

Free Speech in Bromley

Colleagues, Many thanks for your comments and the debate.

We should always start from the position quoted by Voltaire and I paraphrase, that I may disapprove of what you say, but I will defend to the death your right to say it. This forms the basis of an enlightened society that can tolerate dissent and respect other view points and give voice to that via free speech.

The basis of this report is to strengthen the fundamental Human Right to free speech within the Council. Starting with our employees, but extending this to cover Councillors via the Constitution and hopefully to take this even further and look at how we can influence this freedom in organisations that the Council partners with in one form or another.

The declaration of Human rights from 1948 is interesting because Freedom of speech is a right under article 19, but interestingly there is no right to equality. The declaration states “Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind”, and that “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”

Much of this is written in UK law under Article 10 of the Human Rights Act, which states “The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

This is not about disclosing confidential, or commercial information, but ensuring that as a council we recognise in our processes and procedures that everyone needs to be protected from excessive restrictions or attempts to infringe those freedoms, either through incorrectly applied Group think or societal bullying against reasonably held beliefs. There is no right to not be offended, because put simply,

being offended is a choice an individual makes, you can't just be offended.

Freedom of speech is not democratic; just as a totalitarian minority can't take away freedom of expression held by a majority, nor can a majority vote to take away freedom of expression from a minority. If Cllr Gabbert were here, she'd explain that in Russia that is exactly what happens, she'd explain how the tyrannical Putin regime, murders people who dissent, will not let alternative views be broadcast and even locks people up who call don't call the War in Ukraine a special operation. It is a slippery slope to tyranny and removing freedom of speech is the first step along that road. Protecting freedom of speech, not only through policies like in this paper before us today but through actions is imperative. Freedom of speech is at the core of upholding the democratic values that we hold dear.

We all understand that free speech is constrained by the law and I suspect that the vast majority of people will be content with those laws. So this is not about being permissive to illegality, nor is it a pathway for people to be cruel, hurtful or vindictive, it is rather an encouragement to be aware that other views exist and they can be validly held,

In proposing this amendment, I'd like to refer members to the Free Speech case of *Redmond-Bate v Director of Public Prosecutions* [1999] EWHC Admin 733

Lord Justice Sedley insisted that this freedom encompassed "the irritating, the contentious, the eccentric, the heretical, the unwelcome and provocative". He invoked the classical Greek philosopher Socrates and warned against state attempts to control unofficial ideas. "Freedom only to speak inoffensively is not worth having."