

**WRITTEN QUESTION TO THE MINISTER FOR JUSTICE AND HOME AFFAIRS
BY DEPUTY M. TADIER OF ST. BRELADE
QUESTION SUBMITTED ON MONDAY 18th NOVEMBER 2024
ANSWER TO BE TABLED ON MONDAY 25th NOVEMBER 2024**

Question

“Will the Minister advise what mechanisms are in place to ensure anti-terrorism laws are not misused to hinder free speech?”

Answer

The Human Rights (Jersey) Law 2000 (“HR(J)L”) gives effect to rights and freedoms guaranteed under the European Convention on Human Right (“ECHR”). This includes Article 10 of the ECHR which enshrines the right to freedom of expression. This includes the freedom to hold opinions and to receive and impart information and ideas without interference by public authorities and regardless of frontiers. As outlined in Article 12 HR(J)L, the island of Jersey both recognises and protects the right to freedom of expression.

Every individual on the island of Jersey has the right to freedom of expression as enshrined in the HR(J)L. It is not, however, an absolute right, and public authorities can impose restrictions or penalties when they are required by law and are necessary in a democratic society.

The Terrorism (Jersey) Law 2002 does not interfere with the right to freedom of expression save for in narrow and prescribed circumstances. To the extent that any such restrictions on freedom of expression have been deemed by law to be necessary and proportionate in order to prevent crime or disorder, or to protect national security, those restrictions are legitimate, lawful and fully justified.