

Cardiff the latest British university to win court injunction against student protest

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Britain's universities have responded to students protesting the genocide in Gaza and the complicity of academic institutions not only by disbanding encampments. They are establishing a new legal framework aimed at outlawing protest altogether.

On Thursday last week, Cardiff University was the latest—after the University of London and Cambridge University—to go to court seeking an injunction against “persons unknown” (namely, anyone), ordering that they “must not without Consent”:

- a. enter, occupy or remain upon the Land [encompassing 11 buildings, complexes and their surroundings across the university campus] for the purposes of protest.
- b. directly block, obstruct or interfere with the access of any individual to the Land with the intention of stopping that individual accessing the Land.
- c. erect or place any structure (including, for example, tents, gazebos or other sleeping equipment) on the Land.

Cardiff's order was granted by judge Sir Peter Lane. It will remain in place for more than a year until July 31, 2026, the end of the next academic year, unless varied or discharged after legal challenge.

Everything about this procedure is deeply anti-democratic. Injunctions against “persons unknown” go ahead without a defendant who can be legally represented and often with an extremely short notice period. Cardiff University's lawyers submitted their application on May 29, barely two weeks before the case was heard.

When it came to the hearing on June 14, Cardiff was able to present four witness statements in support of its

argument, with just one submitted in opposition. The “case” for the defence was left to the university's lawyers to allude to. A member of the European Legal Support Centre attended as an observer.

Now that the order is in place, basic protest activity is prohibited without advance consent from the university. Students wishing to protest are required to follow the procedures set out in Cardiff's Code of Practice on Freedom of Speech, filling out a form and submitting it with 21 days' notice.

The form requires protesters to declare “risks” including whether the content of the event might attract “protests/disruption, breach of the peace”, raise “issues under the University's Prevent policy (the promotion of radicalization or extremism)”, or even generate “media interest publicity that may impact on reputation” of the university.

The Speaker Risk Assessment asks for open source information “to the detriment of the speaker”, while the Event Risk Assessment demands consideration of a “risk of causing fear or alarm” and “the potential for the subject matter or the speaker causing offence,” including through the mere presence of the speaker “because they are known for speaking publicly on topics that some individuals may find offensive”.

These requirements make clear that the rights to free speech and assembly are being eviscerated. Under conditions in which students are being arrested, charged with terror offences and placed under investigation or suspension by their universities for speaking up in defence of the Palestinians—with anti-Zionism routinely conflated with antisemitism—they can be used to justify a blanket ban.

So-called “Free Speech” codes have been in place for some time at UK universities and been used to politically police meetings on their campuses. Until now, they have not been used to regulate protest activity. Doing so

provides administrations effective carte blanche to curtail and block demonstrations, and to penalise students who go ahead regardless.

That the university will do so is made clear by the “unlawful direct action” indicated in Cardiff’s claim, including “defacing” property with slogans like “Cardiff University your silence is complicity” written on the ground in chalk, raising a Palestinian flag over the Main Building, protesting speakers at the university like arch right-winger Jacob Rees-Mogg, organising a “sit in”, and making Cardiff a “destination” for protest marches.

The 21-day notice period alone makes a mockery of the university’s stated “obligation... not merely to refrain from limiting or infringing freedom of speech, but rather to do all that is reasonably practicable to ensure that freedom of speech is secured.”

Students wanting to stop their university’s complicity in Israel’s genocidal assault on Gaza beginning in October 2023 would have had to wait until over 5,000 Palestinians were dead before they even had a chance of mounting a demonstration. Students now moved to protest by Israel’s criminal war on Iran may have to wait until the whole Middle East is in flames.

Suggestions made by the university’s lawyers that rights to free speech and assembly are not infringed because students “are able to protest at other locations [like Cardiff City Centre] and through other methods [like social media]” are similarly antidemocratic. You may protest the university, goes the argument, but only somewhere away from it, or with its permission and under its conditions.

As one Cardiff student told the *World Socialist Web Site*, “Given the nature of the protest and its direct opposition to the university’s financial interests and calling for the resignation of a senior member of staff who likely would have power to prevent any protest, it is ridiculous to suggest this is anything other than a direct assault on our freedom of speech and right to protest.”

They continued, “I find it harder and harder to believe that it is not the final goal of this ruling class to legally punish all forms of opposition from the working class to the stripping of our democratic rights. The direct attacks we’ve seen being taken against individuals like Momodou Taal seem like a dangerous sign of the wider actions being taken against students and young people as a whole.”

Even political activity as mundane as running a stall for the distribution of books, newspapers or flyers—with tables and gazebos—is at risk.

Claims that this order does not “today” criminalise activity, because of the “number of hoops which need to be jumped through”, are risible. Breaking an injunction invites prosecution for contempt of court, a charge which carries a penalty of two years’ imprisonment, a £2,500 fine, or both. It hangs yet another sword over the heads of students wishing to protest the imperialist-backed genocide in Gaza.

Successfully basing itself on arguments advanced by lawyers for Cambridge University and the University of London, securing 4-month and 12-month injunctions respectively, Cardiff points the way to a raft of new anti-protest orders across UK campuses.

But attacks on democratic rights can be beaten back. Last week, Humboldt University in Berlin was forced to abandon its censorship of three meetings organised by the International Youth and Students for Social Equality (IYSSE) as part of its campaign for the student parliament elections.

The university claimed, without precedent, that events must be limited to “study and university politics issues” and that the IYSSE’s meetings—“Rearmament, genocide, world war. A socialist perspective against war readiness”; “How the Left Party supports the war policies of the Merz government”; and “80 Years after WWII: The return of German militarism and the trivialization of Nazi crimes at Humboldt University”—were not allowed.

Two crucial facts are underscored by this experience. Firstly, the attack on the right to protest and political activity is an international phenomenon; the ruling class in every country is turning to authoritarian methods of rule to enforce programmes of rapid militarisation amid a global explosion of imperialist violence.

Secondly, the response mounted by students must likewise be global in scope and aimed at mobilising the sole social force capable of defeating the war plans of the world’s capitalist governments: the international working class.

With Starmer’s Labour Party moving British military assets to the Middle East to support Israel’s criminal war on Iran, as well as its ongoing genocide of the Palestinians, the fight to build such a movement is more urgent than ever.



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