

Attempted prosecution of Kneecap's Liam Óg Ó hAinmídh collapses

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26 September 2025

Britain's Labour government suffered a humiliating defeat on Friday when its effort to prosecute Liam Óg Ó hAinmídh of rap trio Kneecap on terrorism charges was thrown out of court.

The Crown Prosecution Service (CPS) tried to prosecute Ó hAinmídh—whose stage name is Mo Chara, “My Friend” in Irish—after he picked up a Hezbollah flag thrown on stage during a performance at the O2 Forum in Kentish Town on November 21, 2024. For this, he was charged—now proven unlawfully—under section 13(1)(b) and (3) of the Terrorism Act 2000. Hezbollah is a proscribed organisation in the UK.

Had the government secured a guilty verdict Ó hAinmídh could have been jailed for up to six months and/or received a level 5 fine on the standard scale, which can be unlimited.

Such was the fervour of the authorities to silence an outspoken and powerful voice against the Gaza genocide that they botched basic procedures, meaning that chief magistrate Paul Goldspring, at Woolwich Crown Court, was forced to declare the case “unlawful” and “null”.

Ó hAinmídh's defence team—Brenda Campbell KC, Jude Bunting KC, Blinne ní Ghrálaigh KC and Rosalind Comyn, instructed by Darragh Mackin of Pheonix Law—successfully argued that Attorney-General Richard Hermer had not authorised proceedings when police informed Ó hAinmídh on May 21 that he would face a terrorism charge.

Prosecutors accepted that Ó hAinmídh was sent a letter laying charges against him twice: once on May 21, within the 6-month time limit after the alleged offence took place, and once on May 22, outside of it. The second was sent, according to the prosecution's own explanation, because the first had not gone ahead with the consent of the Director of Public Prosecutions

(DPP) and the Attorney General (AG).

Believing it had until the May 22 to lay charges, it was this letter the prosecution initially relied upon as marking the start of proceedings. Realising its mistake, it switched to the May 21 letter, meaning lawyer for the government Michael Bisgrove had to prove that there was no legal problem with the delay in receiving consent from the DPP and AG.

Goldspring dismissed the CPS's argument that permission from the DPP and AG was not required until the defendant's first court appearance, and that permission did not need to be secured in order to bring a criminal charge. These arguments, he explained in his decision, “defy logic”.

In a 13-page Approved Judgment, Goldspring noted, “In written submissions the Crown conceded that the authorities upon which they rely relate only to offences triable on indictment and not summary only offences. Their submission that the same principles should apply is, in my view, flawed, it is significant that, unlike the defence, the Crown was conspicuously unable to point to any authority to support their submissions.”

He continued, “I am satisfied that proceedings against this defendant were instituted on 21st May 2025 when the written charge was issued. At that time, the necessary consent and permission required by law had not been obtained. As such, the proceedings were instituted unlawfully and are null.” The courts therefore had “no jurisdiction to try the charge.”

Friday's was Ó hAinmídh's third appearance in the case. Each time, he and the other Kneecap members and their legal team have been greeted with enthusiastic support from hundreds of supporters outside the court.

Less than 24 hours prior to Ó hAinmídh's previous appearance, at Westminster Magistrates Court on August 18, the Metropolitan Police imposed Public

Order Act conditions restricting demonstrators to a tiny area of pavement.

This time the Metropolitan Police imposed a “section 14” order under the Public Order Act covering the area outside Woolwich Crown Court “to prevent serious disorder, damage, disruption, impact or intimidation”.

Kneecap responded, “They previously, and in our view needlessly, did this before the last court date, but this time have removed our supporters from anywhere close to the court entrance. This is petty in the extreme.

“We massively appreciate the support of what we know are the majority of the public, who can see this farce for what it is. It is distraction from war crimes that the British state still support every single day in Gaza. In our view this police action is designed to try and portray support for Kneecap as somehow troublesome, and to keep our support far away [from] view when we arrive and depart. It is, once again, a calculated political decision the day before Mo Chara’s court appearance.”

Following the verdict, cheers went up in court from the public gallery. Speaking to supporters outside, Ó hAnnaidh said, “This entire process was never about me. It was never about any threat to the public, it was never about terrorism—a word used by your government to discredit people you oppress.

“It was always about Gaza. About what happens if you dare to speak up. As people from Ireland we know oppression, colonialism, famine and genocide.

“We have suffered and still suffer under ‘your empire’. Your attempts to silence us have failed, because we are right, and you are wrong. We will not be silent.

“We said we would fight you in your court and we would win. We have. If anyone on this planet is guilty of terrorism, it is the British state. Free Palestine!”

Kneecap’s manager, Daniel Lambert, wrote on X, “Political policing has failed. Kneecap is on the right side of history. Britain is not. Free Palestine.”

Everything about the CPS’s case stank. As the WSWs noted: “The police were reportedly informed of the events at Kentish Town on April 22. At the eleventh hour, someone somewhere, either in the police or in some section of the Crown Prosecution Service—no evidence has been produced by the prosecution on this score—was given the nod to proceed with charges. This happened in such a rush that the required procedures were not followed until a day later.

“Clearly there was both a worry that the case was too weak and an opposed feeling that the opportunity should not be missed. Amid growing popular outrage over the Gaza genocide, this was a chance—or so they thought—to drag a major voice of opposition through the mud of terror proceedings.”

For Ó hAnnaidh to be able to attend the court hearing, Kneecap were forced to cancel all 15 scheduled dates of a tour of the US.

Kneecap first came to global prominence in the US earlier this year, winning mass support in the process, as they led thousands of music fans in a chant of “Free Palestine” at the Coachella Festival. In actions repeated at all their concerts since, Kneecap performed before projections that read, “Israel is committing genocide against the Palestinian people.”

It is for this principled stance, which has galvanised other artists to speak out against the genocide, that Kneecap incurred the wrath of the Starmer government which is complicit in every one of Israel’s war crimes over the last two years.

Goldspring’s excoriating judgement could only come about because of the government’s attempt to ride roughshod over basic democratic norms, above all its drive to silence anti-war opposition that has seen 1,600 people arrested for opposing the proscription of Palestine Action, and numerous other arrests of journalists and anti-war activists.

The CPS announced it was “reviewing the decision of the court carefully” and could appeal the ruling.



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