



Right to freedom
of expression
(Article 10)

The Right to Freedom of Expression

Article 10 of the Human Rights Act

The right to freedom of expression is one of the 16 human rights (also called Articles) in the Human Rights Act.



This right means that you can have your own opinions and ideas and can express them.

When could the right to freedom of expression matter to you?



This right means you can share your opinions in lots of different ways. This might be by writing books or an article or on social media.



This right means you can have opinions that might be unpopular with others.



This right means you can receive information from others or share ideas. This could be by attending a meeting or joining a protest.



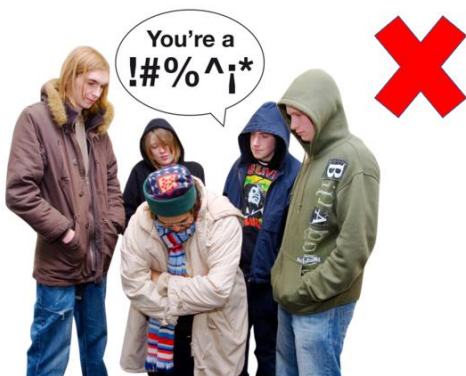
This right is important because it means we have a free press and journalists do not have to reveal their sources.

Can your right to freedom of expression be limited?



Yes.

The right to freedom of expression can be restricted in some situations. You are free to express yourself but must also respect other people's rights



For example, public officials may stop you from expressing your opinions if this might harm somebody else.



The government who set these rules and the public bodies who enforce them have to make sure that any limits on the right to freedom of expression meet the 3 tests below.

1. Lawful

There must be a law which allows them to make that decision.



2. For a good reason

Any rules that stop people being able express themselves have to be for a very good reason. For example, to protect the rights of others or to protect others from harm.



3. Thought about properly



Being able to express yourself and to hold your own opinions is very important. So, any time someone is stopped from doing this it has to be thought about properly. Bans on whole groups of people from being able to express themselves shouldn't happen.



You can talk to staff in a public body about any rules which mean that you can't express yourself. You can ask them to tell you how this was lawful, for a good reason and thought about properly.



If you think changes could be made which mean your right to freedom of expression would be better protected, then you can tell staff in a public body because their decision might not be the least restrictive option.

What do staff in public services have to do about my right?

They have to **RESPECT** your right.



This means staff in public bodies should not stop you from expressing yourself unless they can show that this limit meets the test above.



Staff in public bodies should support you to express yourself. This could include helping you to get books, go to a meeting with other people, listen to information you are interested in.



They have to **PROTECT** your right.

This means that staff have to do things that protect your right to express yourself and make sure you are involved in talks about what they are going to do.



They have to **FULFIL** your right.

This means that if something goes wrong, staff need to find out why and try to stop this from happening again.

The Right to Freedom of Expression in Real Life



Mark put up a poster in his flat window with the words "Islam out of Britain - Protect the British People" and a picture of the Twin Towers on fire.



Mark was charged and convicted of displaying a writing/sign that was threatening, abusive or insulting, and that showed hostility towards a racial or religious group.



Mark disagreed with this decision and asked the court to look at the decision again and argued that he had the right to freedom of expression.



The judge said that freedom of expression can be limited to protect the rights of others. The judge decided Mark's posters were a public expression of attack on Muslims in the United Kingdom.



So in this situation, the limit on Mark's right to freedom of expression was okay as it was lawful, legitimate and proportionate.