

UK: “Filton Four” Palestine Action protesters jailed as terrorists in historic attack on democratic rights

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14 June 2026

On June 12, Justice Johnson handed down draconian sentences totalling more than 26 years in prison to four young Palestine Action activists, ruling for the first time in legal history that acts of criminal damage carried out during a protest constitute offences with a “terrorist connection.”

The sentencing at Woolwich Crown Court of Charlotte Head, Samuel Corner, Leona Kamio, and Fatema Rajwani—the Filton Four—marks a watershed moment in the Labour government’s escalating war on democratic rights and the criminalisation of opposition to war and genocide.

The Filton Four are part of a wider group of activists, the Filton 24, being prosecuted by the British state under Keir Starmer’s Labour government. The four have received substantial prison sentences despite not being charged with or convicted of a terrorism offence after two separate trials by two juries.

The four were among six defendants—known collectively as the Filton 6—tried at a retrial in May at Woolwich Crown Court for their roles in a direct action by Palestine Action on the Elbit Systems UK weapons factory near Bristol in August 2024. All six had previously been acquitted of aggravated burglary at the first trial in February. On violent disorder, Rajwani, Rogers and Devlin were formally acquitted by the jury; the jury hung on those charges against Head, Corner and Kamio, and the Crown Prosecution Service (CPS) dropped them before the retrial.

At the retrial, Jordan Devlin was acquitted of criminal damage and was not sentenced. Zoe Rogers was acquitted of all charges. The remaining four—Head, Corner, Kamio and Rajwani—were convicted of criminal damage. Corner was additionally convicted of grievous bodily harm without intent for striking a police officer during the raid.

On August 6, 2024, the defendants entered the Filton site in the early hours of the morning and smashed computers, drones, and other military equipment with sledgehammers and crowbars. They targeted Elbit Systems, Israel’s primary private defence contractor, due to its manufacturing weapons used to kill Palestinians in the Gaza genocide.

Judge Johnson handed Corner, aged 23, seven years and eight months, with additional time for causing grievous bodily harm to a police officer. Head and Kamio, both 30, received five years each. Rajwani, just 20 at the time of the raid, received four years and eight months.

The judge ruled that all four will serve at least two-thirds of their sentences before parole eligibility. On top of this, upon eventual release, they face 15 years of terrorist notification requirements. For the duration of the notification period, the four will be required to register new mobile devices, email addresses, and bank accounts with the police.

Head and Rajwani were reduced to tears as they were sentenced.

Prior to sentencing, Justice Johnson announced his finding of a “terrorist connection” under Section 69 of the Sentencing Act 2020. This was after the CPS applied, on the day of the sentencing, to have the four young people sentenced as terrorists.

The application allows a judge, not a jury, to find that an offence meets the statutory definition of terrorism and to impose significantly harsher punishment as a consequence.

Johnson ruled, “I am sure that each defendant’s offence of criminal damage involved serious damage to property, was designed to influence the UK government and to intimidate a section of the public and was for the purpose of advancing a political cause.”

His ruling delivered the verdict required by the Starmer government, which has backed Israel’s genocide.

In bringing the case to court, the prosecution made a decision not to charge the defendants with any terrorism offence. They calculated, as Mira Hammad KC—who represented Leona Kamio, put it in written submissions, that the Crown’s case would not survive “the arbitrament of a jury.”

The jury was therefore never told that the acts for which they were convicting might be treated as terrorism. Moreover, the defendants were even denied the right to put their motivations before a jury in a terrorism context.

Having obtained a criminal damage verdict, the prosecution used the sentencing process to achieve what it knew a jury would very likely not have sanctioned.

Before the sentencing hearing, one of Britain’s foremost human rights lawyers, Michael Mansfield KC, described the prospect of sentencing protesters as terrorists as a “constitutional threat”. He was among more than 50 lawyers and legal experts, coordinated through the organisation Defend Our Juries, who signed an open letter denouncing Johnson’s planned use of Section 69.

Speaking to the *Guardian*, Mansfield said, “It’s recategorising the offence without a trial. It’s particularly insidious for the

obvious reason that they weren't allowed to explain their motivation to the jury — that was denied to them. And yet the state says 'we're actually going to elevate what the offences are' when the jury might well not have convicted had they known they were going to be treated as terrorists." He concluded: "The fundamental principle is that you should not be convicted on any statutory offence for which you have not been charged."

Among other signatories to the open letter are Liz Davies KC, Gudrun Young KC, Penny Green, David Whyte, Neve Gordon, Yvette Russell, Bill Bowring, and Richard Vogler. Vogler, an Emeritus Professor of Law at the University of Sussex and a leading authority on trial by jury, protested, "For an offence to be characterised at sentencing in a completely different and much more serious way than it was presented to the jury on conviction is an affront to the basic principles of criminal justice."

The open letter notes the rupture with the entire tradition of how British law has generally treated direct action protest. It states, "Damage to property has been a recurring feature of protest campaigns from the Suffragettes and the women of Greenham Common to Extinction Rebellion and the Trident Ploughshares movement. Military equipment has often been the target."

The letter draws attention to the international and legal context of the actions of the defendants, stating, "It would be wrong disregard the findings of various international bodies and legal scholars to the effect that the Government of Israel is committing genocide, war crimes and crimes against humanity, imposing a moral, if not legal, obligation on all to intercede, in particular by stopping weapons reaching the genocidaires".

The letter explains the dictatorial character of the tearing up of the justice system underway: "It has never previously even been suggested that those taking such action should be treated as terrorists. Blurring the distinction between principled direct action and terrorism is the hallmark of authoritarian regimes."

Exposing the calculation made by the prosecution to secure a harsh sentence—sealed by Johnson—it stated, "It is wrong in principle to sentence people on an entirely different basis from that on which they were convicted, all the more where the potential for a terrorist sentence was actively concealed from the jury."

The signatories establish that which was concealed from the jury, stating that they "consider it vital to the integrity of the criminal justice system that the Filton 4 are sentenced on the same basis that they were convicted—causing damage to drones and other property of an Israeli weapons manufacturer—with the conscientious motive of saving lives, upholding international humanitarian law and preventing unimaginable human suffering."

The defendants' conscientious motivation "is a mitigating factor, and it would be perverse, and contrary to basic legal principle, to treat it as an aggravating factor."

The use of Section 69 to sentence the four as terrorists sets a precedent for any future protest to be punished just as brutally by the state. It came after another attack on democratic rights by Judge Johnson—also unprecedented in British legal history. It emerged, once reporting restrictions were lifted, that following the February trial Johnson launched contempt proceedings against lead defence counsel Rajiv Menon KC for remarks defending the jury's independence that he made in closing arguments.

The Court of Appeal subsequently ruled that the procedure was unlawful, but as the letter of the 50 notes, a "troubling legal precedent has already been set in these proceedings."

Opposing the move to sentence the four as terrorists, Menon exposed the politicised character of the use of Section 69 against anti-war protesters. He told the court that neither Thomas Mair, the neo-Nazi murderer of British Labour MP Jo Cox, nor Thomas McKenna, who was procuring firearms to provoke a "race war," were given criminal convictions with a "terrorism connection". "So apparently, stockpiling weapons in preparation for a race war against Muslims and immigrants does not amount to an act of terrorism."

The principled response of the lawyers and law professors was backed up by another letter, coordinated by Artists for Palestine UK, signed by around 150 public figures. These included the writer Sally Rooney, activist Greta Thunberg, actor, comedian, writer and producer Steve Coogan, and Lord John Hendo KC.

Their letter called on the judge to drop the terrorism connection, warning that its use would constitute "an extremely grave miscarriage of justice." The four "were not charged with terrorism offences, were not tried under terrorism laws" and "the jury was never informed of any proposed terrorism connection during the trial."

The repression inside the court was reflected in the clampdown on protesters outside. Around 500 people gathered in solidarity with the Filton Four. By the end of the day, 107 had been arrested, their offence being the expression of support for Palestine Action, including by holding signs reading "Saving lives is not terrorism... I support Palestine Action."

Police have already arrested over 3,300 people since last July under the Terrorism Act 2000 for supporting Palestine Action in similar mass round-ups, despite the High Court—in February this year—ruled the proscription of the organisation by the government unlawful. The Court of Appeal is expected to rule on Monday on the government appeal of the High Court's ruling.



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