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The Speaker
Rt Hon Sir Lindsay Hoyle
House of Commons
London
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By email only

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Speaker's Conference: Harassment and Intimidation of MPs

Dear Mr Speaker,

My officials have committed to providing a collective view from Government and policing on the application of terrorism legislation in tackling the harassment and intimidation of elected representatives. I have also reviewed the letter addressed to you, dated 9 July, from Jonathan Hall KC, the Independent Reviewer of Terrorism Legislation (IRTL) in this context.

As you well know, the harassment and intimidation of public office holders instils fear and concern amongst those targeted. I am resolute in working to reduce any such behaviour, through the Defending Democracy Taskforce. We will continue to work closely with your officials to drive this work forward. I wanted to highlight two areas where we are already delivering impact for elected representatives.

First, a key piece of work we have helped to deliver through the Taskforce – including with Parliament and with counter-terrorism policing – are the advancements in the arrangements for protecting elected representatives. This includes an enhanced suite of protective security measures available for MPs through Operation Regency, the enhancement of Operation Bridger and the establishment of Operation Ford, a new network of officers in every police force so that all elected representatives have a dedicated contact to raise safety or security concerns to. I would like to thank you and other colleagues in Parliament for your support in driving this important work forward.

Secondly, for the first time, an offender-focussed police strategy is in place to drive down the threat from known offenders – ensuring that Parliament and policing's all-source threat, incident and intelligence collection and alerting capability is delivering actionable information daily.



These measures will help reduce the threat faced by elected representatives and provide more ways they can enhance their safety.

The UK has one of the strongest counter-terrorism frameworks in the world, which, as the IRTL notes, includes a range of specialised powers and offences to disrupt terrorist risk and prosecute terrorism-related activity. These include, for example, stronger, and tailored, sentencing arrangements for terrorism-related offenders.

When individuals' actions meet the threshold in the Terrorism Act 2000, such as when they threaten serious violence or property damage against MPs, police can treat the incident as terrorism and deploy counter-terrorism powers.

In the first instance, the police decide whether harmful activity reaches that threshold, based on the evidence available. When they do so, they must exercise their discretion, considering not only whether the UK's definition of terrorism is met in any specific incident, but also whether the use of their powers is necessary and proportionate. Reports of threats to MPs are currently made to territorial forces and filtered through to the Parliamentary Liaison and Investigations team, this process already allows for assessment and response from that force or escalation to counter-terrorism policing if required.

I would agree with the IRTL that, in the majority of cases, individual tweets should not be addressed with terrorism powers. There are a wide range of non-CT powers that can be more proportionately used by territorial police forces including Public Order Act 1986 and Malicious Communications Act 1988 offences. Counter Terrorism Policing (CTP) has to make difficult decisions on a daily basis about where to place its resources to protect the UK.

Alongside partners in the Counter Terrorism system, Counter Terrorism Police are working on more than 800 live investigations, involving thousands of 'subjects of interest' who are suspected of being directly involved in terrorism. In the context outlined in the IRTL's letter, the threat to the public that these subjects of interest pose is, in the vast majority of cases, much higher than the violent messages received by elected representatives online. It is vital that we trust CTP to balance those threats and make determinations of where policing resource is best allocated.

As the chair of the Defending Democracy Taskforce, I will continue to work to tackle the harassment and intimidation of elected representatives, and I welcome Parliament's support in this effort. I hope we can continue to work constructively and collaboratively to ensure our elected representatives can fulfil their duties without fear or favour.

As ever, I would be more than happy to discuss any of this with you, or the Conference. I have copied Senior National Coordinator for Pursue and Prevent Vicki Evans, and Senior National Coordinator for Protect and Prepare, Jon Savell, who are working closely with me on this matter.

OFFICIAL

Yours sincerely,



Dan Jarvis MBE MP