



# Demonstrations and International Students

**This briefing deals with the risks to someone's immigration status if they get into trouble at a demonstration.**

First, it is important to remember that most mainstream protest in the UK is fairly predictable, no one gets arrested and everyone is happy. However, there is always the risk that the police will decide to arrest people even if they personally are not involved in anything arrestable.

Before you go to a demo, you should think about the risks you are able and willing to take. This is important for people who do not have British citizenship, because the Home Office can be very draconian and has the power to revoke visas/deport people even for minor things. Challenging these government actions can be very time-consuming and costly.

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## 1. Marches and Kettles

**If you take part in a march on the planned route, for example, then there shouldn't be any reason for concern.**

If you stay aware of crowd and police movements during marches you can usually spot if there's a police clampdown coming and choose to remove yourself from an area before the police form a dense ring around you. This is known as kettling.

We encourage people not to panic – even if you are kettled you are unlikely to be arrested.

Finally, note that almost all arrests at demonstration in the UK are for very minor offences – it is extremely rare to be arrested for something that could put you in prison.

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## 2. EU Citizens

While EU citizens are not British citizens, it is extremely hard to deport them from the UK. They would need to commit really, really serious offences to prejudice their immigration status here.

Most EU citizens who leave the country after a criminal conviction do so because they can shorten their prison sentence by agreeing to leave.

**It is very, very rare for people to be arrested for such serious offences on demonstrations in the UK.**

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## 3. Indefinite leave to remain

If you have indefinite leave to remain, getting into minor trouble with the police will usually not result in that status to be revoked.



However, if you are applying for citizenship, you will need to prove your “good character”. Usually citizenship will be refused if you have had convictions or even certain police cautions in the last three years.

Your indefinite leave to remain can be revoked and you can still be deported if you receive more than 12 months prison sentence or are convicted of very serious offences, but it is unlikely that this will happen at demonstration.

The Home Office have a [guide to indefinite leave to remain](#) and [when it can be taken away](#).

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## 4. Tier 4 student visa

Most international, non-EU students are on “tier 4” student visas. If you are on this type of visa, your “leave to remain” can be curtailed (you lose this status and must leave the country) for many reasons and the Home Office has very broad discretion in deciding when to do so.

The verbatim text says that someone’s leave to remain can be curtailed because of

*“the undesirability of permitting the person concerned to remain in the United Kingdom in the light of his conduct ... character or associations or the fact that he represents a threat to national security.”*

This can be used against protesters. It’s not democracy but that should come as no surprise.

Another thing to bear in mind is that your immigration status is based on you being a student. If you lose this status because the university decides to expel you (based on their internal disciplinary rules), you are also losing your visa (if you cannot transfer to another institution which can sponsor your visa).

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## 5. What to do?

Hopefully this helps you to make informed decisions about protesting in the UK. Consider agreeing with your friends about what your boundaries are, so that you don’t find yourself alone if the police start acting badly.

Some thing it is important to remember:

- **You don’t have to carry your passport or form of ID in the UK** – indeed we recommend you don’t carry these things.
- You **never** have to give the police your personal details if they are searching you.
- Answer “**No comment**” to all police questions – it is easier to simply say nothing than to decide which questions to answer.
- 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 use a solicitor, you should get one who is experienced in protest law.

Find a [solicitor local to you](#), or in London you can chose from one below.

Irvine Thanvi Natas (ITN): 0203 909 8100

Bindmans: 0207 305 5638

*Green & Black Cross is an independent volunteer legal support group for protesters. You can email [courtsupport@protonmail.com](mailto:courtsupport@protonmail.com), or in an emergency call 07946 541511. You can also talk to a Legal Observer, who often attend demonstrations to monitor police behaviour.*