

Chief Constable Jo Farrell
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Via email to cc.office@scotland.police.uk

Cc: John Swinney MSP, First Minister via firstminister@gov.scot; Angela Constance MSP, Cabinet Secretary for Justice and Home Affairs via CabSecforJHA@gov.scot; Rt Hon Dorothy Bain KC, Lord Advocate via LordAdvocate@gov.scot

Date: 06 November 2025
Our reference: SHRC202571

Dear Chief Constable Farrell

Policing of protests at hotels housing asylum seekers

I write concerning recent protests held outside hotels housing people seeking asylum. Demonstrations have taken place across the UK, including in Falkirk, Aberdeen, Bathgate and other locations in Scotland.

The Scottish Human Rights Commission (SHRC), in its role as Scotland's National Human Rights Institution, has a duty to promote human rights for all people in Scotland, and as such we are writing to you to remind you that decisions surrounding the policing of protests must take due account of the relevant human rights standards.

Articles 10 and 11 of the European Convention on Human Rights (ECHR) protect the right to freedom of expression and freedom of assembly and association. Freedom of expression and assembly are, of course, cornerstones of a healthy democracy; however, they are not without limit and can be lawfully interfered with where the interference is in accordance with the law, in pursuit of a legitimate aim and the interference is proportionate to that aim. The ECHR is clear both rights may be subject to proportionate restriction for the prevention of disorder or crime, for the protection of health or morals and for the protection of the rights of others.

As such, the safety of individuals and the community must be a key consideration in the proportionate policing of such activities. Additional factors, such as hotels being people's homes and supposed place of safety (Article 8 ECHR) and the principle of non-discrimination (Article 14 ECHR) must also feature prominently in any proportionality assessment to inform a policing response.

I am therefore requesting detailed information in the following areas:

Human rights assessment

Please provide the SHRC with information as to the human rights assessment that informed the police response to protests at hotels in Scotland, including specifically what consideration was given as to whether protests could be accommodated in other public spaces away from hotels themselves. If a human rights impact assessment was conducted, I request that SHRC be provided with a copy. If no assessment was conducted, please provide information on why one was not considered appropriate or necessary.

Engagement with other stakeholders and duty bearers

Please provide information on what discussions took place between Police Scotland and the UK Home Office, Scottish Government, other duty bearers such as local authorities, civil society stakeholders and elected representatives to consider the policing approach at both the national and local levels. I would also ask that you provide information on whether and how local rights-holders and human rights defenders were supported to participate in local decision-making.

Hate crime reporting

Finally, please provide information on the support being provided to third-party hate crime reporting mechanisms, particularly in response to recent protest activity.

I look forward to receiving your response. SHRC would be happy to provide further human rights detail and input to inform future policing approaches in this space. We would also be happy to meet with you, should you consider that helpful and constructive.

Yours sincerely,



Prof. Angela O'Hagan
Chair, Scottish Human Rights Commission

Cc: John Swinney MSP, First Minister;

Angela Constance MSP, Cabinet Secretary for Justice and Home Affairs;

Rt Hon Dorothy Bain KC, Lord Advocate