolitan Police officer that he could face arrest for writing "Not My King" on a blank piece of paper.¹³⁹ Paul Powlesland was asked for his details by an officer while holding the blank piece of paper, with the officer justifying the request by saying they wanted to check whether he had any previous arrests. Mr Powlesland then said that he wanted to write "Not My King" on the blank paper. The officer responded

135 Met Police Arrest Anti-Monarchy Protesters, BBC News, 6th May 2023, <https://www.bbc.co.uk/news/uk-england-london-65508383>

136 Update: Arrests Made During Policing Operation For The Coronation, Metropolitan Police, 8th May 2023, <https://web.archive.org/web/20230508204601/https://news.met.police.uk/news/update-arrests-made-during-policing-operation-for-the-coronation-466461>

137 Anti-Monarchy Protester Suing Met Chief Over Coronation Day Arrest, The Guardian, 12th September 2023, <https://www.theguardian.com/uk-news/2023/sep/12/anti-monarchy-protester-suing-met-chief-over-coronation-day-arrest>

138 Police Pay Compensation To Anti-Monarchy Protester, BBC News, 11th March 2025, <https://www.bbc.co.uk/news/articles/cwyenzdz66wo>

139 People Against Monarchy 'have Right To Protest', Police Say - After Man With A Blank Sign Confronted, Sky News, 13th September 2022, <https://news.sky.com/story/people-against-monarchy-have-right-to-protest-police-say-after-man-with-a-blank-sign-confronted-12696164>

that doing so might offend someone and warned he risked arrest if he did so. It was also reported that a woman holding a sign with the same message had already been encouraged by police to leave the area.

Months later, in February 2023, a young man was detained for holding a blank piece of paper while in the crowd when the Prince and Princess of Wales visited Falmouth, Cornwall.¹⁴⁰ He was detained by police until the Royals had left the area — and later told Netpol that police had initially justified his detention under the Public Order Act 1986 before claiming it was for his own safety.¹⁴¹



¹⁴⁰ Prince and Princess of Wales's Visit to Cornwall Marred by 'Blank Paper' Protester, The Daily Telegraph, 9th February 2023, <https://www.telegraph.co.uk/royal-family/2023/02/09/prince-william-kate-visit-cornwall-protester-blank-paper/>

¹⁴¹ Cornish Protester Assaulted and Threatened with Arrest for Blank Piece of Paper, Netpol, 10th February 2023, <https://netpol.org/2023/02/10/cornish-protester-assaulted-and-threatened-with-arrest-for-blank-piece-of-paper/>

These three cases show a willingness by the police to treat slogans, chants and phrases in an overly simplistic way, prioritising arrests in response to controversial speech without considering the limitations of the law and the police's duty to protect freedom of expression. This is particularly concerning when the interpretation of contested language diverges between different police forces and the CPS. As demonstrated by Mr Tatchell's case, blanket assertions about the meanings of contested phrases can result in unnecessary arrests and police effectively attributing meaning to speech that may be contrary to the evidence before them.

In a free society, the police should not become the arbiters of what individuals mean by the words they use without clear evidence of intent. Where the meaning of a phrase is genuinely disputed, arrests and prosecutions based on a blanket interpretation risk undermining freedom of expression. Accounting for context is vital when interpreting the lawfulness of speech. There must be effective accountability where individuals are unnecessarily arrested on the basis of contested language to stop the growing culture of excessive speech-policing in the UK.

Analysis

The direction of travel of protest-related legislation in the United Kingdom over the past five years shows the right to protest is under threat. Laws have been targeted at particular protest groups which are unpopular with the public or with the government, while those in power seek to attribute meanings to contested words and broaden the interpretation of what might be offensive to further criminalise dissent of various ideological stripes.

Increasing police proactivity in placing heavy restrictions on both assemblies and processions foreshadows a future where demonstrating will become increasingly difficult. Activists, campaigners, and citizens of all viewpoints should come together and defend the right to protest as this fundamental freedom is under threat for everyone. Restrictions imposed on viewpoints with which one disagrees today may, in time, be applied to one's own. The protection of the right to protest depends on defending it consistently — irrespective of the cause or viewpoint being expressed.



DISINFORMATION, SURVEILLANCE AND CENSORSHIP



DISINFORMATION, SURVEILLANCE AND CENSORSHIP

Key Findings:

- + The 'National Security Online Information Team' (NSOIT) operates with almost no scrutiny, working on major events from the 2024 riots to the general election.
- + NSOIT flags to social media companies are rising again after a post-pandemic dip.
- + NSOIT has monitored public reactions to actual events that were embarrassing to the government, but which really happened.

In 2023, Big Brother Watch's 'Ministry of Truth' investigation exposed a nexus of 'counter disinformation' units in Whitehall and the military that monitored the British public's speech online during the pandemic.¹⁴² The monitoring was not restricted to speech about Covid-19, but spanned issues as wide-ranging as the monarchy and Brexit. Two of the units we investigated no longer work in the domestic space — the Cabinet Office's Rapid Response Unit was disbanded in 2022¹⁴³ while the military's 'counter disinformation' surveillance support for Whitehall expired. It had been carried out by the Army's 77th Brigade and Royal Air Force analysts at RAF Wyton under time-limited pandemic-era 'Military Aid to the Civil Authorities' arrangements.¹⁴⁴

The third major unit covered in the 'Ministry of Truth' investigation was the Counter Disinformation Unit (CDU), which sat in the Department for Culture, Media and Sport at the start of the Covid-19 pandemic before moving to the Department for Science, Innovation and Trade in the 2023 government reorganisation.¹⁴⁵ This unit continues to operate under the new title of the National Security Online Information Team (NSOIT), although its remit is not limited to national security and is remarkably similar to its predecessor, remaining active in monitoring so-called mis-and-disinformation among the domestic population.¹⁴⁶

142 Ministry of Truth, Big Brother Watch, January 2023, <https://bigbrotherwatch.org.uk/wp-content/uploads/2023/01/Ministry-of-Truth-Big-Brother-Watch-290123.pdf>

143 Fact Sheet On the CDU and RRU, Cabinet Office, 9th June 2023, <https://www.gov.uk/government/news/fact-sheet-on-the-cdu-and-rru>

144 Military Aid to the Civil Authorities, FOI2023/12475, Freedom of Information Request to the Ministry of Defence, 27th November 2023

145 Fact Sheet On the CDU and RRU, Cabinet Office, 9th June 2023, <https://www.gov.uk/government/news/fact-sheet-on-the-cdu-and-rru>

146 National Security Online Information Team, Written Parliamentary Question, UIN 43, 7th November 2023, <https://questions-statements.parliament.uk/written-questions/detail/2023-11-07/43/>

Ministers have stated that the purpose of NSOIT is to analyse attempts by foreign states to artificially manipulate the online information environment.¹⁴⁷ Whilst foreign hostile disinformation is a significant national security issue, rightly dealt with by the security and intelligence agencies, adopting unaccountable intelligence-style practices within a government department to monitor, record and extrajudicially censor members of the public's speech domestically is highly controversial and risks an unlawful interference with the right to freedom of expression protected by the European Convention on Human Rights. Under sustained pressure from Big Brother Watch, the government eventually provided us with NSOIT's internal policies¹⁴⁸ which makes almost no reference to its purported national security function but includes "public safety" within its remit. NSOIT's policy is incredibly permissive, requiring the unit to flag content to social media platforms if the content is considered to be harmful, violates the platform's Terms of Service, or represents an "emerging threat that platforms should be aware of" – but this is not defined or limited to national security threats. These vague categories offer no protections from lawful speech being flagged by NSOIT analysts for removal.

Like the CDU before it, NSOIT monitors social media to track what are viewed as mis/disinformation narratives, produces reports on these, and sometimes refers content to platforms that might breach terms of service for removal. It also remains a so-called 'trusted flagger' for the major social media platforms, giving it a hotline to moderation teams.¹⁴⁹ One of the very few changes that came with the name change was a shift away from recording names or social media usernames in reports — a move that likely followed Big Brother Watch's use of Subject Access Request rules to access information not disclosed in response to Freedom of Information Act requests.¹⁵⁰ Another policy change saw a ban on the Unit referring posts from elected officials, political parties, politicians and journalists to platforms for potential removal — a victory for their freedom of expression, but nobody else's.

Big Brother Watch's exposé of the CDU's monitoring of politicians, public figures and the public had a significant impact on the Unit. There was heavy public scrutiny, national newspaper headlines and parliamentary pressure — and alongside the rebranding of the Unit, there was a sharp drop in its attempts to get content taken down.

147 Digital Technology: Fraud, Written Parliamentary Question, UIN 25214, 8th May 2024, <https://questions-statements.parliament.uk/written-questions/detail/2024-05-08/25214>

148 National Security and Online Information Team Data Protection and Compliance Policy, Freedom of Information Request to the Department for Science, Innovation and Technology, FOI2024/00576, 10th April 2024, https://bigbrother-watch.org.uk/wp-content/uploads/2024/05/FOI2024-00576-NSOIT-Copy-compliance-policy_Redacted.pdf

149 National Security Online Information Team, Written Parliamentary Question, UIN HL2529, 19th February 2024, <https://questions-statements.parliament.uk/written-questions/detail/2024-02-19/HL2529/>

150 Government's Secret Counter-Disinformation Policies Revealed, Big Brother Watch, 1st June 2024, <https://bigbrother-watch.org.uk/blog/governments-secret-counter-disinformation-policies-revealed/>

90% removed

nine out of ten flagged posts were taken down by social media companies during the pandemic.

414% surge

in government referrals to platforms in a single year, rising from 35 in 2023 to 180 in 2024.

95% collapse

in government censorship referrals after public scrutiny, from 785 in 2021 to just 35 in 2023

In 2020, the CDU flagged 779 pieces of content to platforms, and likewise in 2021 it flagged 785.¹⁵¹ In 2022, the year the Unit became aware that Big Brother Watch's investigation was underway, the number of referrals was 363. In 2023, after our investigation was published, the number of flags plummeted to just 35 — a 95% drop from the pandemic-era peak.¹⁵² DSIT only began to release these figures after an FOI battle with Big Brother Watch and ultimately being ordered to by the Information Commissioner.¹⁵³

2024 was the first full year of the CDU operating under the new title of NSOIT and this saw a rise in referrals to 180.¹⁵⁴ 2025 saw a fall back to 49 referrals.¹⁵⁵

During the pandemic around 90% of content flagged by the CDU resulted in the content being removed by platforms, suggesting that the government's referrals are taken seriously.¹⁵⁶ The current figure is unknown, and the lack of transparency around NSOIT is a concern. There must be scrutiny when the state is de facto involved in the censorship of citizens' speech.

There is ministerial approval of the broad topics monitored by NSOIT. However, the government repeatedly refuses to disclose to the public or MPs what these are.¹⁵⁷ Written Parliamentary Questions and Freedom of Information requests are batted

¹⁵¹ Freedom of Information Request to the Department for Science, Innovation and Technology, FOI2023/02403, 27th October 2023

¹⁵² Freedom of Information Request to the Department for Science, Innovation and Technology, FOI2024/00575, 11th March 2024

¹⁵³ Decision Notice IC-230594-X4S6, Information Commissioner, 11th September 2023, <https://ico.org.uk/media2/migrated/decision-notices/4026456/ic-230594-x4s6.pdf>

¹⁵⁴ Freedom of Information Request to the Department for Science, Innovation and Technology, FOI2026/01074, 22nd June 2026

¹⁵⁵ Freedom of Information Request to the Department for Science, Innovation and Technology, FOI2025/00039, 30th January 2025,

¹⁵⁶ Covid Disinformation Unit Made 'Hourly Contact' with Tech Firms, The Daily Telegraph, 9th June 2023, <https://www.telegraph.co.uk/news/2023/06/09/covid-disinformation-unit-hourly-tech-lockdown-dissent/>

¹⁵⁷ National Security Online Information Team, Written Parliamentary Question, UIN HL7610, 19th May 2025, <https://questions-statements.parliament.uk/written-questions/detail/2025-05-19/HL7610/>

away with DSIT claiming that this level of transparency would imperil “national security”. Despite the opacity, there is occasionally some broader discussion about the issues within the remit of NSOIT, or its predecessor unit. This has included elections, the COP26 climate summit in Glasgow, the Russian invasion of Ukraine and the war in Gaza.¹⁵⁸

Scrutiny of NSOIT is limited. In its 2022-3 Annual Report, the powerful Intelligence and Security Committee (ISC) of Parliament called for the CDU to be subjected to its oversight.¹⁵⁹ The ISC listed the CDU as having taken on some national security functions and argued that, as the only Parliamentary committee with regular sight of classified material, it should be able to oversee the unit. However, the government has ignored this request. The Science and Technology Select Committee in the House of Commons, which oversees DSIT, echoed this call in 2025 and added that NSOIT should be put on a statutory footing with its remit defined in law — but the government failed to respond on these points in its response to the report.¹⁶⁰

Despite the controversial track record of the British government’s so-called ‘counter disinformation methods’, there have been ongoing calls from influential political figures for more Whitehall action on mis/disinformation.

The Mayor of London Sir Sadiq Khan has called for a central anti-disinformation unit with powers greater than Ofcom.¹⁶¹ His comments came after a Greater London Assembly paper was published arguing that mis/disinformation narratives around London claim the city is unsafe, in decline and push ideas around no-go areas and two-tier policing.¹⁶² Although Sir Sadiq’s argument that the ‘outrage economy’ is a huge driver of unpleasant and often incorrect narratives online has some value, the solution is not a state-backed arbiter of truth.

Academic research shows that people who believe untrue narratives about the state or society are much less likely to trust the state. Therefore, it is highly unlikely that a central body telling them what is true would support accurate understandings or build trust in the state.¹⁶³

158 Briefing Note For Parliamentarians On Disinformation And The Government’s National Security Online Information Team, Big Brother Watch, November 2024, <https://bigbrotherwatch.org.uk/wp-content/uploads/2024/11/BigBrother-Watch-Briefing-on-the-National-Security-Online-Information-Team.pdf>

159 Annual Report 2022-3, HC 287, Intelligence and Security Committee, 5th December 2023, <https://isc.independent.gov.uk/wp-content/uploads/2023/12/ISC-Annual-Report-2022-2023.pdf>

160 Social Media, Misinformation And Harmful Algorithms, HC 441, Science and Technology Committee, 17th October 2025, <https://committees.parliament.uk/publications/48745/documents/258221/default/>

161 Sadiq Khan Demands Stronger Action On Social Media ‘Outrage Economy’, The Guardian, 9th April 2026, <https://www.theguardian.com/media/2026/apr/09/sadiq-khan-london-mayor-social-media-outrage-economy>

162 Mis-Disinformation Review, Greater London Assembly City Intelligence Rapid Evidence Review, March 2026, <https://data.london.gov.uk/download/e6jd9/199/Mis-disinformation%20review%20-%20GLA%20City%20Intelligence%20-%20March%202026.pdf>

163 Suspicion Of Institutions: How Distrust And Conspiracy Theories Deteriorate Social Relationships, Jan-Willem van Prooijen, Giuliana Spadaro & Haiyan Wang, Current Opinions In Psychology (43), February 2022, <https://www.sciencedirect.com/science/article/pii/S2352250X21000828>

Similarly, proposals for the state to determine “trustworthy” media outlets to be given prominence on social media platforms in a crisis are fraught with risk and could lead to the perception that the government approves of some viewpoints and not others. This suggestion was made in a report presented to Parliament by the Ministry of Housing, Communities and Local Government in April 2026.¹⁶⁴ The report contained some ideas that are either positive for people’s rights, or cause little to no concerns about state interference with free expression, such as education around engaging with ideas, media literacy and digital skills. However, the government’s push for “trustworthy” media to be artificially promoted online demonstrates the government’s ongoing willingness to manipulate information online – with the Government consulting on related proposals at the time of writing.¹⁶⁵

A report by the House of Commons Foreign Affairs Select Committee has also issued recommendations for how the UK can tackle ‘disinformation’, some of which would be alarming if applied to a domestic audience.¹⁶⁶ Disinformation driven by hostile foreign states is presented as a serious risk to the UK’s democracy. However, the committee claims that the country is ill prepared to tackle it.

Pointing to regimes such as Russia and Iran paints a frightening picture of the disinformation threat — but there is a serious risk that tactics used by the government to fight information wars against Kremlin-backed troll farms could be used to counter what Whitehall sees as mis/disinformation domestically — effectively Brits being wrong online.

The Foreign Affairs Select Committee’s recommendations included providing defence-backed funding to the BBC World Service and a central anti-disinformation centre on a statutory footing. Taken together, these proposals risk increasing the role of the state in shaping the information environment in ways that could undermine both independent journalism and the public’s right to access information freely. The BBC World Service derives much of its international credibility from its reputation for editorial independence. Funding it through the UK’s defence budget may create a perception that it forms part of the national security apparatus, even if its editorial independence remains legally protected. That perception could weaken trust among international audiences and blur the distinction between

164 Protecting What Matters: Towards A More Confident, Cohesive, And Resilient United Kingdom, CP 1559, Ministry of Housing, Communities and Local Government, April 2026, https://assets.publishing.service.gov.uk/media/69f06390d-73531b6720a130e/Protecting_what_matters_report.pdf

165 Watch This Space: A New Strategic Direction For UK Media – Green Paper and Consultation, Department for Culture, Media and Sport, June 2026, <https://www.gov.uk/government/consultations/watch-this-space-a-new-strategic-direction-for-uk-media-green-paper-and-public-consultation/watch-this-space-a-new-strategic-direction-for-uk-media-green-paper-and-public-consultation>

166 Disinformation Diplomacy: How Malign Actors Are Seeking To Undermine Democracy, HC 703, House of Commons Foreign Affairs Committee, 27th March 2026, <https://committees.parliament.uk/publications/52401/documents/290829/default/>

independent public service journalism and state-sponsored messaging.

Similarly, placing a central anti-disinformation body on a statutory footing would expand the government's involvement in determining what constitutes misleading or truthful content. As our investigation identified, such powers are ripe for abuse, can target dissent and controversial viewpoints, and can have a chilling effect on lawful expression.

Viewed together, these recommendations raise broader concerns about maintaining an appropriate separation between the state and the information environment. Measures intended to strengthen national resilience against foreign threats should be designed in a way that protects the population's right to freedom of expression and preserves the independence of the media, rather than undermining them. It is vital that policy-makers safeguard the public's ability to receive information from sources that are, and are perceived to be, independent of the government's strategic interests.

NSOIT was highly active during the summer unrest of 2024 after the horrific Southport murders.¹⁶⁷ Documents disclosed by Representative Jim Jordan, the Chairman of the House Judiciary Committee of United States Congress, revealed that NSOIT monitored narratives around "two-tier policing" and UK migration policy in the summer of 2024.

In an email from NSOIT to TikTok dated the 3rd of August 2024, an official flagged "concerning narratives" around two-tier policing to the platform.¹⁶⁸ The correspondence goes on to point out that "significant volumes of anti-immigrant content" are circulating online. Other emails also ask TikTok to inform NSOIT of the measures it had taken in relation to those narratives.

Although the government has denied that two-tier policing exists, and the House of Commons Home Affairs Select Committee found in its investigation that there was no evidence of two-tier policing, the idea nonetheless flows from concerns people have about the police.¹⁶⁹ Polling has found that people across the political spectrum perceive the policing of riots, and many protests, as less than even-handed. This suggests that, even if the perception is not true, there are issues to be addressed.¹⁷⁰

167 Tories Demand Investigation Into Social Media 'Spying' Unit, The Daily Telegraph, 5th August 2025, <https://www.telegraph.co.uk/politics/2025/08/05/tories-investigation-police-social-media-spying-squad/>

168 Email from NSOIT to TikTok dated 3rd August 2024, published by Representative Jim Jordan on x, 30th July 2025, https://x.com/Jim_Jordan/status/1950368310241218844/photo/1

169 Police Response To The Summer 2024 Disorder, House of Commons Home Affairs Select Committee, 14th April 2025, <https://publications.parliament.uk/pa/cm5901/cmselect/cmhaff/381/report.html>

170 Is There Two-Tier Policing In The UK?, YouGov, 14th August 2024, <https://yougov.com/en-gb/articles/50319-is-there-two-tier-policing-in-the-uk>

It is concerning to see the government attempt to dismiss a widespread concern that many Britons have, in varying interpretations, that policing is not equitable in the UK. Whether a government agrees with a viewpoint or not, it is both counter-productive and chilling in a democracy to see it dismissed out of hand and action taken to suppress it. This is a danger inherent in countering 'disinformation' around controversial domestic narratives.

Similarly, although some of the anti-immigrant content referred to in the NSOIT email may have been unpleasant, it is important that any state body respects the boundaries of the law and upholds their duty to protect individuals' right to freely express themselves. The state should play no role in the corporate censorship of citizens' lawfully expressed views, no matter how distasteful, unpleasant or offensive they may be to some.

Clearly, most people expect the government to act in relation to the violent unrest the UK saw in the summer of 2024. However, the impression these emails give is that the government was using NSOIT to monitor narratives it did not approve of rather than hostile state threats. Nobody should be surprised in 2026 that the government, like many organisations, uses tools to monitor online narratives for insights — but when this monitoring is used in ways that chill free speech, that is a problem for our democracy.

The software used to conduct some of NSOIT's monitoring provides additional cause for concern. Working with the AI company Faculty, NSOIT has been developing a "Counter Disinformation Data Platform" (CDDP), with a £2.3million contract being in place.^{171,172}

Technology employed by Faculty to build the platform has been developed from terrorist tracking tools, which underlines the momentum of travel for NSOIT's monitoring and how it approaches domestic policy issues as national security issues.¹⁷³ This stance illustrates the risk at the heart of NSOIT's ongoing activities: either it is a quasi-national security team focused on genuine hostile state threats or it is monitoring Britons' dissent online. The former is work that most people would expect of the state, but concealing the latter in the language of national security is dangerous for free expression and dissent.

Redacted documents obtained from DSIT state that the CDDP is focused on what are termed "national security risks". However, the CDDP has been tested on a "broader

171 Labour Will Use AI To Snoop on Social Media, The Daily Telegraph, 22nd February 2025, <https://www.telegraph.co.uk/news/2025/02/22/ai-social-media-dsit-disinformation-trump-vance-elon-musk/>

172 Counter Disinformation Platform, UK Contracts Database, Published on 7th November 2024, <https://www.contracts-finder.service.gov.uk/notice/3a57f9fd-3425-42d1-80af-f44cafe2c612?origin=SearchResults&p=1>

173 Labour Targets Anti-Migrant Protesters With Terrorist Tracking Software, The Daily Telegraph, 2nd August 2025, <https://www.telegraph.co.uk/politics/2025/08/02/labour-targets-anti-migrant-protesters-with-terrorist-track/>

use case” — details of which were withheld.¹⁷⁴ Most of the evaluation centred on comparison to third party products but it was made clear that the government could repurpose the CDDP for “any priority area”, even if it was outside a national security remit. In October 2023, the CDDP was being used dozens of times a week by government users. Another assessment of the CDDP presented it as primarily a tool for ingesting and analysing material from social media in a more effective way, but the nature of outputs was broadly not disclosed.¹⁷⁵

Tools that monitor terror threats and hostile state activities should not be deployed to monitor lawful domestic dissent, however distasteful it may be. The abuse of counter-mis/disinformation powers during the pandemic, in which opposition MPs were monitored by the military and a Cabinet Office unit smeared journalists as spreading falsehoods, is a cautionary tale. Policies should be put in place to make sure such activities are not repeated.

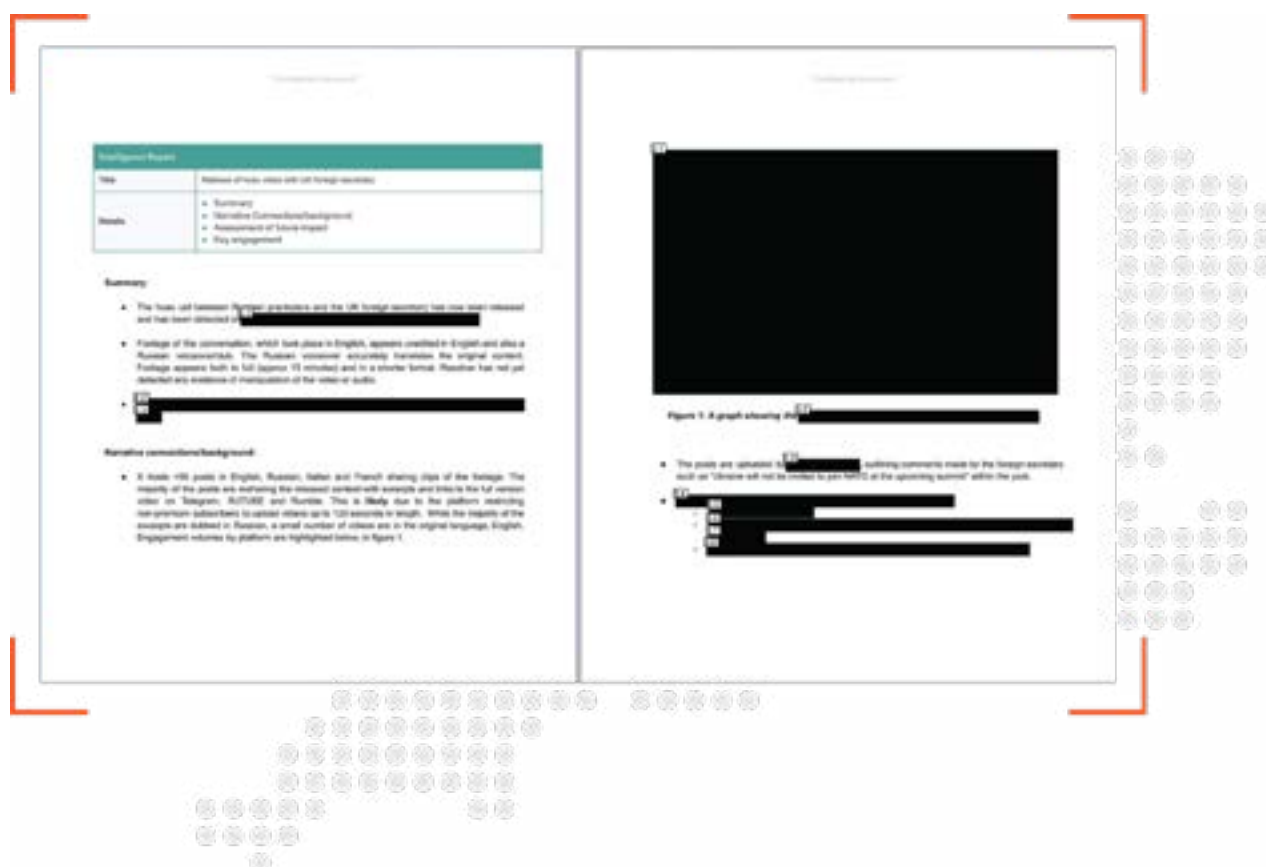
Transparency is vital when the state exercises influence over citizens’ speech – however, NSOIT operates with a high degree of opacity and evades scrutiny while enjoying a direct line to social media platforms’ enforcement teams. The one example of an NSOIT report we have been able to obtain through Freedom of Information requests raises questions about whether the definition of disinformation cited by the government is strictly used to determine what is in scope of the unit and whether insufficient restraints permit mission creep into wider political surveillance.



174 CDDP Evaluation January 2024, Freedom of Information Request to the Department of Science, Innovation and Technology, FOI2024/00612, 23rd December 2024

175 CDDP Alpha Service Assessment, Internal Review of a Freedom of Information Request to the Department of Science, Innovation and Technology, IR2025/00071

Case Study — David Cameron Prank Call



The only report produced by NSOIT or its contractors that Big Brother Watch is aware of being in the public domain relates to a 2024 prank call made to then Foreign Secretary Lord Cameron by two Kremlin-linked Russian social media influencers, some details of which were made public by the Foreign Office on 7th June, 2024.¹⁷⁶ The two pranksters, Vovan and Lexus, pretended to be former Ukrainian president Petro Poroshenko and spoke to Lord Cameron for several minutes. The then-Foreign Secretary made several admissions in the call, which was then published widely on social media – particularly Russian facing platforms such as vKontakte and RuTube.¹⁷⁷ These included that NATO would not extend a membership invitation to Ukraine at an upcoming summit and commenting on ideological splits inside the US Republican Party.

On the Russian influencers' pages the call was presented openly as a 'prank' video call with Lord Cameron, rather than as a genuine conversation between the Foreign Secretary and former Ukrainian president. The government defines disinformation as: "the deliberate creation and spreading of false and/or manipulated information

¹⁷⁶ David Cameron Falls Victim To Hoax Call, BBC News, 7th June 2024, <https://www.bbc.co.uk/news/articles/crggxy2pe1eo>

¹⁷⁷ NATO Membership / David Cameron Joke, Pranksters Vovan & Lexus, VK, 26th June 2024, https://vkvideo.ru/play-list/-37359595_55750609/video-37359595_456241063?linked=1

that is intended to deceive and mislead people, either for the purposes of causing harm, or for political, personal or financial gain.” Despite being a hoax call that embarrassed the government and Lord Cameron, it is difficult to see how an overt prank fits into the definition of disinformation laid out by the government and by extension the remit of NSOIT.

Crisp Thinking, which was at the time an NSOIT contractor, produced a report in late June 2024 as videos of the hoax call were posted online by Vovan and Lexus.¹⁷⁸ Initially, DSIT had refused to disclose any of the document citing national security concerns, but eventually provided a heavily redacted version in the course of an ICO investigation into the FOI request.

The parts of the report that were eventually unredacted reveal little about how NSOIT operates. It outlines that the full video of the call was detected online in multiple languages, and points to some of the platforms that clips were found on including X, Rumble and Russian video-sharing site RuTube — adding that no evidence of manipulation of the call had been found. The report also references Lord Cameron’s comments on Ukrainian NATO membership, says that some clips of the call made it onto Russian TV and claims that social media comments on the video praise the pranksters. However, the vast majority of the Crisp Thinking report is redacted with DSIT claiming that any more detail of its open source monitoring of narratives around an overt prank call would threaten national security.

Even this limited level of disclosure required ICO intervention – however, the ICO sided with DSIT on the remaining redactions in its decision notice.¹⁷⁹ Those redactions are now being appealed to the Information Tribunal. At the time of publication, the outcome of the appeal is still pending.

¹⁷⁸ Mis/Dis Assessment, Crisp Thinking, Freedom of Information Request to the Department for Science, Innovation and Technology, 24th October 2025

¹⁷⁹ Decision Notice IC-374825-D9K4, Information Commissioner, 11th November 2025, <https://ico.org.uk/media2/ygom-wbsa/ic-374825-d9k4.pdf>

Appendix: FOI Data Tables for Communications Offences

Arrests				
Population	Force	Total	Per 10K	Notes
1813665	Avon and Somerset	1143	6.30	
749943	Bedfordshire	629	8.39	
933972	Cambridgeshire	919	9.84	
1139884	Cheshire	637	5.59	
15111	City of London	31	20.51	
600369	Cleveland	875	14.57	
510680	Cumbria	1312	25.69	
1096526	Derbyshire	222	2.02	PARTIAL DATA
1840161	Devon & Cornwall	1085	5.90	
798914	Dorset	174	2.18	
650500	Durham	1106	17.00	
524219	Dyfed-Powys	59	1.13	PARTIAL DATA
1929610	Essex	3776	19.57	
669380	Gloucestershire	802	11.98	
3009664	Greater Manchester	4656	15.47	
601686	Gwent	938	15.59	
2062619	Hampshire	2490	12.07	
1236191	Hertfordshire	1567	12.68	
962532	Humberside	398	4.13	PARTIAL DATA
1931684	Kent	2063	10.68	
1601645	Lancashire			REFUSED
1175364	Leicestershire	1061	9.03	
789502	Lincolnshire	590	7.47	
1475541	Merseyside	793	5.37	
9074625	Metropolitan Police	9932	10.94	
940359	Norfolk	1228	13.06	
697115	North Wales	677	9.71	
844571	North Yorkshire	894	10.59	
813682	Northamptonshire	1900	23.35	
1509809	Northumbria	283	1.87	
1188090	Nottinghamshire	520	4.38	
1927900	Police Service of Northern Ireland	3111	16.14	
5546900	Scotland			REFUSED
1363561	South Wales	1196	8.77	
1430623	South Yorkshire	1667	11.65	
1177578	Staffordshire	68	0.58	
786231	Suffolk	1124	14.3	
1248649	Surrey	212	1.70	
1759789	Sussex	1970	11.19	
2640201	Thames Valley	3714	154.07	
632207	Warwickshire	495	7.83	
1340814	West Mercia			REFUSED
3036605	West Midlands	1613	5.31	PARTIAL DATA
2435236	West Yorkshire	3396	13.95	
767575	Wiltshire	873	11.37	
69281482	TOTAL	62,119	10.54	

Charges				
Force	TOTAL	ARRESTS PER CHARGE	PER 10K	NOTES
Avon and Somerset	176	6.5	0.97	
Bedfordshire	151	4.2	2.01	
Cambridgeshire	102	9	1.09	
Cheshire	143	4.5	1.25	
City of London	4	7.8	2.65	
Cleveland	204	4.3	3.4	
Cumbria	426	3.1	8.34	
Derbyshire	452	0.5	4.12	
Devon & Cornwall	460	2.4	2.5	
Dorset	115	1.5	1.44	
Durham	152	7.3	2.34	
Dyfed-Powys				REFUSED
Essex	1372	2.8	7.11	
Gloucestershire	183	4.4	2.73	
Greater Manchester	1041	4.5	3.46	
Gwent	146	6.4	2.43	
Hampshire	371	6.7	1.8	
Hertfordshire	233	6.7	1.88	
Humberside	89	4.5	0.92	PARTIAL DATA
Kent	261	7.9	1.35	
Lancashire				REFUSED
Leicestershire	427	2.5	3.63	
Lincolnshire	0	null	0	NO CHARGES FROM 590 ARRESTS
Merseyside	1171	0.7	7.94	
Metropolitan Police	4936	2	5.44	
Norfolk	539	5.3	5.73	
North Wales	368	1.8	5.28	
North Yorkshire	279	3.2	3.3	
Northamptonshire	216	8.8	2.65	
Northumbria	343	0.8	2.27	
Nottinghamshire	272	1.9	2.29	
Police Service of Northern Ireland	1458	2.1	7.56	
Scotland				REFUSED
South Wales	185	6.5	1.36	
South Yorkshire	285	5.8	1.99	
Staffordshire	390	0.2	3.31	
Suffolk	157	7.2	2	
Surrey	32	6.6	0.26	
Sussex	184	10.7	1.05	
Thames Valley	396	10.4	1.5	
Warwickshire	144	3.4	2.28	
West Mercia				REFUSED
West Midlands	179	9	0.74	PARTIAL DATA
West Yorkshire	279	12.2	1.15	
Wiltshire	199	4.4	2.59	
TOTAL	18,520	3.4	3.08	

RECOMMENDATION

The Government should commission an independent national review of laws affecting freedom of speech and the overall health of freedom of expression in the UK.



BIG BROTHER WATCH

Defending Civil Liberties, Protecting Privacy