

# LIBERTY

## LONDON TRANS+ PRIDE: Protest Advice

**All advice and information are accurate as of June 2026 and have been updated following the UK Supreme Court ruling in the For Women Scotland case.**

Some of the language used below is based on what the law says, for the purpose of providing legally accurate information. We recognise and apologise that this may misrepresent people's experiences.

While we hope this information will protect you at protests, we know the police do not always act lawfully. Please read the following information, share with your community, and keep each other safe.

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## **1. YOUR RIGHT TO PROTEST**

**Everyone's** right to protest is protected under Articles 10 and 11 of the Human Rights Act 1998 (freedom of expression and freedom of assembly).

### a. YOUR RIGHTS AS A TRANSGENDER PERSON

Police cannot discriminate against LGBTQ+ people under the Equality Act 2010, which protects 'characteristics' such as race, disability, and sexual orientation. This includes transgender people under the 'gender reassignment'\* characteristic.

You do not need to have undergone gender affirming surgery or have a Gender Recognition Certificate to be protected.

\*This is an outdated term used in the Equality Act to mean trans people.

### b. YOUR RIGHTS AS A GENDER NON-CONFORMING PERSON

If you identify as cisgender, but present in a gender non-conforming way, for example if you're a butch or stud, you are also protected from discrimination.

These are the two ways you are protected from discrimination in the Equality Act:

- On the basis of 'sex', e.g. if police treat you differently because you do not fit into the gender stereotypes.
- On the basis of 'gender reassignment', e.g. if the police mistake you to be trans and discriminate against you, this would be considered 'discrimination by perception' which is unlawful.

### c. YOUR RIGHTS AS A NON-BINARY PERSON

Non-binary people are protected from discrimination under the 'gender reassignment' characteristic of the Equality Act 2010.

This includes if you are discriminated against because police believe you are trans, but do not identify as such, and would be considered 'discrimination by perception'.

Unfortunately, police rules and codes of conduct do not recognise non-binary identities, so if you are arrested, it is likely they will treat you as the gender they assign to you (see below).

### d. YOUR RIGHTS AS A DISABLED PERSON

Police also have a duty not to discriminate against Disabled people under Article 14 of the Human Rights Act.

The Equality Act also lists 'disability' as a protected characteristic and prevents police from discriminating against you. The Equality Act gives a specific definition of disability: a "physical or mental impairment which has a substantial and long-term adverse effect on your ability to carry out normal day-to-day activities."

This includes direct discrimination (treating you worse than a non-disabled person) and harassment (making you feel embarrassed about being Disabled).

If you are attending a protest, you don't have to tell anyone that you are Disabled. You also don't have to tell them any details of your condition or impairment. However, you might want to tell the organiser of any access needs you have to help them better support you.

#### e. YOUR RIGHTS AS A PERSON OF COLOUR

We know that people of colour are disproportionately targeted by the police and could feel more unsafe at protests.

'Race' is a protected characteristic under the Equality Act 2010 and means the police should not discriminate or harass you. This means they can't stop or arrest you without reason to (see below) and should act in accordance with your rights.

#### f. YOUR RIGHTS AS A NON-BRITISH CITIZEN

Non-British citizens in the UK have the right to protest, and this right is protected under UK law and international human rights law. However, you may wish to think about the risks associated with attending protests if you do not have a British citizenship or a secure immigration status. See below for more specific advice.

## 2. INTERACTING WITH THE POLICE AT PROTESTS

Police will try and talk to demonstrators to gather information, but you are not legally required to answer their questions or give them any personal details. You can and should say "no comment".

If the police are demanding that you do certain things, ask "Am I legally obliged to do so?" then if they say yes, "Under What Power?"

You should also not accept a caution; it is an admission of guilt and will end up on your criminal record. It is an easy win for the police as they don't have to provide evidence or convince a court of your guilt. At the very least, do not accept a caution without speaking to a good solicitor first (see below for protest support).

#### a. AS A TRANS OR NON-BINARY PERSON

Police **cannot** ask for your Gender Recognition Certificate and you do not need one for police to respect your gender.

You also don't have to share your gender identity with the police, but this could lead to them incorrectly assuming your gender, so you may wish to tell them. Unless the police have reason to doubt you, they must treat you as the gender you say you are.

There is no shame in not disclosing that you are trans or expressing a preference to be treated as a gender you are not. Always do what makes you feel safest.

#### b. AS A DISABLED PERSON

You don't need to share your disability with the police.

Depending on your needs, police can make reasonable adjustments when speaking to you. This includes:

- speaking slowly or in plain language
- face you and allow you to see their lips
- write down their question and allow you to write your answer
- be okay with you not making eye contact
- give you time to think about the question and to answer

Police have a **legal duty** to take reasonable steps to reduce any negative impact their protest restrictions may have on Disabled people.

This includes:

- Giving you time to hear instructions,
- Providing information another way, e.g. writing things down if you are hard of hearing,
- Ensuring tactics such as 'kettling' don't disproportionately harm you.

The police's legal duties **don't** change whether you've broken the law or not.

If the way the police communicates with you has a worse impact on you because you are disabled, it could be discrimination.

#### i. BRINGING ASSISTIVE EQUIPMENT

You are allowed to bring assistive equipment to protests. However, police are allowed to seize equipment that they believe could be used to cause "harassment, alarm or distress" under Section 37 of the Anti-social Behaviour, Crime and Policing Act 2014. This is generally used to confiscate megaphones or loudspeakers.

They **should not** use a Section 37 to take assistive technology, mobility devices or independent living equipment - but there is a possibility that they could.

If they take your equipment, they should communicate this to you in writing, including telling you when you're getting your items back. They must also state if it's a criminal offence not to hand the items over.

**If seizing your equipment would discriminate against you, or if police are refusing to consider your adjustments, then they are breaking the law.**

### **c. AS A PERSON WHO IS 'VULNERABLE', NEURODIVERGENT, OR UNDER 18**

If the police believe you are "vulnerable", you have extra rights on top of those under the Equality Act and the Human Rights Act. And there are certain rules that police must follow.

Vulnerable means:

- you have a mental health condition or a mental disorder, and
- this condition means that you have difficulties understanding and communicating.

This would also include if you are neurodivergent.

You are entitled to reasonable adjustments to communicate with the police (see above: 2d) As a Disabled Person.

Interactions with the police can be stressful. If you are feeling anxious, communicate this and request a break or adjustments to the environment.

Liberty have created this easy read guide on talking to the police:

[https://www.libertyhumanrights.org.uk/advice\\_information/talking-to-the-police-easy-read/](https://www.libertyhumanrights.org.uk/advice_information/talking-to-the-police-easy-read/)

### **d. AS A PERSON OF COLOUR OR NON-BRITISH CITIZEN**

We know marginalised communities are often targeted by the police at demonstrations. We recommend saying "no comment" if a police officer approaches you and asking "under what power" if they are legally obliging you to do something.

Other practical tips include:

- Attending protests with a friend/friends & arrange regular check-ins,
- Meet at an agreed safe location & leave the protest together.

- If you are racialised and/or have insecure immigration status, consider pairing up with a non-racialised protester with secure status/citizenship, to shield you from police attention and enforcement.
- Noting contact information for legal support before attending any protest (see bottom of this page).

If you feel that you have been discriminated against based on your race or your religion, you may be able to make a complaint to the police or take civil action against them.

You do not have to give your visa status to the police unless you personally are suspected of an 'immigration offence': being a person of colour is not lawful grounds to request your visa and would be discriminatory.

### 3. IF YOU ARE STOPPED AND SEARCHED

You can only be searched by the police:

**1)** If they have reasonable grounds to suspect you are carrying prohibited items:

- Illegal drugs
- Stolen Property
- A weapon
- Illegal fireworks
- Something that could be used to commit a crime

Or **2)** Under a Section 60 authorisation which allows them to carry out suspicion-less stop and searches. But police must tell you if this is in place.

Police conducting a 'pat down' search can place their hands inside pockets of your outer clothing, feeling around your collar, socks, shoes, and headgear. You should tell them if you have something sharp in your pockets, like keys. They can search your hair, subject to restrictions e.g. relating to your gender and religious/culture practices (see below).

They can only require you to remove outer clothing in public, e.g. coats, shoes, or headgear, if necessary.

#### a. WHAT CAN I DO IF I'M STOPPED AND SEARCHED?

If you are being stopped and searched, you can:

- Film the search – you are legally allowed to film the police. It may be helpful to narrate the footage in case it fails to capture important details.
  - o If you are filming the police for someone else, ask for their consent to be recorded.
- Record the police officer's details – they must share their name, shoulder numbers and station with you.

- Get a record of the search within three months - you must be given a copy or information on how to get a copy.

If you have been searched under Section 60, you can get a written statement within one year.

### **b. MEDICATION**

Make sure to bring any regular medication with you, even if you expect to be back home by the time you take it. Also make sure you have any emergency medication with you. This will mean if you are unable to leave, or are arrested, you will be prepared.

The police have powers to stop and search people if they suspect you are carrying drugs. You may want to bring evidence of your prescription, such as bringing medication in a prescription box or bottle. This is to show that you have a right to carry and use your medication.

### **c. IF YOU ARE STRIP SEARCHED**

Police can only carry out a strip search if they reasonably believe you are hiding an illegal item under your clothes, and it has been authorised by a senior police officer.

**Police must tell you the reason for the search.**

Unless you consent otherwise, this search must be done out of public view (e.g. in the back of a police van or in a nearby station).

Searches that 'expose intimate parts of the body' cannot be done in the back of a police van and must be done only at a police station or other private location. This must be done only when necessary. Your dignity and privacy should be respected at all times.

You should not be asked to remove all your clothes at once. You should be allowed to re-dress as quickly as possible. You should **NOT** be touched.

#### a. AS A TRANS, NON-BINARY OR INTERSEX PERSON

**POLICE CANNOT SEARCH YOU TO FIND OUT YOUR 'REAL GENDER' - THIS IS DISCRIMINATION.**

You can ask to be treated as your gender to ensure the officer who searches you is of the same gender. However, the police are under no legal obligation to comply with your request.

Last year, the National Police Chiefs Council updated their guidance on searching trans people following the UK Supreme Court ruling in the For Women Scotland case.

Netpol has produced some guidance around this, which is available here:

[https://www.instagram.com/p/DMKzhXnN9o7/?img\\_index=1&igsh=cjlxbm44anNvYzU2](https://www.instagram.com/p/DMKzhXnN9o7/?img_index=1&igsh=cjlxbm44anNvYzU2).

In summary:

- If the police want to do a more intimate search (where they are required to remove more than your outer layer of clothing) they have to take you to a private place, and you must be searched by someone of the same “biological sex”. You can request that you are searched by an officer of the gender that you would like to be treated as; however, this will require prior written authorisation from a senior police officer, yourself, and the searching officer.
- If you refuse to disclose your biological sex to the police for the purposes of being searched, the police will make their own judgment based on available documentation and/or ID, or they will make an assumption about your biological sex.
- Although you do not need to provide any personal details during a stop and search, if you want to choose the gender of the officer searching you, you will be required to sign a consent form.

If you're non-binary, tell the officer the sex you prefer to be treated as. If you are intersex, you should be treated as the sex recorded in your birth certificate (as amended by a Gender Recognition Certification, if applicable to you), or you can ask to be treated as your 'preferred gender' if that is different.

#### b. AS A DISABLED PERSON

#### **Police cannot search you just because you are disabled – this is discrimination.**

Police should make reasonable adjustments to communicate with you (see 'Talking to the police' section above).

Police should also reasonably adjust their policies on force when stopping and searching disabled people, including using handcuffs and safely interacting with people using assistive devices such as wheelchairs.

If the police's policies on searching people have a worse impact on you because you are physically disabled, it could be unlawful discrimination if there's no objective justification.

c. AS A 'VULNERABLE' PERSON, NEURODIVERGENT, OR SOMEONE UNDER 18

If it looks like you're vulnerable (including neurodivergent) or under 18, you have the right to have an appropriate adult if the police strip search you. The appropriate adult can be:

- A family member, guardian, or someone else who takes care of you
- a person who is experienced in helping vulnerable people, or anyone who is over 18 but doesn't work for the police

Their job is to look out for you and make sure the police are respecting your rights.

d. AS A RELIGIOUS PERSON

Police officers can only ask you to remove religious articles of clothing if they have reason to believe that the article is being worn wholly or mainly for the purpose of disguising identity.

Head coverings like a hijab must be removed in a private setting by an officer of the same 'sex' as you.

#### **4. IF YOU ARE ARRESTED / TAKEN TO CUSTODY**

If you are arrested and taken into custody, there are different rules that police must follow.

The Police and Criminal Evidence Act 1984 Codes of Practice, known as the PACE Codes, are legal guidance for what the police should and shouldn't do. You have a right to the Codes when you are in custody (and should be told that you can see a copy). You can also request an accessible version of the code if you have difficulties reading or understanding English.

You do not have to give your name or personal information while you are in custody without charge. We would recommend waiting until you can talk to a solicitor and then asking their advice as to whether you should give your details. Before this, you can answer "no comment" to any question (except for if you are stopped under specific suspicion of antisocial behaviour). See the bottom of this page for protest support lines you should contact in custody.

When you first arrive in custody, the officer should ask (or you can ask them) if you need to speak in private to a custody staff member about anything. This is your opportunity to tell them of any personal needs relating to health (including invisible disabilities and regular medication), hygiene, and welfare. You can request this meeting be with a staff member of a particular gender.

a. AS A TRANS OR NON-BINARY PERSON

**If your gender is clear to the police, there should be no issue with your gender being respected.**

However, PACE codes state that if there are 'grounds to doubt' your gender, police can assign and treat you as a gender they perceive you as, rather than respecting your preference.

Following the Supreme Court ruling, we expect police will update their policies, including around detention in custody, which is likely to mean you will be treated in custody as your 'sex registered at birth' rather than what is on your GRC. They have not done so as of July 2025.

**b. AS A DISABLED PERSON**

If you are Deaf, you find it hard to speak, or you don't know English, you have the right to an interpreter - unless the police interview is urgent.

If you are visually impaired, you should get someone to help you read documents, explain them and sign them (if you want them to). This person could be your lawyer, a relative, an appropriate adult, or someone else who looks out for you but isn't involved in an investigation.

The police should let you keep your assistance dog if you are in a cell. If they can't keep it with you, they should tell you that your dog will be kept in an office. The police should never put your dog with other dogs or in kennels.

Police must make reasonable judgments for disabled people being placed in custody cells. Examples of reasonable adjustments could include making sure that:

- disabled people can reach call bells in all police cells
- mattresses are the right height to allow disabled people to move from the bed independently
- hearing loops are available, and that custody staff should know how to use them.

**c. IF YOU'RE 'VULNERABLE', NEURODIVERGENT, OR UNDER 18**

If the police arrest you or take you into custody, and they have a reason to suspect that you are vulnerable, they should do the following:

- Make reasonable enquiries to see if you might be vulnerable. The police should see what information is available which shows that you might be vulnerable.
- Make a record of this.

- Make this record available to police staff and others who communicate with you. This includes your solicitor, your appropriate adult and any healthcare professional. It's especially important that they do this when communication is by telephone or live-link.

The custody officer must follow PACE code C to see whether you should be classed as vulnerable and/or have the right to an appropriate adult.

Your appropriate adult can't give you legal advice. You can have both an appropriate adult and a solicitor.

#### d. AS A NON-BRITISH CITIZEN

If you are arrested and decide to give your name at the police station, you do not have to tell the police your visa status, but they may look you up on any databases they can access.

If you are questioned at a police station, you are entitled to a translator as well as a solicitor if you'd like one.

If you have indefinite leave to remain, this will only be revoked if you have caused a serious criminal offence or have been charged with more than 12 months in prison. But this is unlikely to happen at a demonstration.

However, if you are applying for citizenship, this could be refused if you have had convictions or even cautions in the last three years.

Most international, non-EU students are on 'tier 4' student visas. If you are on this visa, you could lose your 'leave to remain' status for many reasons and the Home Office has very broad discretion in deciding when to do so.

The Joint Council for the Welfare of Immigrants and Black Protest Legal Support have produced a helpful guide answering key questions for migrants taking part in protests: [https://x.com/JCWI\\_UK/status/1712848563758067789](https://x.com/JCWI_UK/status/1712848563758067789)

## 5. OTHER LAWS TO BE AWARE OF

### a. 'LOCKING ON'

'Locking-on' is when protesters attach themselves to other people, objects, or buildings. Under the Public Order Act 2023, it is now a criminal offence to

- Attach yourself or someone else to another person, object, or land
- Attach an object to another person, object, or land
- If your activities cause 'serious disruption' to two or more people or to an organisation in a public place.

If convicted, you are punishable with up to six months' imprisonment, a fine, or both.

It is also a criminal offence to be 'equipped for locking on.' This could include carrying items like luggage straps or bike chains. You will be committing an offence if you are:

- carrying an object in public; and
- intending to use the object 'in the course of or in connection with' yourself or any other person committing the offence of locking on.

If convicted, you are punishable with an unlimited fine.

#### **b. FACE COVERINGS**

You have the right to cover your face at a protest, including for health and religious reasons as well as to protect your identity.

However, police could place a Section 60AA restriction, meaning you must remove masks if asked by the police. Section 60's must be in writing, signed by the senior officer, and state the time/location. They could decide to enforce this during a protest, and it's against the law not to follow it.

Police can also require you to remove your mask if you are being stopped and searched.

If you are being asked to remove your face covering, always ask under what legal power are the police asking you to do this.

There is a new law which the Government is planning to enforce (it is currently unclear when), which will change some of the information above. Once in force, Section 157 of the Crime and Policing Act 2026 will completely prohibit the use of face coverings to conceal your identity in an area designated by the police, e.g. at a protest. You will still be allowed to use face coverings at protests for health and religious purposes.

#### **c. DEFACING MONUMENTS**

Defacing monuments may constitute criminal damage, which is a criminal offense in the UK, with penalties including fines and imprisonment, particularly for damaging or destroying protected monuments.

Parliament Square contains multiple statues in the area. While they are not specifically protected, it would still be considered a criminal offense to deface them. Punishments depend on the severity of the damage.

### **6. PROTEST SUPPORT:**

#### **GREEN & BLACK CROSS (GBC)**

-\_\_07946 541 511 (24/7 protest support line)

- [courtsupport@protonmail.com](mailto:courtsupport@protonmail.com)

a. SOLICITORS SPECIALISING IN PROTEST SUPPORT

**Hodge Jones & Allen:** 0844 848 0222

**Kellys:** 01273 674 898 / 0800 387 463

**Bindmans:** 020 7305 5638

**ITN:** 020 3909 8100

**Commons:** 020 3865 5403

b. **MTC:** 07956 308 127IMMIGRATION SUPPORT

**JOINT COUNCIL FOR THE WELFARE OF IMMIGRANTS (JCWI)**

JCWI have a free helpline if you are in the UK without status and need legal advice - 0800 160 1004.

It is open on Mondays, Tuesdays and Thursdays between 10am and 1pm