

# JUST ANSWER THE QUESTION

## BRIEFING NOTE

### WHAT IS THIS CAMPAIGN?

*Just Answer the Question* (JATQ) is an independent campaign to defend free speech and democratic rights at the forthcoming general election in Britain. We are asking all candidates five simple 'Yes'/'No' questions to test where they stand on free speech issues. Their responses, together with their failure to respond, will be documented on our website.

Our aim is to make free speech a central theme in the election. Significant proportions of the public have concerns about freedom of speech but candidates in large part are ignoring them. This simple website will allow voters to test the free speech credentials of candidates before election day.

These questions will be asked centrally by the JATQ team. In addition, they can be asked by voters in their own constituencies. The responses will be shared across social media platforms. If a candidate gives a Yes response to all questions we will award that person the status of being a **Free Speech Champion**. If they answer No; to any of the questions they will be perceived as an opponent of free speech.

## WHY DO WE THINK THIS IS IMPORTANT?

We believe that free speech is the foundation on which all our other freedoms are built. However, free speech in Britain is in greater peril today than it has been at any time since the Second World War:

1) **There are a number of vaguely-drafted laws that, although on the surface seem well intentioned, are being used to curtail freedom of speech to protect others from feeling insulted or offended.**

For example, **The Public Order Act 1986 Section 5** makes it an offence to use threatening or abusive words or behaviour, or disorderly behaviour, within the hearing or sight of a person likely to be caused **harassment, alarm or distress**. Section 4a of this Act makes it an offence to, with intent to cause a person harassment, alarm or distress, use threatening, **abusive or insulting words** or behaviour, or disorderly behaviour that causes another person harassment, alarm or distress. This has led to extraordinary overreach by police taking people to court for simply expressing their beliefs. The Thames Valley police have threatened to arrest under section 5 of the above act anyone distributing or displaying materials that repeat the Oxford English Dictionary's definition of what it is to be a woman.<sup>1</sup>

The **Malicious Communications Act (1988)** similarly enables those in authority a wide scope to prosecute individuals. Famously the Scottish comedian Markus Meechan, was found guilty of an aggravated offence for teaching his girlfriend's pug dog to give a Nazi salute and for sharing this with friends on a private WhatsApp group.<sup>2</sup>

The recently passed **Hate Crime and Public Order (Scotland) Act 2021** enables prosecution with regard to private conversations as well as public utterances.<sup>3</sup> In Scotland, 68% wish to see the Hate Crime Act,<sup>4</sup> that has seen over 7,000 hate crimes reported to police in its first week, **repealed**.

The recently passed **Online Safety Act 2023** will greatly extend the power of the state to limit free debate **by giving state approved regulators the right to block alleged 'misinformation' as well as 'disinformation'**.

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<sup>1</sup> [Jeevan Ravindan, 'Police call for witnesses over transphobic stickers', Cherwell, 18 October 2019. <https://cherwell.org/2019/10/18/police-call-for-witnesses-over-transphobic-stickers/>]

<sup>2</sup> [Stephen Stewart, "Scots racist who taught girlfriend's pug Nazi salute brands Humza Yousef 'authoritarian fascist' in online rant over new hate crime law". Daily Record, 16 October 2020 <https://www.dailyrecord.co.uk/news/scottish-news/scots-racist-who-taught-girlfriends-22856120>]

<sup>3</sup> [Adele Merson, "JK Rowling 'could end up in the dock' if new hate crime laws are passed, critics warn", The Press and Journal, 19 July 2020

<sup>4</sup> [https://www.albaparty.org/public\\_backing\\_alba\\_party\\_repeal\\_hate\\_crime](https://www.albaparty.org/public_backing_alba_party_repeal_hate_crime)

The police have also awarded themselves (with no legal authority) the right to place individuals on '**Non Crime Hate Incident**'; databases which can be accessed by some potential employers when vetting candidates. Approximately 120,000 such 'Non Crime Hate Incidents' (NCHI) have been recorded, many against individuals who have challenged the idea that biological males should not be defined as women.

Labour, the SNP, supported by some Conservatives and Lib Dems, now wish to see a new law to prevent 'LGBT+ conversion therapy' that would potentially criminalise parents, psychotherapists who advise children that attempting to change their sex is not the only option.

## **2) Public sector bodies, including schools, are abusing their political impartiality by teaching, as fact, controversial topics such as critical race theory and 'transgender ideology'.**

Eric Kaufmann Professor at the University of Buckingham, found '59% of British schoolchildren are encountering Critical Race Theory (CRT)-derived terms 'white privilege', 'unconscious bias' or 'systemic racism' at school. Add in two critical gender concepts, 'patriarchy' and the idea that there are innumerable genders, and the share of schoolchildren exposed to Critical Social Justice (CSJ)-linked ideas rises to 73%.'<sup>5</sup>

If you believe in these controversial theories or not, in a democracy children should not be taught only one side of the debate. If these topics are to be discussed in schools then open free speech debate on all sides of the issues should be mandatory.

However, as Professor Kaufmann finds 'Worse, these CRT and radical gender theory-derived concepts are being taught largely as fact, rather than as one perspective among others: 68% of those taught these ideas said that they were either not taught competing perspectives, or that they were told that the alternative views on offer were not 'respectable'.

## **3) The threat of being 'cancelled', suffering social media pile-ons or being sanctioned for using the wrong language means that individuals are increasingly self-censoring and in some cases being hounded out of their jobs.**

Workers are finding themselves taken to tribunals, facing sanctions for misconduct or risk losing their jobs simply by expressing biological reality<sup>6</sup>.

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<sup>5</sup> <https://unherd.com/newsroom/report-critical-race-theory-is-endemic-in-british-schools>

<sup>6</sup> <https://news.sky.com/story/transgender-ideology-is-a-cult-sacked-teacher-tells-employment-tribunal-https://www.bbc.co.uk/news/uk-england-london-67934781>

People have been threatened by religious extremists after being accused of blasphemy for showing cartoons of the prophet Muhammed<sup>7</sup> or supporting women's rights within the Islamic religion<sup>8</sup>.

A prominent politician had his bank account closed in part because his values did not match those of the bank<sup>9</sup>. A professor was hounded out of her job at a university for holding views on transgender ideology<sup>10</sup>.

## CHILLING EFFECT ON FREEDOM OF SPEECH

The challenge between protecting free speech and seeking to protect against offence or harassment is dividing society.

In a poll for Kings College by Ipsos Mori in May 2022 when asked if the freedom to express opinions without interference is seen as more at risk than freedom from threats and abuse, 14% of the public say freedom from the expression of threatening or abusive opinions, compared with 38% who say freedom to express opinions without interference – however, a similar proportion, 32%, feel that both freedoms are currently equally threatened.

Conservative voters (53%) are twice as likely as Labour voters (27%) to say the freedom to express opinions without interference is most threatened in the UK today. Conversely, Labour voters are more than twice as likely (19% vs 8%) to feel that freedom from threats or abuse is most at risk – although a greater proportion (33%) say both freedoms are equally under threat.<sup>11</sup>

Online abuse and intolerance and institutional response to it also risks shutting down free speech. The Khan review into social cohesion finds at its core that failure to protect free speech corrodes social cohesion<sup>12</sup>. In October 2023 the UK Government found that over two in five (44%) respondents reported witnessing Freedom Restricting Harassment online, with more witnessing this in their personal life (31%) compared to their work life (20%)<sup>13</sup>. More than three-quarters (76 per cent) of 1,279 respondents said they had refrained from expressing their views in public amid fear of being subjected to freedom-restricting harassment.

Dame Sara Khan, independent social cohesion advisor to the Government, said in a recent report: **“There is a growing and dangerous climate of harassment and**

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<sup>7</sup> <https://www.bbc.co.uk/news/uk-england-leeds-68659435>

<sup>8</sup> <https://www.theguardian.com/world/2011/mar/06/usama-hasan-london-imam-death-threats-evolution>

<sup>9</sup> <https://edition.cnn.com/natwest-nigel-farage-account-closure/index.html>

<sup>10</sup> <https://www.dailymail.co.uk/news/article-12138833/Kathleen-Stock-hounded-work-trans-activists-shes>

<sup>11</sup> <https://www.kcl.ac.uk/policy-institute/assets/freedom-of-speech-in-the-uks-culture-war.pdf>

<sup>12</sup> <https://www.ft.com/content/97fa01d8-0807-46d1-87c7-33fa46388ee9>

<sup>13</sup> [Freedom Restricting Harassment Research Report - GOV.UK](#)

**ensorship which is undermining not only people's ability to live their lives and speak freely, but also censoring institutions and wider society."**<sup>14</sup>

As Robert Shrimmsley of the Financial Times points out: "Social cohesion will not be found in a raft of proscribed behaviours which set the police on to otherwise law-abiding citizens, but in a commonly shared set of rules and values which are seen to apply to all. One of these is a basic belief in free speech with only dangerous or malign behaviours restricted. Wrong opinions cannot be legislated away. They have to be defeated in argument."<sup>15</sup>

*Just Answer The Question* provides a platform to all those, who wish to re-establish the principle of free speech and resist the steady encroachment of state censorship and cancel culture. This election offers an opportunity for voters to learn how committed to free speech the candidates in their constituencies are.

## **POLITICIANS HIDING IN PLAIN SIGHT**

Despite this assault on freedom of speech most politicians are reluctant to put up a robust defence.

Some politicians choose to pretend that it is not happening and 'gaslight' those raising concerns by complaining that they seek to divide people through a fake 'culture war'.

Others choose to put their heads in the sand fearful of taking on vocal activists and hoping that the issue will right itself over time.

A few illiberal politicians take an honest stance and openly support the restriction of free speech or debate<sup>16</sup>. For example, Nadia Whittome, speaking as the MP for Nottingham East, said: **'We must not fetishise "debate" as though debate is itself an innocuous, neutral act ... The very act of debate ... is an effective rollback of assumed equality and a foot in the door for doubt and hatred.'**<sup>17</sup>

This is why JATQ is such an important campaign. It will provide voters with a quick reference guide to where candidates stand on contentious free speech issues before the election. It will be up to voters to then take a judgement on which candidate will most likely stand up for and protect free speech.

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<sup>14</sup> [https://assets.publishing.service.gov.uk/media/65fdbfd265ca2ffef17da79c/The\\_Khan\\_review.pdf](https://assets.publishing.service.gov.uk/media/65fdbfd265ca2ffef17da79c/The_Khan_review.pdf)

<sup>15</sup> <https://www.ft.com/content/97fa01d8-0807-46d1-87c7-33fa46388ee9>

<sup>16</sup> <https://x.com/NadiaWhittomeMP/status/1286357272025796608>

<sup>17</sup> <https://x.com/NadiaWhittomeMP/status/1286357272025796608>

## THE FIVE QUESTIONS

The five free speech questions and why we want all candidates to answer them:

**1. Do you agree that the police should stop placing persons on 'hate' registers who have committed no crime? YES or NO**

The College of Policing has provided all UK police forces with Hate Crime Operational Guidance. This recommends the setting up of databases of persons who have not been charged with any offence but whose comments are 'perceived, by the victim or any other person, to be motivated by a hostility, or prejudice' based upon a 'protected characteristic' relating to ethnicity, religion, sex, sexual orientation, disability or transgender status. This document states: *'The victim does not have to justify or provide evidence of their belief, and police officers or staff should not directly challenge this perception. Evidence of hostility is not required.'*<sup>18</sup>

Approximately 120,000 such 'Non Crime Hate Incidents' (NCHI) have been recorded, many against individuals who have challenged the idea that biological males should not be defined as women.

The police can choose to reveal to prospective employers and others if an individual has been recorded on this database. A judge commenting in a case relating to the use of NCHIs compared the practice to that of the 'Cheka, Gestapo or Stasi'<sup>19</sup>. This is having a chilling effect on free speech with citizens fearful of a visit from the police for expressing themselves.

**2. Do you agree that parents and psychotherapists should be free to advise young persons and others not to change sex/gender? YES or NO**

The Labour party, like the SNP, is committed to introducing a 'no loopholes' law that would make so-called 'LGBT+ conversion therapy' illegal<sup>20</sup>.

Under this proposed law, it would be a criminal offence to do anything other than affirm the stated intention of a person to change their sex/gender.

This could result in parents, psychotherapists and others being criminally prosecuted for advising their children and patients in consenting conversations not to undergo intrusive, life-changing medical surgery designed to give them more the appearance of being a member of the opposite sex.

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<sup>18</sup> <https://www.college.police.uk/article/new-national-hate-crime-guidance-published>

<sup>19</sup> [Code of Practice on the Recording and Retention of Personal Data in relation to Non-Crime Hate Incidents](#)

<sup>20</sup> <https://labour.org.uk/updates/press-releases/anneliese-dodds-speech-at-labour-party-conference>

It would also criminalise providing advice against identifying as a member of the opposite sex/gender.

No matter what your stance on gender ideology this proposed new law represents a major threat to freedom of speech: it takes the government into the family home and onto the psychotherapist's couch.

**3. Do you believe that it is wrong for teachers to tell school kids that Britain is a 'structurally racist' society? YES/NO**

Many education authorities and schools are now instructing teachers and pupils - as a matter of fact - that Britain is a 'white supremacist' society.<sup>21</sup>

This is an ideology called 'Critical Race Theory' (CRT) that is controversial and contested<sup>22</sup>. CRT is accompanied by the claim that white people in our society, by definition, enjoy race-based 'privilege' and 'supremacy'.

White people, allegedly, possess 'unconscious bias' against people of colour. Racism, according to groups like BLM, is not constituted by empirically verifiable acts of discrimination carried by some individuals against others because of their ethnicity. Rather, it is said to be socially 'systemic'.

Such a perspective is controversial as it is not sustained by any evidence and serves only to vilify some people on the basis of a group identity they have been assigned by those advancing CRT.

Schools should, when dealing with controversial political issues such as racism, provide a balanced account and, in this case, also communicate the traditionally liberal understanding of racism.

**4. Do you agree that an official state definition of 'Islamophobia' will curtail our right to be critical of a religion? YES or NO**

In 2008 the Labour government rightly repealed the Blasphemy Act that curtailed the right to insult Christianity. This was followed in Scotland in 2022 by the SNP.

However, now there is speculation that a new backdoor blasphemy law will be introduced that could lead to the prosecution of those who robustly criticise Islam as a religion.

In 2018 the All-Party Parliamentary Group on British Muslims adopted a definition of 'Islamophobia' that sought to conflate negative opinions about this faith with an

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<sup>21</sup> <https://unherd.com/newsroom/report-critical-race-theory-is-endemic-in-british-schools/>

<sup>22</sup> <https://policyexchange.org.uk/publication/the-politics-of-the-culture-wars-in-contemporary-britain/>

attack on Muslims per se. This definition claims that so-called Islamophobia is 'rooted in racism' and is a 'type of racism that targets expressions of Muslimness or perceived Muslimness'.<sup>23</sup>

Labour, the Scottish Conservatives, Lib Dems, Plaid Cymru, the SNP and the Greens have all adopted it. So have numerous local councils run by all the main political parties.

There is speculation that Labour will introduce this definition into its new proposed Hate Crime and Public Order (England and Wales) Act and Race Equality Act<sup>24</sup>.

In a free society, the state should not seek to limit what can be expressed concerning any religion whatsoever. An indication of what is to come in this regard was given when the shadow home secretary, Yvette Cooper, promised to get the police to record all incidents of Islamophobia, as well as antisemitism, as Non Crime Hate Incidents.<sup>25</sup>

**5. Do you agree that everyone should have freedom to speak their mind which includes the right to offend and hold controversial views? YES/NO**

The state is encroaching into the area of free speech between individuals. Legislation, heavy handed policing of supposed 'hate crimes' and informal speech codes in schools and institutions is all having a chilling effect on what you can say freely and what you can believe on controversial topics.

If a candidate answers YES to this question we will review past voting record, public statements or support for organisations such as Black Lives Matter that point to a contradiction.

Too many politicians will claim to be free speech advocates but act in ways that actively undermine it.

## **QUESTIONS AND ANSWERS**

***'Are you targeting any specific political party?'***

Most definitely not. JATQ wants to build a cross party alliance of both politicians and voters who value free speech and other democratic-related principles.

***'Isn't this JATQ a 'culture wars' distraction when we should be talking about real issues?'***

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<sup>23</sup> <https://hansard.parliament.uk/commons/2024-01-09/debates/24010969000020/DefinitionOfIslamophobia>

<sup>24</sup> <https://www.civitas.org.uk/content/files/Islamophobia-Revisited.pdf>

<sup>25</sup> <https://x.com/YvetteCooperMP/status/1767832394521096676>



Our capacity as citizens to fully participate on equal terms in a liberal democracy is an issue of fundamental importance. Those seeking to defend politically liberal values have not initiated a 'culture war'. Instead, it is those forces working to politically corrupt our political system by loading the dice in favour of some perspectives, and against others, that are responsible for kicking off the conflict we now see.

***'Freedom of speech isn't under threat – this is simply more right-wing extremists seeking to undermine an election and, worse, divide people in communities.'***

Empirically free speech is under massive threat, as seen by the number of laws now on the statute book that can potentially result in the prosecution of people expressing their beliefs, as well as new pieces of draconian legislation in the pipeline. We also see how state institutions are abusing the taxes we pay to push particular, partisan causes. Plus, our ability to articulate what we believe is coming under attack through cancel culture. The drive to censorship throughout all spheres of our society is an indication of what will follow at the legislative level. This is why it is so vital that those who adhere to politically liberal values, whatever their differences on specific issues, now come together to defend our basic democratic rights.

The cause of free speech is not 'right-wing' or 'left-wing' in nature. It transcends any particular ideological stance; it is about the *form* of our political system rather than the content in terms of specific policy objectives. In any case, many of those most vociferous in the defence of free speech have left-wing histories: JK Rowling, Lionel Shriver, Graham Linehan, Claire Fox, Brendan O'Neill and Rod Liddle, being examples.

If controversial political questions cannot be openly and peaceably discussed and contested, our society will become more dangerously divided. The danger is that those who are rendered politically powerless through censorship will then resort to extreme tactics to give expression to their values. It is those clamouring for more speech prohibition who are now dividing Britain.