

15 February 2021

Social Housing Law Association
By email: info@shla.org

Dear Committee,

An open response to your request that I resign my membership of SHLA

On 27 January you asked me to resign my membership of SHLA on the grounds that one of my tweets and other subsequent tweets, that you did not identify, were 'racist'. You did not particularise how any of these tweets was supposedly 'racist'.

The tweet that you did identify was a response to a promotional video from the Equality and Human Rights Commission that was celebrating the fact that a black schoolgirl had been able to use her race/culture to undermine her school uniform policy, which had merely required her Afro hair to be 'of reasonable size and length'. In other words the subject of my tweet was not chosen by me, it was chosen by the EHRC. As other commentators have pointed out, my tweet was not racist.

Writing in *The Times* on 2 February Melanie Phillips stated in [Vindictiveness of woke warriors knows no bar](#):

Holbrook's offence was to tweet a response to a video from the Equality and Human Rights Commission about a former schoolgirl, Ruby Williams. She had been sent home for having an Afro hairstyle that contravened her school's uniform policy.

The commission funded a successful claim against the school on Ruby's behalf and said in the video that this was a case of racial discrimination. Holbrook tweeted in response: "The Equality Act undermines school discipline by empowering the stropky teenager of colour." This provoked outrage on Twitter as a racist statement.

Seriously? Holbrook was making the reasonable argument that schools should be entitled to set their own uniform policy without being required by law to accommodate cultural sensitivities, an issue that should instead be left to their discretion.

His reference to Ruby as a teenager "of colour" was also reasonable, since she had won her case on the basis that the law gave her the "protected characteristic" of race. Yet for this remark, made on his private Twitter account ... Holbrook's chambers voted to expel him. ... He told his colleagues: "It is not possible to practise at the bar whilst expressing conservative and populist opinion."

Further support came from *The Lawyer* on 5 February, when Zita Tulyahikayo and James Pereira QC stated in [Loving legal life: On Jon Holbrook](#):

Mr Holbrook's condemnation was swift, firm and public. Within two weeks of his tweet, he was out. People who may never have met him were happy to publicly shame him. There was no shortage of righteous judgment.

But what was his offense?

Was it the use of the term "of colour"? The acronyms POC (person of colour) and BIPOC (black, indigenous and persons of colour) are mainstream terms of expression in the field of racial awareness. Not everyone agrees on their acceptability, but that difference is tolerated. Black

and minority groups use the term as a form of identity. Their use does not label the user a racist. There was no other obviously racially charged language in the tweet.

Twitter [concluded](#) that the tweet was not subject to removal under its rules or German law.

I suspect that you have not particularised any basis for your opinion that my tweet (or subsequent ones) was racist because there is no proper basis for such a conclusion.

As Ms Phillips pointed out in *The Times*, I was raising 'the reasonable argument that schools should be entitled to set their own uniform policy without being required by law to accommodate cultural sensitivities, an issue that should instead be left to their discretion'. I amplified this argument in an essay for the *Conservative Woman* on 25 January, [Should school uniform policy have to accommodate cultural sensitivities?](#)

For raising a discussion about race as a protected characteristic under the Equality Act - and for challenging the Panglossian view of this law held by the Equality and Human Rights Commission - I have been cancelled. I set out my views on this in an article for *The Critic* on 31 January, [Cancelled by my barristers' chambers over a Tweet](#). I concluded:

cancel culture is a straitjacket on the free expression of ideas. A democracy cannot function when the protagonists can speak freely whilst the antagonists are muzzled.

The woke may think they are lovely people who just want us all to be nice to one another. But they are not lovely people, as my targeting shows: they are intolerant proselytisers who want to silence those who challenge them. They seek to deploy, not the jackboot of totalitarianism, but the cancel culture of intolerance. In the name of democracy, they must not succeed.

I have since deployed my criticism of cancel culture in an open letter to the Bar Council chairman on 10 February in which I raised the question: [Is the Bar a left-wing club?](#) That question applies with equal force to the SHLA committee.

As you know, I instigated the formation of SHLA in 2005 and I chaired its committee between 2005 and 2008. I had always intended SHLA to be forum, as its strapline still states, 'of and for social housing professionals'. The idea that its committee could seek to cancel one of its members for expressing political opinions - expressed on a private Twitter account (I had a separate one for professional purposes) - would have revolted me then as much as it does now.

The question you are now addressing is this: has the SHLA committee been taken over by a woke clerisy that cannot tolerate open debate? In particular, are your political opinions so shallow that you respond to mob behaviour on Twitter by joining the pile-in and cancelling those who raise dissenting views?

If so, your behaviour is a repeat of episodes that history has seen before. In the Middle Ages the Inquisition was used to ban books and prosecute heretics and in the late 17th century mass hysteria gripped a town during the Salem witch-hunts. The Enlightenment, with its belief in open discussion as a means of resolving disagreements, largely put an end to this mob-like intolerance. Cancel culture fits within this largely medieval behaviour. My question to you is this: are you going to support cancel culture or recognise what Ms Tulyahikayo and Mr Pereira QC described in *The Lawyer* as the 'Bar's culture of respectful disagreement' which 'has always been cherished and upheld by its members'?

Yours faithfully,

Jon Holbrook

