



By: *Harvey Morris*

UK-US free speech wrinkle has less to do with pro-life zealots than with zealous tech bros



“No free trade without free speech.” That was the stark warning from an unnamed US insider that any special deal between Washington and London would depend on Britain’s commitment to a fundamental human right.

It came just before President Donald Trump’s ‘Liberation Day’ last Thursday, when the UK emerged only slightly less damaged than its competitors from a blanket imposition of US tariffs that have since shaken international markets.

The UK failed in last-ditch efforts to secure a trade deal before judgement day but is still in the queue for special treatment as the Trumpian vision evolves.

So, where does free speech fit in? And will the UK’s alleged backsliding figure in future talks? And, given that the US and other democracies trade with a range of questionable regimes, why has Britain been singled out?

The focus of US concerns was the **case** of a 64-year-old anti-abortion campaigner, Livia Tossici-Bolt, charged with breaching a 150-metre buffer zone outside an abortion clinic on two occasions.

The safe zones were authorised by the previous government to protect visitors and staff at clinics from the kind of harassment by pro-life demonstrators that had become routine.

The Tossici-Bolt case

Tossici-Bolt was sentenced last Friday to a conditional discharge and £20,000 costs after a court rejected her argument that, as she claimed in a sign she held outside a Bournemouth clinic, she was just “here to talk, if you want”.

The buffer zones measure has been relatively uncontroversial in the UK, where they were introduced with cross-party parliamentary support. The Tossici-Bolt case nevertheless rattled the cage of the US State Department, or at least that of its Bureau of Democracy,

Human Rights and Labor.

Ahead of the verdict, the department said it was monitoring the case in light of its concerns about freedom of expression in the UK. Meanwhile, the “no free trade without free speech” remark was **attributed** by the UK’s Telegraph to a source familiar with trade negotiations.

The Labour government attempted to remain as much as it could above the fray

True to its policy of not rocking the boat when it comes to dealing with the Trump administration, the Labour government attempted to remain as much as it could above the fray.

Its business secretary, Jonathan Reynolds, was nevertheless prompted to **respond** that free speech had not formed part of the trade negotiations in which he had been involved.

In what could be taken as a sign of frustration at the mixed messaging coming out of Washington, he later told the BBC that free speech had not been a “material factor” in negotiations. The concerns were coming from the US State Department, he noted, rather than the US Commerce Department.

Hypocrisy in Washington’s embrace of free speech

Outside government, reaction was less restrained. Lord Sumption, former head of the UK Supreme Court, condemned what he called a completely unjustifiable interference in the internal affairs of another country. “I do not think that the United States has jurisdiction over the world’s laws,” he told the BBC.

Sumption, who established his libertarian credentials by accusing a previous government of behaving like an authoritarian regime during the Covid crisis, was not alone in detecting an element of hypocrisy in Washington’s latest

embrace of free speech.

The New York Times **wrote** this week that free speech watchdogs were alarmed by domestic developments since Trump returned to office. These included quarrels with universities over free speech, the arrest of pro-Palestinian activists, the ousting of journalists from the White House press pool and book bans in schools.

The newspaper was reporting on a parallel free speech spat between Washington and the European Union “with potentially far-reaching implications for how the digital world is regulated”.

Separate initiatives by the EU and the UK to halt the spread of disinformation online have sparked the ire of the US administration and the technocracy that supports it.

Members of the same State Department bureau that chastised the UK over the Tossici-Bolt affair were in the UK in March for **talks** with, among others, the Ofcom communications regulator to discuss a new online safety act.

It later posted on X about the “constructive discussions” it had held with UK partners “to affirm the US commitment to defending freedom of expression, both in Europe and around the world”.

Encroachments on freedom of speech

The debate, however, is not just about free speech but also about the profits of big tech companies. There have been persistent reports that the UK was prepared to ditch a 2 per cent digital services tax on search engines, social media services and online marketplaces to avert the threat of US tariffs.

Post-Liberation Day, UK negotiators might be tempted to give way on big tech taxation and regulation in order to secure a favourable trade deal.



UK negotiators might be tempted to give way on big tech taxation and regulation in order to secure a favourable trade deal – Elon Musk

That could conceivably give the UK an edge over competitors in the EU. It might also mean handing the final word on regulating misinformation to tech bros such as Elon Musk, who have a tendency to promote some causes over others when it comes to defending free speech.

The same can be said of vice president JD Vance, who lectured Europe and the UK at a joint security conference in February for retreating from their values and ignoring voter concerns on migration and free speech.

In the UK, voters are also concerned about the malign impact of online misinformation, particularly on the young. In a **survey** last summer, two-thirds of those surveyed said social media companies, such as Musk’s X, should be held responsible for inciting anti-immigrant riots that briefly swept the country.

Campaigners in the UK, and indeed in the US, are rightly concerned about encroachments on freedom of speech and protest in a techno-surveilled world.

However imperfect, Britain’s free speech tradition is largely home grown. Perhaps, alongside chlorinated chicken, the government should cross it off the list of US imports in any future trade deal.