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FREE SPEECH UNION

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Free Speech Union Statement on the Police Investigation of Dr David Starkey

The suggestion that Dr David Starkey may be guilty of stirring up racial hatred is absurd. The only person he stirred up hatred against is himself and he has paid a heavy price. He has also unreservedly apologised for his remarks.

As Lord Justice Sedley said when upholding the right of free speech in *Redmond-Bate v Director of Public Prosecutions* [1999]: "Free speech includes not only the inoffensive but the irritating, the contentious, the eccentric, the heretical, the unwelcome and the provocative... Freedom only to speak inoffensively is not worth having."

I'm concerned that the Public Order Act is being used by the CPS and the police to curtail the speech rights of some, but not others.

On 22nd June, the Cambridge academic Dr Priyamvada Gopal tweeted "White Lives Don't Matter" and shortly afterwards liked a tweet saying "whites" are a "disease that needs to be cleansed from the earth".

I don't think Dr Gopal should be investigated for these remarks any more than David Starkey should be for his. But if the police genuinely believe Dr Starkey may be guilty of stirring up racial hatred, why not Dr Gopal? It suggests the law is being applied arbitrarily to silence people on the right but not on the left.

Yesterday, Sir Keir Starmer said: "There has got to be a level of tolerance of course, but there is a line that can be crossed and it is very important that when it is crossed that there is police involvement, in some cases prosecutions."

But as we can see if we compare the police's treatment of Dr Starkey with their treatment of Dr Gopal, there is no line. Rather, it's one rule for conservatives and another for the woke.

The Public Order Act, which criminalises stirring up racial hatred, is intended to preserve public order, not regulate speech and debate. If the police start abusing it in this way to intimidate and harass people who dissent from woke orthodoxy they will undermine the rule of law.

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