



FSU
FREE SPEECH UNION

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Cllr Molyneux
Wigan Council
Wigan Town Hall
Hewlett Street
Wigan WN1 1YN

9th June 2021

Dear Cllr Molyneux,

I am writing to you in my capacity as General Secretary of the Free Speech Union (FSU). The FSU is a non-partisan, mass-membership public interest body that stands up for the speech rights of its members and campaigns for free speech more widely. This letter is on behalf of our member, Maureen O’Bern.

Ms O’Bern has been suspended from her job as a librarian with Wigan Council after she criticised the human rights record of the Chinese state. She stated in one meeting on 11 February 2021 that she had “serious reservations about doing business with a CCP state-owned company in view of China’s human rights abuses”.

She also argued on her personal Facebook page that Wigan Council had behaved hypocritically in engaging a firm owned by the Chinese state while also expressing its concern for the rights and lives of minority groups, given the persecution of Uyghur Muslims in China.

Following a meeting held on 27 May 2021, Mr Peter Hughes, Service Manager, wrote to Ms O’Bern confirming her immediate suspension from work. In this letter he claimed that her comments were “contentious”. In fact, the abuses she spoke of are widely known and well-documented by reputable sources. The persecution of Uyghur Muslims is so severe that [consideration](#) is now being given as to whether it should be considered a genocide. Indeed, Wigan MP Lisa Nandy [said](#) on 15 December 2020: “Evidence of genocide against the Uyghur is growing. U.K. Government and business must act: end the use of cotton from Xinjiang, impose sanctions on officials overseeing forced labour & step up efforts to allow UN access to the region. We must not look away.”

In raising these concerns, Ms O’Bern was exercising her rights to free expression under Article 10 of the European Convention on Human Rights, and Article 19 of the Universal Declaration of Human Rights. Wigan Council is obliged by section 6 of the Human Rights Act 1998 not to act incompatibly with any right set out in the European Convention.

But she was also acting in compliance with Wigan Council’s own approach to anti-racism. On your website, on the [page](#) entitled “White Privilege and being a Good Ally”, you state:

- You may not be a member of an underinvested or oppressed group, but there is lots you can do to support them and make the effort to understand their struggle and use your voice alongside theirs.
- It isn't enough to not be racist. You have to be anti-racist to contribute towards positive change.
- Speak up – Don't be afraid of getting it wrong. If you see something that makes you uncomfortable say something.
- Ask questions – If there's something you don't understand, ask and don't be afraid to be seen as "jumping on the bandwagon", we need to keep the conversation going. Ask senior leaders what they are doing to drive race equality in the workplace at all levels.

Ms O'Bern is not an Uyghur Muslim. But she felt she ought to speak up about the plight of an oppressed minority, as recommended by the Council. In response, she has been placed under investigation and suspended from her job after 34 years of employment by the Council. This sends a deeply chilling message to others who might consider making other reports of racism or discrimination.

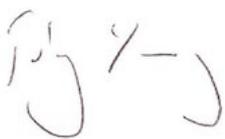
In its [equality "vision"](#), Wigan Council states that it is "committed to celebrating diversity and promoting equality", to having a "joined-up approach to equality issues", to ensuring that equality is "considered in the development of our future strategies, policies and transformation/recovery plans", and to improving "staff experience and staff voice on equality issues".

The Council has failed to follow its own equality policies in its treatment of Ms O'Bern. It has not promoted equality, its behaviour has been inconsistent and unprincipled rather than "joined-up", and far from giving staff a voice on equality issues it is silencing staff who dissent.

In his letter of 27 May, Mr Hughes alleges that Ms O'Bern's comments might be "reputationally damaging". However disrepute can only be a fair ground for dismissal if it actually occurred or was reasonably likely to occur. Surely, the only reputational damage that Wigan Council is likely to suffer is as a result of its entering into a contract with a state that is systematically oppressing Muslims, and then punishing the employee who voiced concerns about this?

We hope that the investigation against Ms O'Bern will be concluded quickly, that the charges against her will be dismissed and that she will be able to resume her job. Should the charges be upheld, we will be supporting Ms O'Bern in any action she deems appropriate, up to and including legal action against the Council.

Yours sincerely,



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Cc Lisa Nandy MP
Peter Hughes