



[2025] EWCA Civ 1311

**R (AMMORI) V SECRETARY OF STATE FOR
THE HOME DEPARTMENT**

Appeal No.: CA-2025-001983

PRESS SUMMARY

Important note for press and public: this summary forms no part of the court’s decision. It is provided to assist the press and the public to understand what the court decided. The full judgment of the Court of Appeal is the only authoritative document. Judgments are publicly available document and can be found at: www.judicary.uk

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The Court of Appeal (The Baroness Carr of Walton-on-the-Hill (Lady Chief Justice), Lord Justice Lewis and Lord Justice Edis) today handed down judgment, dismissing the appeal by the Secretary of State for the Home Department. References in square brackets are to numbered paragraphs of the judgment.

1. This appeal concerns the challenge to the order made by the Secretary of State for the Home Department adding Palestine Action to the list of proscribed organisations contained in Schedule 2 to the Terrorism Act 2000.
2. Ms Ammori, one of the founders of Palestine Action, brought a claim for judicial review in the High Court challenging the lawfulness of the decision to proscribe Palestine Action. The judge, Chamberlain J, decided that the claim could proceed by way of judicial review in the Administrative Court. He held that the possibility of Palestine Action applying to the Secretary of State to “deproscribe”, that is to remove Palestine Action from the list of proscribed organisations, coupled with a right of appeal to the Proscribed Organisations Appeal Commission against a refusal of that application, was not an adequate alternative

remedy to judicial review before a judge in the High Court. He granted permission to apply for judicial review on two grounds but refused permission on six other grounds. The hearing of the claim for judicial review is expected to take place in November 2025.

3. The Secretary of State appealed to the Court of Appeal, contending that the ability to apply for deproscription with a right of appeal to POAC was an adequate alternative remedy for challenging the continued proscription of Palestine Action, such that the claim for judicial review should not be allowed to proceed. The appeal, therefore, was concerned solely with the question of whether the challenge could proceed by way of judicial review in the High Court or should be considered by the Secretary of State with any appeal being heard by POAC. The appeal had nothing to do with the substantive merits of the challenge.
4. The Court of Appeal dismissed the appeal, holding that Ms Ammori could bring her challenge to the initial decision to proscribe Palestine Action in the High Court by way of a claim for judicial review.
5. An application to deproscribe, with a right of appeal to POAC, was not intended to be a means of challenging the initial decision (see [50] to [57]). In any event, even if such a remedy had been available, the judge was entitled to conclude that such an application was not an adequate remedy in the circumstances of this case. Judicial review would be a quicker means of challenging the order proscribing Palestine Action than applying to deproscribe. judicial review would enable the High Court to give an authoritative judgment on whether or not it was lawful to proscribe Palestine Action. That judgment could then be relied on in criminal courts hearing charges against any person arrested in connection with their support of Palestine Action (see [59]).
6. Separately, the Court also heard an appeal by Ms Ammori against the Judge's refusal to grant permission to rely on four more grounds of claim, and an associated application for an extension of time in which to appeal. The Court granted the necessary extension of time (see

[97] to [102]) and granted permission to apply for judicial review on two of those grounds (namely, whether or not the Secretary of State had had regard to relevant considerations and whether or not she had complied with her own policy: see [104] to [107]). Those grounds will now be the subject of legal argument and evidence at the hearing of the claim in November 2025 to determine whether or not the grounds are established.

7. Permission to appeal on two other grounds was refused on the basis that it was not arguable that the power to proscribe Palestine Action had been used for an improper purpose, nor was it arguable to suggest that there had been any failure to have regard to the impact of the order on those who originated from or were connected with Palestine (see [108] to [113]).

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