



**FSU**  
FREE SPEECH UNION

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The Rt Hon Gavin Williamson MP  
Secretary of State for Education  
Department for Education  
20 Great Smith Street  
London SW1P 3BT

26<sup>th</sup> March 2021

Dear Mr Williamson,

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 was very concerned by the suspension of a Religious Studies teacher from Batley Grammar School in response to the demands of a censorious mob at the school gates and pleased that you condemned the protestors and defended the teacher's use of the *Charlie Hebdo* cartoons to teach his pupils about the controversies surrounding cartoons of Muhammad.

The Free Speech Union has published a [10-point manifesto](#) in the run up to May's elections and the purpose of this letter is to draw your attention to point 10:

**Teach children about freedom of speech.**

Freedom of speech is the most important value of any democracy. As Lord Bingham noted, "Democratic government means government of the people, by the people, for the people. But there can be no government by the people if they are ignorant of the issues to be resolved, the arguments for and against different solutions... government is not an activity about which only those professionally engaged are entitled to receive information and express opinions."

Unfortunately, few schoolchildren are being taught to value free speech. Instead, many of them are being taught that certain viewpoints, while perfectly lawful, endanger the emotional safety of minorities and historically disadvantaged groups and, for that reason, should be suppressed. Children need to learn how to listen to and contest difficult ideas, not to run away from them.

We would like to see the [guidance on promoting British values in schools](#) published by the Department for Education in 2014 to be amended so schools have an active duty to promote free speech as one of the fundamental values of democracy.

In light of what has happened this week at Batley Grammar School, could I urge you to seriously consider amending the DfE's guidance on promoting British values, making it clear schools have an obligation to promote the value of free speech? At present, the key sentence in the guidance reads:

All have a duty to 'actively promote' the fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs.

The difficulty with this is that it does not stipulate what should take priority in the event of a conflict arising between the first three fundamental British values and the fourth. On the face of it, the headteacher of Batley Grammar School could defend his decision to apologise to the protestors, describe the teacher's use of the cartoons as "completely inappropriate" and suspend him from duty on the grounds that he is complying with his obligation to actively promote "mutual respect and tolerance of those with different faiths and beliefs".

I am confident that this was not the intention of the Department for Education when it issued this guidance in 2014 and that you firmly believe that a school's right to use materials in the classroom that some religious groups find offensive should take priority over the need to promote "respect" for "different faiths and beliefs".

The reason for this is obvious. If schools are obliged to prioritise the avoidance of giving offence to "those with different faiths and beliefs", it is not only Muslim groups that will be entitled to dictate what's taught in the classroom. Jewish groups could object to the use of anti-Semitic caricatures of Jewish people when teaching children about the Holocaust and Christian groups could object to the use of clips from *The Life of Brian* when teaching children about the controversy surrounding the release of the film.

Indeed, some fundamentalist Christians take exception to the teaching of the Theory of Evolution in biology classes, but no school would interpret its obligation to promote "mutual respect and tolerance of those with different faiths and beliefs" as meaning it should no longer teach the Theory of Evolution. By the same token, no school should grant Muslims the right of veto over what's taught in RE classes. It cannot be right that schools, or any other institutions, are obliged to avoid breaching speech codes that are upheld within particular religious communities but not by the law of the United Kingdom. I am sure I do not need to remind you that the law against blasphemy was scrapped in England and Wales in 2008 and section 5 of the Public Order Act which outlawed "insulting words or behaviour" was repealed in 2013.

You could argue that asking schools to promote "mutual respect and tolerance of those with different faiths and beliefs" does not require schools to grant religious groups a veto over what is taught in the classroom because doing so would be disrespecting (failing to tolerate) secular humanism, which should enjoy the same protections as religious faiths. However, in practice schools typically interpret the need to promote "mutual respect and tolerance" as requiring them to prioritise the sacred beliefs of some faiths above others, as we saw in the case of Batley Grammar School. The head clearly thought his obligation to respect the beliefs of the Muslim protestors at the school gates trumped his obligation to respect the secular beliefs of his Religious Studies teacher.

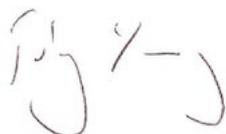
Could I therefore suggest that you add a sentence to the official guidance, making it clear that freedom of expression should take priority over the avoidance of giving offense? Something like the following:

Schools should also 'actively promote' the British value of free speech and in the event of some people being offended by a school's upholding of that right, freedom of expression within the law should take priority.

I am confident that if such a sentence had been included in the guidance, the head of Batley Grammar would not have responded as he did to the demands of the protestors. As it was, he set a very bad example to the staff and students at his school, teaching them that it is more important to avoid giving offense, even if that means complying with Sharia Law, than upholding the British value of free speech.

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.”

Yours sincerely,

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

Toby Young  
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Cc: Iain Mansfield, Special Advisor, Department for Education