



**FSU**  
FREE SPEECH UNION

THE FREE SPEECH UNION  
85 GREAT PORTLAND ST.  
LONDON W1W 7LT  
[FREESPEECHUNION.ORG](http://FREESPEECHUNION.ORG)

Peter McCormick  
Interim Chairman  
The Football Association  
Wembley Stadium  
PO Box 1966  
London SW1P 9EQ

19<sup>th</sup> February 2021

Dear Peter McCormick,

I am writing to you in my capacity as General Secretary of the Free Speech Union, a non-partisan, mass membership public interest body that stands up for the speech rights of its members.

The FSU was recently approached by one of our members, a football fan and season ticket holder at a Championship football club, who was investigated by the club after he booed at the start of a game in response to players' taking the knee. The club conducted a search of his social media history and, finding material critical of the Black Lives Matter organisation, suspended him from purchasing future tickets until he attended a meeting with the club. Following the meeting, in which our member was accompanied by a barrister appointed by the FSU, all blocks on future tickets were removed.

Our member was able to overturn the suspension with our support, but I am concerned about other fans who may find themselves being banned from grounds if they boo players taking the knee, something that has already happened to some [Cambridge United fans](#).

The Championship club investigated our member in response to complaints from other fans and while it was common ground that there was no racist intent on the part of our member the club was still uncertain how to proceed in the absence of any clear guidance from the Football Association. Its difficulty was not knowing what fans should and should not be allowed to do in response to players taking the knee, due to the Football Association's lack of an official position on this point.

The fans who complained about our member believed that booing players taking the knee was an act of racism, but in the course of the club's investigation it became clear that our member is not a racist. On the contrary, he is a supporter of Kick It Out and other efforts to tackle racism in football, as his social media history made clear. However, he believes the Black Lives Matter movement is not comparable to these other campaigns. As he pointed out to the club, BLM is a political movement that is spearheaded by a hard-left group of political activists who want to dismantle capitalism and defund the police. His objection to players taking the knee – a gesture inextricably linked with BLM – is that they were, in his eyes, endorsing this

political programme and he does not think players should be expressing their political views on the pitch. He would have been equally unhappy if they'd expressed their allegiance to a right-wing political movement.

I think the Football Association needs to issue some guidance on this issue. When fans are allowed back into stadiums, whether later in this season or at the beginning of the next, there are bound to be instances of fans booing if players continue to take the knee. Your members will be looking to the FA for leadership.

The simplest solution would be to ban players taking the knee. This would be consistent with [Rule 4 of the Laws of the Game](#) which prohibits the display of “political, religious or personal slogans, statements or images” by players and managers on their clothing or equipment. It was a breach of Rule 4 that led the FA to [fine Pep Guardiola £20,000](#) in 2018 for wearing a yellow ribbon in support of jailed Catalan independence leaders. His offence, according to the FA, was “wearing a political message”. The FA could interpret this Rule as applying to the expression of political views by players on the pitch and make it clear that if they advertise their support for BLM when fans return to stadiums they will face similar penalties.

However, if the position of the FA is that it is perfectly legitimate for players to express their support for BLM in the stadium by taking the knee it should make it clear that it is also acceptable for fans to express their feelings about this political movement. If fans want to boo players taking the knee – or applaud, come to that – they should face no negative repercussions. From a free speech point of view, it cannot be fair or reasonable that people on the pitch are allowed to express their political views, but those in the stands are not.

Until now, the view of the FA has clearly been that BLM is not a political movement and therefore the prohibition on expressing support for other political causes – such as Catalan independence – does not apply to BLM. Presumably, that is why no sanctions were imposed on players displaying BLM logos on their shirts during the restart last year.

But maintaining that BLM is not a political movement has become increasingly untenable. For instance, the [GoFundMe](#) page of Black Lives Matter UK, the nearest thing the movement has to an official face, says the organisation wants to “dismantle... capitalism” and is developing “strategies for the abolition of the police”.

In June 2020, the [Times](#) and the [Daily Mail](#) reported that BLM had been hijacked by members of the Socialist Workers Party, one of whom “has condoned the shooting of racist police officers [and] claimed on television to be a Black Lives Matter organiser while calling for ‘revolution’”.

Sasha Johnson, one of Britain’s most prominent Black Lives Matter organisers, recently helped to set up a political party called the [Taking Back the Initiative Party](#), clearly indicating the leaders of the movement have a political agenda. Moreover, this agenda is not a simple anti-racist message that commands the support of the British public like Kick It Out. According to an [opinion poll last October](#), 55% of UK adults believe the BLM protests that took place across Britain last summer increased racial tensions, while only 17% disagreed.

Earlier this month, the Prime Minister asked the former Labour MP John Woodcock to investigate Black Lives Matter “[amid claims of far-left infiltration of the protest movements](#)”. Woodcock, now a Home Office envoy for countering extremism, stated that “progressive extremism” represents a “blind spot” in British politics and warned that “there is clearly a potential for groups to develop into increasingly problematic areas” and a need to “produce recommendations on the problem of activists on the far right and far left hijacking legitimate causes with violence and law breaking”.

So why didn't the FA fine players for expressing their allegiance to this movement, given its enforcement of Rule 4 in other circumstances? When asked about this apparent double standard by the [DCMS select](#)

[committee last year](#), Premier League Chief Executive Richard Masters said: “We’re drawing a clear distinction between a moral cause and a political movement.”

However, at the beginning of the current season, BLM patches on the shirts of Premier League players were replaced with ‘No Room For Racism’ patches. This was a tacit acknowledgment by the Premier League that the distinction between a “moral cause” and a “political movement” could no longer be maintained when it came to BLM which has become identified in the eyes of the public with a divisive political agenda.

You may argue that taking the knee is a gesture of support for the “moral cause” rather than the “political cause”. But given how closely associated this gesture is with BLM, with numerous people taking the knee to show their support for the political movement last year, it is surely unreasonable to expect all football fans to keep Richard Masters’ distinction in mind when players take the knee. Some of them will inevitably share the view of the Home Secretary Priti Patel who said in a recent radio interview that [she would not take the knee](#) because it is indelibly associated with a sectarian, hard left political organisation.

I am sure I do not need to persuade you that interpreting any and all opposition to players taking the knee as “racist”, as the fans who complained about our member did, is absurd. Such a dogmatic position is an insult to those footballers and former players who have criticised this gesture, including Wilfried Zaha, Les Ferdinand and Lyle Walker. The Nottingham Forest striker recently told [BBC Radio Nottingham](#):

I would request anyone looks into Black Lives Matter to look into what that organisation does and what they stand for because it’s scandalous that the world and the world’s media has got behind Black Lives Matter

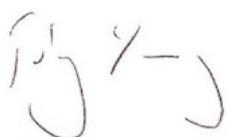
Not the message – of course black lives matter. Standing behind Black Lives Matter and the all the institutions that have done that – the BBC, Sky, all of them saying Black Lives Matter – it’s not a good idea because of what the organisation stands for.

To be clear, I am not requesting that the FA issues guidance to its members because I dislike BLM’s politics. The Free Speech Union is a non-partisan organisation and does not take sides in contentious political disputes. Rather, my point is that for many fans taking the knee is associated with a political movement and if you are going to allow players to express their support for this movement, at least in the eyes of the fans, you must allow fans to express their views about this movement as well. As one of the oldest and most prestigious sporting associations in the world, the FA should uphold the principle of fair play. That means that if you are going to give players the benefit of the doubt and allow that the gesture is simply a show of support for the moral cause, not the political one, you should extend the same latitude to the booing fans and allow that they are reacting to the “political cause” and not the moral one. It cannot be one rule for the players and another for the fans.

I am not suggesting that the FA should condone whatever fans decide to do when it comes to expressing their feelings about players taking the knee. But provided fans do not break the law when reacting to these spectacles, they should not be banned from stadiums simply for exercising their lawful right to free speech.

Could you please, therefore, issue guidance making it clear to your members that when fans are allowed to return to stadiums they should not suffer any penalty for booing players that take the knee.

Yours sincerely,

A handwritten signature in blue ink, appearing to be 'P. J. J.', written in a cursive style.

Toby Young  
General Secretary  
The Free Speech Union  
[toby@freespeechunion.org](mailto:toby@freespeechunion.org)

Cc Mark Bullingham, CEO, Football Association

HRH Prince William, President, Football Association

Rt Hon Oliver Dowden, Secretary of State for Digital, Culture, Media and Sport

Nigel Huddleston, Under Secretary of State (Minister for Sport, Tourism and Heritage)