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Police Investigation of Darren Grimes over David Starkey Interview

Statement by Toby Young

The police have contacted one of our members – Mr Darren Grimes – and accused him of stirring up racial hatred. This is in connection with remarks made by Dr David Starkey in an interview with Mr Grimes on 30th June. He has been asked by the police to come and be interviewed at a police station under caution and threatened with arrest if he refuses.

To accuse Mr Grimes of stirring up racial hatred is absurd. The only hatred Dr Starkey stirred up was against himself. As a consequence of his remarks, for which he has unreservedly apologised, Dr Starkey has lost every position he held.

Mr Grimes himself publicly apologised for having broadcast Dr Starkey's remarks on 2nd July, saying that he "should have robustly questioned Dr Starkey about his comments". Plainly, Mr Grimes would never have made this announcement if he had intended to stir up racial hatred in the course of a broadcast only days earlier.

Are journalists and broadcasters now going to be arrested if the people they're interviewing say things that could conceivably stir up hatred? Should we expect the arrest of the young Sky News presenter who interviewed the rapper Wiley on 29th July in which he made some offensive remarks about Jewish people?

On 2nd February, I appeared on *Good Morning Britain* to debate Kehinde Andrews, a Professor of Black Studies at Birmingham University. In the course of that debate, he said "the British Empire did more harm than the Nazis" and whiteness was a form of "psychosis". Are the police now going to arrest Piers Morgan for interviewing Professor Andrews on the grounds that his remarks could have stirred up hatred against white people?

In a free and democratic society, it is paramount that journalists and broadcasters are permitted to interview a wide range of people, including those likely to make controversial remarks. Threatening them with arrest if their interviewees say something offensive will have a chilling effect on free speech, which is the lifeblood of democracy.

The Public Order Act, which criminalizes stirring up racial hatred, is intended to preserve public order, not regulate speech and debate. As the Crown Prosecution Service says in its own guidelines:

the purpose of public order law is to ensure that individual rights to freedom of speech and freedom of assembly are balanced against the rights of others to go about their daily lives unhindered.

Because stirring up racial hatred is such a serious crime and carries a maximum penalty of seven years in prison, a person can only be charged with the offence if the Attorney General gives her consent. I find it hard to believe that Ms Suella Braverman QC, or this Conservative Government, would consent to such a grotesque assault on the freedom of the press.

As the US Supreme Court Justice Louis Brandeis said:

If there be time to expose through discussion, the falsehoods and fallacies, to avert the evil by the processes of education, the remedy to be applied is more speech, not enforced silence.

Statement by Darren Grimes

At a time when many in our country are facing uncertainty and financial hardship, I cannot imagine a more contemptible way for the Metropolitan Police to abuse taxpayers' money and the trust of citizens than by investigating the vexatious claim that I have stirred up racial hatred. Police action over an interview, with the threat of arrest and imprisonment, has serious repercussions for freedom of expression and is simply unjustifiable.

Statement by Luke Gittos - Darren Grimes's Solicitor, Murrays Partnership

Mr Grimes is, of course, maintaining his innocence. This is an unprecedented use of Public Order legislation to target a member of the broadcast media. It should concern anyone who believes in freedom of the press.