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A New Point of Law: The Case for an Artistic Freedom Bill

Parliamentary Briefing & Recommendation for an All-Party
Parliamentary Group on Artistic Freedom, leading to a formal
Parliamentary Review

Prepared for
Members of both Houses

Prepared by
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Parliamentary Briefing

The Case for an Artistic Freedom Bill — and the Case for an APPG to Carry It Forward

In one sentence: UK law protects free expression in universities but contains no equivalent statutory duty, oversight body, or right of redress for the creative and cultural sector — a gap thrown into sharp relief by the treatment of musician Boy George following his public support for Jewish communities and Israel in July 2026.

1. Executive Summary

Recent events involving musician Boy George illustrate a structural gap in UK law: performers and other creative professionals who express lawful political opinions can face contract termination, blacklisting, and public backlash, with no effective statutory recourse. In July 2026, Boy George released a pro-Israel song, "We Will Dance Again," and was subsequently withdrawn by his own manager from a lead role in the West End production of Jesus Christ Superstar at the London Palladium.

This briefing sets out the evidential background, identifies the precise new point of law required to close the existing gap, and recommends a concrete parliamentary route: the formation of an **All-Party Parliamentary Group (APPG) on Artistic Freedom** as the vehicle to build cross-party consensus, followed by a formal call for a **Parliamentary Review** to examine the scale of the problem and shape legislation.

3,700

ANTISEMITIC INCIDENTS
RECORDED IN UK, 2025

53%

OF 2025 INCIDENTS
REFERENCED ISRAEL/GAZA
WAR

0

STATUTORY FREE-SPEECH
DUTIES COVERING THE
CREATIVE SECTOR

2. The Case Study: Boy George and "We Will Dance Again"

In late July 2026, Boy George posted a reggae track containing lyrics expressing support for Israel amid the Gaza war. The post was met with swift public criticism. Days later, his manager, Paul Kemsley, announced that Boy George would no longer appear in the Palladium production of Jesus Christ Superstar, in which he had been cast as King Herod,

stating the decision was intended to keep "the production" as "the focus" and citing "mutual respect and goodwill" with producers and cast. The New York Times reported the decision was framed as being in "the best interests of my artist."

Boy George subsequently spoke publicly to defend the song and his convictions, describing his support for Jewish friends as a matter of personal principle.

Evidential caution: The sequence of events — release, backlash, withdrawal — is corroborated by multiple independent outlets. However, characterisations of a "coordinated campaign" or "witch hunt," and reports of a defaced mural or online threats, require independent verification (police records, platform data) before being relied upon in a legislative or public context.

3. The Wider Evidentiary Context

The Community Security Trust (CST) recorded 3,700 antisemitic incidents across the UK in 2025 — the second-highest annual total ever recorded, a 4% increase on 2024. Fifty-three per cent of these incidents referenced Israel, Palestine, or the war following the 7 October attack, and online antisemitism reached its highest-ever share of total incidents, at 42%. This data supports the argument that individuals who publicly support Jewish communities on this issue do so in a climate of documented, escalating hostility — a highly relevant backdrop for understanding the professional and personal risk faced by public figures who take such positions.

4. The New Point of Law: What Is Actually Missing

The existing legal framework offers only partial and indirect protection. This briefing identifies a precise, narrow legislative gap that a new Bill would close — not a general assertion that current law is inadequate, but a specific, arguable point of law.

4.1 The doctrinal gap

UK law recognises three separate strands relevant to this issue, none of which combine to protect a freelance artist from retaliation for lawful political expression:

Legal strand	What it protects	Why it does not close the gap
Article 10 ECHR / Human Rights Act 1998	Freedom of expression against the State	Has "vertical" effect against public authorities; does not directly bind private managers, producers, or labels in ordinary commercial decisions

Equality Act 2010

	Discrimination on protected characteristics (race, religion)	Political opinion / viewpoint is not itself a protected characteristic under the Act
Employment Rights Act 1996	Unfair dismissal for employees	Most performers are engaged as freelance contractors under commercial agreements, which fall outside the statutory unfair-dismissal regime entirely

The **new point of law** proposed is this: Parliament should create a free-standing statutory protection — independent of employment status — that prohibits termination or blacklisting of a creative professional's engagement solely on the grounds of lawful political opinion, mirroring the approach already taken for a different sector in the Higher Education (Freedom of Speech) Act 2023. That Act created a new statutory tort, a dedicated free speech duty on providers, and an independent Director for Freedom of Speech with investigatory powers — demonstrating that Parliament has already accepted the constitutional principle at stake. The gap is one of **scope**, not of principle: the 2023 Act's model has never been extended beyond registered higher education providers to cover theatres, labels, festivals, or venues.

4.2 Why this matters as a matter of legal principle

- **Horizontal effect gap:** Article 10 rights are rarely enforceable directly between private parties (managers, producers, labels), leaving a "horizontal effect" vacuum that only statute can fill.
- **Contractor exclusion:** The overwhelming majority of the creative workforce sits outside the employee/worker categories that trigger unfair dismissal protection, creating an unprincipled distinction between, for example, a university lecturer (protected) and a West End performer (unprotected) expressing the same lawful opinion.
- **Viewpoint neutrality:** Any new provision must apply symmetrically to lawful political expression across the spectrum, to ensure it survives scrutiny as protecting a principle rather than a single viewpoint.

5. Proposed Elements of an Artistic Freedom Bill

Clause area	Proposed content
Protection from retaliation	Prohibits termination, withdrawal, or blacklisting of a creative professional's engagement solely on the grounds of lawful political opinion, subject to exceptions for incitement to violence, hatred, or unlawful discrimination
Statutory duty on public funders	Requires Arts Council England and other public funders to have regard to lawful free expression in funding and commissioning decisions
Independent oversight function	An "Artistic Freedom Commissioner," modelled on the Director for Freedom of Speech and Academic Freedom created under the 2023 Act

Statutory right of redress	A new tort and complaints scheme enabling affected individuals to seek a remedy for demonstrable loss
Voluntary sector charter	Encourages theatres, labels, festivals, and venues to adopt due-process commitments before contract termination linked to political expression
Transparency reporting	Requires public funders to publish periodic data on free-expression complaints and outcomes

6. Recommendation One: Establish an APPG on Artistic Freedom

Before a Bill can realistically progress, it needs a standing, cross-party parliamentary vehicle to build consensus, gather evidence, and maintain political momentum. An **All-Party Parliamentary Group (APPG)** is the appropriate and proportionate first step, for the following reasons.

6.1 Why an APPG is the right vehicle

- APPGs provide a recognised, low-cost route for MPs and Peers from different parties to formally convene around a specific issue, commission evidence sessions, and produce reports that carry real parliamentary weight despite being informal bodies.
- An APPG on Artistic Freedom would give the issue a permanent institutional home distinct from any single case, allowing the campaign to outlast the news cycle around any one artist.
- It creates a structured, transparent forum — with published minutes, registered membership, and mandatory annual general meetings — that insulates the campaign from accusations of being a one-sided lobbying exercise.
- It is the standard precursor used for comparable sector-specific law reform (e.g., APPGs preceded reform activity in other regulated-speech areas), providing continuity between initial advocacy and eventual legislative drafting.

6.2 What is required to form the APPG

Requirement	Detail
Officers	Exactly four registered officers: at least two must be MPs (including the Chair, who is also the Registered Contact), with at least one officer from the governing party and one from the main opposition party; Peers may fill any officer role except Chair
Membership	Minimum of 20 members of either House; must remain open to all non-government Members regardless of party

Inaugural meeting	Held on the parliamentary estate on a sitting day, with at least five Members present (including one MP); decides the group's name and purpose and elects officers
Registration	A completed register entry must be submitted to the Parliamentary Commissioner for Standards' Registry Office within 28 days of the inaugural meeting
Ongoing compliance	Minimum two formal meetings per year (one being the AGM); all formal meetings advertised at least a week in advance via the All-Party Notice; financial/material benefits over £1,500 registered within 28 days

Step 1 Immediate actions to form the APPG

- Identify and approach a sympathetic MP willing to act as Chair and Registered Contact, ideally with an existing interest in free speech, antisemitism, or the creative industries.
- Secure at least one government-party and one opposition-party MP as co-officers, plus at least one further officer (Commons or Lords) to reach the required four.
- Canvass at least 20 parliamentarians across parties to commit to membership ahead of the inaugural meeting.
- Draft the group's purpose statement (max 50 words) — proposed wording: "To examine and promote legal protections for lawful artistic and creative expression in the UK, including protection from professional retaliation, and to consider the case for an Artistic Freedom Bill."
- Book the inaugural meeting on the parliamentary estate on a sitting day, with at least a week's public notice via the All-Party Notice.

7. Recommendation Two: A Formal Parliamentary Review

Once established, the APPG should use its convening power to formally request a **Parliamentary Review** — either through a Select Committee inquiry (e.g., the Digital, Culture, Media and Sport Committee) or a dedicated Law Commission reference — to examine the scale, causes, and appropriate legislative response to retaliation against creative professionals for lawful political expression.

7.1 Why a review should precede final legislation

- A review would establish a robust, independent evidence base on the frequency and nature of contract terminations linked to political expression across the sector —

addressing the current absence of comprehensive data beyond individual, high-profile cases.

- It provides a formal mechanism to test the practicality and proportionality of proposed duties with the sector itself (Equity, the Musicians' Union, the Society of London Theatre) and public funders (Arts Council England) before legislative drafting begins.
- A Select Committee inquiry or Law Commission review carries institutional credibility that strengthens any subsequent Private Member's Bill or government-sponsored legislation, and provides a natural staging post for cross-party sign-off.

Step 2 Path to a Parliamentary Review

- APPG commissions and publishes an initial evidence-gathering report (drawing on this briefing) within its first reporting year.
- APPG formally writes to the Chair of the DCMS Select Committee requesting a short inquiry into free expression protections in the creative industries.
- In parallel, explore a reference to the Law Commission for a technical review of the horizontal-effect and contractor-exclusion gaps identified in Section 4.
- Use APPG evidence sessions to build the record needed to support introduction of a Private Member's Bill, or to persuade Government to adopt the Bill as part of its own legislative programme.

8. Summary of Recommendations

1. **Establish an APPG on Artistic Freedom** as the standing, cross-party vehicle for this agenda, meeting the officer, membership, and registration requirements set out in Section 6.2.
2. **Commission an independent evidence review** of contract terminations and blacklisting linked to lawful political expression in the creative sector, to build a robust empirical baseline.
3. **Request a formal Parliamentary Review**, via a DCMS Select Committee inquiry and/or a Law Commission reference, to test the proposed Bill's provisions before drafting.
4. **Draft the Artistic Freedom Bill** using the Higher Education (Freedom of Speech) Act 2023 as the closest statutory precedent, ensuring viewpoint-neutral, symmetrical drafting.
5. **Engage sector bodies and public funders** (Equity, Musicians' Union, Society of London Theatre, Arts Council England) in pre-legislative consultation on the voluntary charter and statutory duties.
6. **Verify all evidentiary claims** used in support of the campaign — particularly characterisations of "coordinated" or intimidatory conduct — against documented, independently verifiable sources before they are relied upon in Parliament.

9. Conclusion

The Boy George case exposes a precise and principled gap in UK law: a lawful political opinion expressed by a freelance creative professional currently receives less statutory protection than the same opinion expressed by a university lecturer under the Higher Education (Freedom of Speech) Act 2023. This is not a call for special treatment of one viewpoint, but for the extension of an existing, accepted legislative principle to a sector currently excluded from it. An APPG on Artistic Freedom offers the fastest, most credible route to build the cross-party consensus needed to secure a formal Parliamentary Review, and from there, a durable legislative solution.

Prepared by Stop The Hate UK for circulation to Members of both Houses. This briefing distinguishes established facts (corroborated by contemporaneous reporting) from contested characterisations requiring further verification, in line with best practice for evidence presented to Parliament.