



**FSU**  
FREE SPEECH UNION

THE FREE SPEECH UNION  
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Gary Kibble  
Batley Grammar School  
Carlinghow Hill  
Batley  
WF17 0AD

25<sup>th</sup> March 2021

Dear Mr Kibble,

I am writing to you 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 and campaigns for free speech more widely.

I am concerned to hear about the suspension of a teacher from Batley Grammar School on the grounds that he presented pupils with cartoon images of Mohammed during a religious studies lesson.

In a statement on this matter, you said that “it is important for children to learn about faiths and beliefs, but this must be done in a sensitive way”. We agree, and this is especially important in a school whose pupils come from a diverse range of faiths and cultures.

However, there other, equally important duties the school must comply with and I ask you to set out, by way of reply to this letter, the steps the school has taken to ensure compliance.

According to Batley Grammar School’s [funding agreement](#) with the Department for Education, the syllabus must:

reflect the fact that the religious traditions in Great Britain are in the main Christian whilst taking account of the teaching and practices of the other principal religions represented in Great Britain

In light of this, I am concerned that your letter of apology to parents about the teacher’s use of cartoon images of Mohammed in his lesson, labelling the use of such materials “inappropriate”, as well as your decision to suspend the teacher in question, amounts to an embrace and acceptance of a specific Islamic doctrine banning the visual representation of Mohammed.

In addition, the school’s funding agreement obliges you to “secure the balanced treatment of political issues”. Images of Mohammed go to the heart of a lively political issue, regarding how we balance religionists’ belief in the dignity of their faith, versus the liberal belief in freedom of expression.

As we understand it, your teacher presented caricatures of Mohammed to pupils, and warned them that they might find these images offensive. The full facts are not yet in the public domain, but it seems that your teacher showed his pupils these images in the context of asking his students to consider the issue raised by

the *Charlie Hebdo* murders. If that is so, it looks very much like this teacher was suspended simply because he was ensuring the school complied with its lawful obligation to teach its pupils about controversial issues in a balanced way.

I would remind you also of your obligations under the Education (Independent School Standards) Regulations 2014, which apply to free schools. In order to meet those obligations, you must ensure that teaching at the school:

does not undermine the fundamental British values of... individual liberty, and mutual respect and tolerance of those with different faiths and beliefs.

The DfE's *Independent School Standards – Guidance for independent schools* gives useful advice on what this obligation entails:

2.4 A school is unlikely to meet the requirement [to promote fundamental British values] if its policy on curriculum or the supporting plans and schemes of works, for example... teach that the requirements of religious law permit the requirements of English civil or criminal law to be disregarded;

3.3 Actively promoting the values also means challenging opinions or behaviours in school that are contrary to these fundamental British values. Promoting views that undermine those values would be at odds with this standard.

I am concerned that, on the facts we have so far, the school has gone further than it is legally required to do to avoid giving offence to students, parents and citizens of the Islamic faith, but has paid little regard to the values it is legally obliged to promote.

Those who do not hold the Islamic faith, such as the teacher in this case, are under no obligation to abide by the rules of that faith and *their* values and beliefs warrant attention and respect as well.

The offence felt by some Muslims on learning that a teacher has shown his pupils cartoons of Muhammed does not trump the freedom of others to hear and debate information about this controversial issue. You should no more have suspended the teacher concerned for showing a cartoon of Mohammed than you should have suspended him if he had shown a clip from *The Life of Brian* in the course of teaching his pupils about the controversy surrounding the release of that film. You are of course required to balance competing rights, but as John Cleese says: "No one has the right not to be offended."

In this country, freedom of expression is not trumped by a prohibition against blasphemy, whether of the Muslim or Christian faith. Blasphemy laws were abolished in England and Wales in 2008. Nor is it against the law in England and Wales to speak "insulting words" or engage in "insulting behaviour". That prohibition was removed from Section 5 of the Public Order Act in 2013.

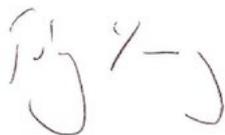
As Lord Justice Sedley said in *Redmon-Bate v DPP* [1999]: "Free speech includes not only the inoffensive but the irritating, the contentious, the eccentric, the heretical, the unwelcome and the provocative provided it does not tend to provoke violence. Freedom only to speak inoffensively is not worth having."

Surely, as a headteacher who is under an obligation to promote British values, you have a responsibility to model appropriate behaviour when confronted by a censorious religious mob demanding that one of your staff be sacked because he has offended their faith. Abasing yourself at the feet of that mob by writing a grovelling letter of apology, describing the teacher's behaviour as "inappropriate" and suspending him from duty is the very opposite of how a school promoting British values should react. You should be encouraging the staff and pupils at your school to respect one another's values and beliefs, not prioritise those of an angry religious mob just because they are assembled outside the school gates. In responding in the way you have,

I am afraid you have failed to live up to the motto of Batley Grammar School: *Forte non Ignave* (Bravely not cowardly).

I look forward to your prompt reply.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Toby Young'.

Toby Young

General Secretary

The Free Speech Union

[toby@freespeechunion.org](mailto:toby@freespeechunion.org)

Cc: Alistair Hartley, Chair of Governors  
Rt Hon Gavin Williamson, Secretary of State for Education  
Iain Mansfield, Special Advisor, Department for Education