



## Craig Whittaker MP

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### **Free Speech & Hate crime (& Mark Meechan)**

Thank you for contacting me about free speech.

While I do not think it would be appropriate for me to comment on a particular individual case, freedom of speech, the rule of law, and equal rights define us as a society, and I am determined to promote those values actively. But what is illegal offline is also illegal online, and I am absolutely clear that harassment and abuse in whatever form and whoever the target is totally unacceptable, and that this should be reported to the police.

Legislation that can be used to prosecute offensive or obscene online communications includes the Protection from Harassment Act 1997; the Malicious Communications Act 1988; and the Communications Act 2003. The Criminal Justice and Courts Act 2015 made changes to the relevant offences in these last two Acts which aims to ensure that people who commit them are prosecuted and properly punished. But you are right that not all communications which cause offence are illegal. The Ministry of Justice has no current plans to introduce specific additional legislation to address offensive online communications.

Similarly the Crown Prosecution Service (CPS) recognises the importance of the right of freedom of expression. The CPS seeks to balance the right to freedom of speech and expression with the duty of the state to act proportionately against those who wish to deepen and extend divisions in the social fabric of our nation. The public statements and the guidance are clear. The CPS also recognises the potential impact of overzealous prosecutions on rights under Article 10 of the European Convention on Human Rights.

Thank you again for taking the time to contact me.

Kind regards,

Craig Whittaker MP