

LIBERTY

FREE SPEECH AND EXPRESSION

MARCH 2021

A Policy and Campaigns Officer presented a paper on freedom of expression. The paper invited the Council to endorse a set of principles to guide Liberty's future policy advocacy, legal interventions, and key messages on emerging issues related to the right to freedom of expression:

1. The right to freedom of expression is broad in scope and includes the right to communicate information that might shock, offend, or disturb.
2. The unrestricted exercise of the right to freedom of expression can have harmful effects, particularly on marginalised groups.
3. Liberty will only support State restrictions on freedom of expression if they are lawful, are an effective means of achieving a legitimate aim, and are proportionate.
4. State restrictions on freedom of expression are generally ineffective and may also end up targeting marginalised communities.
5. Marginalised communities' freedom of expression must be protected.
6. Liberty should strive to protect people's rights without relying on coercive State structures.
7. Any Liberty position should accord with the organisation's values, principles, and anti-oppression strategy.

A second paper applied the principles to the question of whether misogyny should be made a hate crime to illustrate how the paper could be used in practice.

The principles were broadly accepted by the Policy Council as a good framework through which Liberty can engage on free speech and expression issues.