

Law Society of Ireland Speech

26th June 2025

Introduction

Good afternoon, everyone.

It is a great pleasure to be here with you today. Thank you to the Law Society for inviting me.

First things first: what is extremism?

Unlike terrorism, there is no legal definition of extremism.

There is a government definition, which is as follows:

Extremism is the promotion or advancement of an ideology based on violence, hatred or intolerance, that aims to:

- negate or destroy the fundamental rights and freedoms of others;
- or undermine, overturn or replace the UK's system of liberal parliamentary democracy and democratic rights;
- or intentionally create a permissive environment for others to achieve these results.

Yet attempts to craft a legal definition have foundered. Such a definition is likely impossible to achieve without unacceptable restrictions on free expression: a theme I will return to.

If the law is black and white, then extremism is a shade of grey.

So asking the Commissioner for Countering Extremism to address the Law Society is like asking an interpretative dancer to perform at a ballet; or a poet to address a quantum physics conference.

And more of the extremism field than perhaps some are willing to admit is guided by what I would call 'Stewartism'.

This being the response of United States Supreme Court Justice Potter Stewart in 1964 when being asked to define pornography: namely, that you know it when you see it.

Yet while extremism is by its very nature subjective, I hope the government's definition with perhaps a small dash of Stewartism can help guide our conversation together today.

Context

In February of this year, U.S. Vice President J.D. Vance went to the Munich Security Conference to warn that "free speech is in retreat".

In some ways, this was no surprise. The MAGA movement has embraced the Freedom of Speech message, positioning itself as a defender of First Amendment rights in the face of what it sees as institutional overreach.

Perhaps more surprising was that it was the democratic UK, not some far flung dictatorship, which was one of those countries that the Vice President was most concerned about.

Vance cited the case of Adam Smith-Connor, a British army veteran convicted for silently praying near an abortion clinic in violation of a buffer zone law.

Vance also criticised what he described as the criminalisation of private prayer, referencing claims disputed by the Scottish government, that individuals had been warned against praying in their own homes.

The Prime Minister was forced to respond, saying “we’ve had freedom of speech in the United Kingdom for a very, very long time, and we guard it precious.”

This was framed in the media as being an attack on Europe – which, of course, in part it was.

But less noted was that the Vice President said that “sometimes the loudest voices for censorship have come not from within Europe, but from within” the United States.

In response, President Trump has declared that he is “bringing back free speech,” signing an executive order on his first day back in office titled “Restoring Freedom of Speech and Ending Federal Censorship.”

So we meet at a time when the debate around free speech is not only alive—it is intensifying.

As the old saying goes: when America sneezes, the world catches a cold.

Yet this tension—between the ideal of free speech and the practice of it—is not unique to the United States. It is a global challenge.

Because the truth is this: free speech is under pressure.

From online platforms to university campuses, from political discourse to public protests, the space for open expression is being squeezed—sometimes by governments, sometimes by mobs, sometimes by well-meaning institutions unsure of where the line should be drawn.

Today, I want to speak about one of the most critical tensions in our work: how we defend freedom of speech while countering extremism.

This is not a theoretical debate. It is a live issue, with real consequences for our democracy, our security, and our national identity.

The Extremist Threat Landscape

I shall begin by setting out the context just from within my four years serving as Commissioner.

Incidents where the line between countering extremism and protecting free speech began to blur.

Gaza

Let us start with 7/10 and all that the fallout has captured: the terrorist attacks in Israel, the response, then the response to the Israeli counteroffensive.

The terrorist atrocities committed by Hamas on the 7th October—the deadliest attack against Jews since the Holocaust—did several things.

For one, it immediately emboldened antisemitic narratives and invigorated support for extremist ideologies.

Yet the attacks on 7/10 also, quite clearly, put rocket boosters on the debate around free speech.

In the weeks that followed, we saw large-scale protests across the UK.

Many wished to express their fervently held opposition to the Israeli response in Gaza.

Others were, it is fair to say, attending in less good faith.

I was deeply uncomfortable with the tone, the symbols, and the locations of some of these demonstrations — with placards not just being merely anti-Israeli but tinged with antisemitism.

There were also frequent breaches of the law.

For example, three women were convicted at Westminster Magistrates' Court after attending a pro-Palestine protest while displaying images of paragliders.

These images were widely interpreted as referencing Hamas's use of paragliders to breach Israeli territory on 7/10.

Each woman received a 12-month conditional discharge for displaying an article in a public place in a manner that aroused suspicion of supporting terrorism.

This was one of those cases which showed the legal consequences for openly supporting Hamas.

Yet I was also interested by the non-legal consequences. If a religious institution regularly hosts extremists, for example, or airs pro-Hamas narratives.

Because I knew from the work we were doing at the CCE that it was happening frequently in the days, weeks and months after 7/10.

Should that religious institution retain its charitable status and access to public funding?

What if the money these institutions needed was for protective security? Would that change the assessment? Is there anything that could be aired in these institutions short of breaking the law that would be disqualifying?

I have seen the complexities of these issues up close over the last four years and have seen that honest people will disagree on such questions.

I would contend that we need to carry on talking about the best response because these are issues that will certainly reoccur.

Blasphemy

Let me now turn to another sensitive issue: blasphemy.

Historically, blasphemy has been taken seriously by many religions. It was of course still on the Irish statute books until the 2018 referendum.

But in contemporary Europe today, it is most often invoked in relation to Islam.

Terrorist attacks—such as that on Charlie Hebdo in January 2015—have been driven by a desire to punish those deemed to have insulted the Islamic Prophet.

Yet this is not simply a terrorism issue. It is a more widespread and mainstream concern.

Over the last four years, I have seen a troubling rise in UK-based activism focused on blasphemy.

I saw it in Batley in 2021, when a teacher was forced into hiding after showing a caricature of Mohammed. The teacher faced a campaign of intimidation and abuse, including death threats.

I saw it during the Lady of Heaven protests in 2022, where a film written by a Shia cleric which depicted the life of the daughter of Mohammed sparked outrage among some Sunnis who viewed it as blasphemous.

Protests erupted outside cinemas across the UK and major cinema chains cancelled screenings, citing concerns for staff and customer safety.

I saw it in Wakefield in 2023, when four schoolboys were suspended after a copy of the Quran was brought to school by a child as a dare and was subsequently damaged.

The boy in question received threats online, leading his mother to apologise on his behalf in a mosque.

You will have likely seen earlier this month that a man who set fire to a copy of the Koran was charged with a religiously aggravated public order offence. He shouted abusive comments about Islam as he held the book.

The District Judge said his conduct was "provocative and taunting." His defence argued that the prosecution amounted to a revival of blasphemy laws in all but name.

The accused, who came to the UK as an asylum seeker, stated that he would never have come had he known that criticising Islam could lead to prosecution.

And, lest this be thought a fringe issue, in November 2024, a British Member of Parliament stood up in the House of Commons and asked, "Will the Prime Minister commit to introducing measures to prohibit the desecration of all religious texts and the prophets of the Abrahamic religions?"

This was raised during Islamophobia Awareness Month, and the MP in question referenced a 2023 UN Human Rights Council resolution condemning the desecration of the Qur'an.

His remarks were widely interpreted as a call for the reintroduction of blasphemy laws.

This concern stems from a fundamentalist interpretation of scripture that places the perceived honour of the Prophet above all other rights, including freedom of expression.

How these two keenly felt value systems are to be reconciled in the future is an open question.

One thing that is clear to me though is we cannot delude ourselves that there is no conflict.

Southport

Yet it is not just issues pertaining to Islam or Islamism where free speech and extremism challenges intersect.

No doubt you are all aware that, last August, we saw a knife attack against young girls at a Taylor Swift dance class in Southport.

Three died. Eight were seriously injured. Many more were traumatised.

It was a wicked, evil act.

The individual responsible appeared to be driven by a disturbing fascination with violence for its own sake.

He had deeply immersed himself in studying mass casualty attacks, drawing from a wide range of sources and ideologies.

His research spanned school shootings, the IRA, Rwandan genocide, Muammar Gaddafi, and much more.

Anger in response was understandable.

What was not understandable or acceptable, however, was the disorder, violence and rioting we saw throughout my country in response.

Prosecutions, unsurprisingly, followed.

Yet as with Gaza, a keenly felt freedom of expression debate has arisen: in this case, with that of Lucy Connolly.

In the aftermath of the Southport knife attack, Connolly posted inflammatory content on social media, wrongly assuming the attacker was an immigrant.

Her post, which called for mass deportations and to set fire to hotels housing asylum seekers, was viewed over 300,000 times.

She was sentenced to 31 months in prison.

For some, this was a necessary response to speech that occurred in the context of real-world violence—including riots and attacks on mosques.

You only need to look at the sight of a mob attempting to set fire to a hotel which was housing asylum seekers in Rotherham to know that the kind of sentiments that Connolly was airing did not reside entirely online but found a home among those willing to take action.

For others, it was an example of the state overreaching into the realm of political expression with a disproportionately harsh sentence.

That our institutions, particularly the justice system, were no longer impartial or principled, but performative and politically driven.

Clearly, applying the law consistently and clearly will help head off any accusations of a two-tier justice system.

Equally clearly, malevolent actors across the ideological spectrum are not always that interested in the truth, frankly, and will instead seek to use accusations of unequal application of the law to stir up division and grievance.

The same could be said about free speech debates writ large. Clearly there are legitimate concerns about free expression.

Yet free speech is also unquestionably being weaponised.

For example, this September 13th, the world will witness what is being billed as the largest free speech festival in history—a global gathering in London, spearheaded by Tommy Robinson.

Robinson's supporters hail the upcoming event as a bold stand for liberty; critics warn of the risks of platforming extremism under the banner of free expression.

General Election and MPs

The final example I would cite from my last four years as Commissioner is the unprecedented levels of threats and abuse directed at Members of Parliament during the General Election.

Those threats came across the ideological spectrum, but a prominent flavour, to say the least, was the threats emanating from those animated by the war in Gaza.

We should clearly welcome political debate, even robust debate.

Yet too often that is not what I saw happening in last summer's election. Instead, I saw intimidation and the imminent risk of violence.

As Lord Walney observed in his 2024 review on political violence, "Deterring participation in public debate and public life has a chilling effect on the vibrancy of our political culture."

We must never forget the assassinations of Jo Cox and Sir David Amess — two MPs murdered by extremists from opposing ends of the spectrum.

Jo Cox, a Labour MP, was killed in 2016 by a far-right terrorist who was animated, in the words of the sentencing judge at his trial, by "violent white supremacism and exclusive nationalism most associated with Nazism and its modern forms."

Just five years later, Sir David Amess, a long-serving Conservative MP, was murdered by an Islamist extremist during a constituency surgery, targeted for his role as a public servant and his perceived political affiliations.

We think often of electoral interference online via hostile states like Russia.

Yet sometimes we must look closer to home and what is happening at street level.

We would see there is much to do to safeguard our democracy against the assassin's veto.

Why Free Speech Matters

In the face of these threats, we must not lose sight of what we are defending.

Free speech is not a luxury. It is not a secondary concern. It is foundational to our democracy and to our liberty.

As Thomas Gordon wrote in 1721, “freedom of speech is the great bulwark of liberty.”

Most of us in this room have grown up in a country where freedom of speech is taken for granted.

It is our factory setting.

But that is not the historical norm, nor is it the global norm today. In many parts of the world, to speak freely is to risk your freedom—or your life.

Free speech is also a tool for truth. It is an error-correcting mechanism. It allows us to test our beliefs, challenge inherited wisdom, and refine our understanding.

As John Stuart Mill argued, even if an opinion is true, it must be contested to be fully understood.

And yes, free speech can be messy. It can be abused. It can be exploited by hostile states and extremists. Free speech means the openness of liberal societies can be used against them.

If we want our societies, our values, and our democracies to survive, we need to figure out – quickly – how to defend

ourselves against those who use their right to free expression to try and overthrow all we hold dear.

But clamping down on speech is not the answer. It does not get to the heart of the challenge.

If anything, it reveals our discomfort with confronting difficult ideas in the open.

The Role of the Commission

This is where the work of my Commission becomes both vital and delicate.

I champion free speech. And yet we at the Commission for Countering Extremism focus on groups and individuals who fall below the criminal threshold—those who are not terrorists, but whose ideologies can still be corrosive.

That is the point of our organisation. It is one of the things that I believe makes the CCE so valuable.

But in doing so, we must be vigilant not to become a threat to the very freedoms we aim to protect.

We all walk a fine line.

More often than I am comfortable with, I see arguments in the public discourse where countering extremism seems to go hand-in-hand with placing limitations on speech.

After all, it is much easier to just censor the extremists.

Who here wants to spend the rest of the time we have on earth explaining why the creation of an Islamic state like that we see

in Afghanistan, where girls are having their rights vanquished, is undesirable.

Or that a mono-racial, ethno-nationalist state is an ugly, undesirable vision of the world to work towards.

There are so many more interesting things to talk about and to discover than issues that we essentially considered settled decades or centuries ago.

Yet counter extremism cannot be a cudgel with which to just silence offensive views, dissenting opinion, or opinion that shocks the conscience.

We must be willing to confront extremism without compromising the principles that make this country worth defending.

That includes the right to speak, to dissent, to challenge. To be wrong.

Conclusion

So there is peril in this work. But there is also purpose.

Of course, we should confront extremism. But we must do so in a way that honours the freedoms that define who we are, including free speech.

That puts them front and centre of all we do.

That should not just be the best way to counter extremism.

It must be the only way.