

“Everyone has the right to freedom of expression”



We talk about the importance of free speech in this country, but did you know, that in actuality, what we are really talking about is freedom of

expression? Article 10 of the Human Rights Act of 1988 protects our right, not to freedom of speech, but to freedom of expression.

"Article 10 protects your right to hold your own opinions and to express them freely without government interference. This includes the right to express your views aloud (for example through public protest and demonstrations) or through:

- published articles, books or leaflets
- television or radio broadcasting
- works of art
- the internet and social media

The law also protects your freedom to receive information from other people by, for example, being part of an audience or reading a magazine."

EqualityHumanRights.com

Whilst for many, words are the tool with which we express ourselves, this is not true for everyone. And more importantly, it would be a mistake to think that, for all or any of us, words are always the most eloquent tool we possess, to express what it is we need to express.

Let's reiterate again, the 1998 Human Rights Act, a contract between government and citizens,

protects our right to freedom of expression.

And yet...

Does the government deliver upon this Article, by enabling expression through education?

The government should not make the mistake of thinking that everyone is able to express themselves, and that it is "good enough" to protect that expression. The ability to express ourselves, through the myriad of forms of expression open to us (the visual arts, dance, music, drama and the written and spoken word, to name a few), is something to be nurtured, encouraged and enabled. Humans also need to be supported in discovering, through safe ways, what it is they want to express, as well as how they might want to express it.

I asked AI:

"How does article 10 of the human rights act impact art education?"

AI answered

"Article 10 of the Human Rights Act, which protects freedom of expression, has significant implications for art education:

Protection of Artistic Expression

Article 10 explicitly protects artistic expression as a form of free speech. This means that art

students and educators have the right to create, display, and discuss artwork without undue censorship or interference, even if the art is controversial or provocative.

Fostering Creativity and Critical Thinking

The freedom of expression guaranteed by Article 10 creates an environment that encourages creativity, innovation, and critical thinking in art education³. Students and teachers can explore diverse ideas, techniques, and subject matter without fear of repression.

Limitations and Responsibilities

While Article 10 provides broad protections, it's important to note that freedom of expression in art education is not absolute. The right can be limited in certain circumstances, such as:

- To protect national security or public safety
- To prevent disorder or crime
- To protect health or morals
- To protect the reputation or rights of others

Art educators must balance freedom of expression with these potential limitations, teaching students about the responsibilities that come with artistic freedom.

Promoting Diverse Perspectives

Article 10 supports the inclusion of diverse artistic voices and perspectives in art education

curricula. This encourages a more inclusive and representative approach to teaching art history and contemporary practices.

Protection Against Censorship

The right to freedom of expression helps protect art education programs from unwarranted censorship or interference by government bodies or other institutions¹. This allows for the exploration of challenging or controversial themes in art.

Fostering Democratic Values

By protecting artistic expression, Article 10 reinforces the role of art education in nurturing democratic values and civic engagement. It emphasizes the importance of art as a means of social commentary and political expression.

In summary, Article 10 of the Human Rights Act plays a crucial role in safeguarding and promoting a vibrant, diverse, and intellectually stimulating environment for art education. It protects the rights of students and educators to explore, create, and express themselves freely through art, while also teaching the importance of responsible expression within the bounds of law and social responsibility."

AI drew heavily on the [article here](#), written by The Council of Europe.

I cite this here, at a time when the Government is

undertaking a [Curriculum & Assessment Review and invites a Call for Evidence](#) (deadline November 22 2024).

So remember, for your own well-being, and for the well-being of those who you care for:

“Everyone has the right to freedom of expression.”

How do we make that a reality? How does the government deliver upon that Article? What do we need right now?

Have your [say here](#) - and in any way you see fit to express.

[Paula Briggs](#), November 2024, [The Everyday School of Art](#)

This is a sample of a resource created by UK Charity AccessArt. We have over 1500 resources to help develop and inspire your creative thinking, practice and teaching.

AccessArt welcomes artists, educators, teachers and parents both in the UK and overseas.

We believe everyone has the right to be

creative and by working together and sharing ideas we can enable everyone to reach their creative potential.

Why We Need Artist Educators To Take Centre Stage

How Tiny Art Schools Grow

Can Labour Show It Really Understands The Power Of The Arts To Transform Lives?

The Current Education System: Too Much Beta, Not Enough Alpha

Oak National Academy & The Art & Design Curriculum

During 2022 and 2023 AccessArt attended consultations organised by Oak National Academy to explore the potential for relaunching Oak after its initial creation during the pandemic. Like many educational publishers, we were concerned at the time about both the nature and quality of the resources created, the ethics of the creation of a curriculum by government, and also the potential impact of a so called “free” curriculum on commercial and charitable educational suppliers.

First, a little history about AccessArt. We are [25 years old](#) this year, and we are proud to say that for the last few years we have become a [self-supporting arts organisation](#), requiring no funding from outside sources. We are in this fortunate position because our (many thousands of) [members](#) pay a small subscription fee to access all our

resources. In turn, this allows us to create new resources for our community, and most importantly, remain true to our vision and integrity. The insight, intelligence and pragmatic nature of our offering to schools means that we are privileged to help thousands of teachers inspire hundreds of thousands of pupils. This is no more in evidence than in the creation of the [AccessArt Primary Art Curriculum](#). When we planned and created our curriculum, we were brave, followed our instinct and experience, and made certain that alongside the curriculum ethos and resources we created a support system and network to enable teachers to become enthusiastic, knowledgeable and confident art facilitators. The success of the curriculum has been recognised, with schools and Trusts recommending the flexible and empowering scheme to their colleagues. Our real pride though, is that artists, designers and craftspeople recognise the curriculum as being robust, exciting and rich – exactly the kind of experience they appreciate and value as artists.

So you can imagine we are justifiably proud of our achievement. We are now busy at work on our [Key Stage 3 pathways](#), and beyond into adult and community education. Our vision is true, our team and trustees incredible, and our business model as a membership charity is strong.

In 2023 AccessArt was approached by Oak National Academy to explore partnership working in the

creation of new curriculum resources, and later the same year I was approached to join the Expert Group. We turned both opportunities down. Here's why.

There is currently a [Judicial Review](#) brought about by three claimants: The British Educational Suppliers Association (BESA), the Publishers Association, and the Society of Authors. This is also supported by the National Education Union who are participating as an "interested party".

"The government's plans for Oak will be an unprecedented and unevidenced intervention that will cause irreparable damage to the education sector as we know it. The government is in effect creating a one-size-fits-all state publisher that promotes a single curriculum, controlled by the Education Secretary of the day. This will undo years of work by publishers who have invested expertise over many decades in creating a rich range of world-leading resources for school children across the country.

"There is simply too much at stake to let these plans proceed unopposed. The potential impact on teacher autonomy, learner outcomes, and curriculum diversity and quality is too significant. That is why authors, publishers, educational suppliers, school groups, teachers' unions, and others have all voiced strong concern over these plans." [Dan Conway, CEO of the Publishers Association](#)

“If we don’t act now, educators will be left with one set of state approved online resources which will threaten diversity and choice, remove financial incentives, and damage the healthy competition which is at the heart of educational publishing. The result will likely be a weaker overall pool of resources, greater challenges for teachers, and a negative impact on students’ learning.” [Nicola Solomon, Chief Executive of the Society of Authors](#)

“Converting Oak from an emergency response to Covid to a permanent part of government is a decision with ominous implications. Without consultation or parliamentary debate, the government has taken a long stride towards directing the detail of teachers’ work. Unless its actions are challenged, what is now presented as an optional resource will soon become the norm in schools. The government should recognise its limits: it does not have the capacity, the imagination and the understanding to intervene in this way.” [Kevin Courtney, Joint Gen Sec, NEU.](#)

The concerns echoed by the case brought to Judicial review, are echoed by the National Education Union. **[Key NEU concerns:](#)**

Claims that OAK is “by and for teachers” and “operationally independent” of Government misrepresent its true nature: OAK is under the ultimate control of ministers. Its resources are produced by a range of organisations by way of a

commercial tendering process.

The Government's business case for Oak is clear that it will be "continuously strategically aligned with Government policy as it develops over time".

OAK's status means there is a risk its materials will be seen as Government approved and "safe".

This will increase pressure for schools to use their products, particularly given the pressures that Ofsted exerts, and its current focus on curriculum

Examples of how OAK is aligned with Ofsted include:

Each of the "Subject Expert Panels" set up to advise on the production of Oak materials includes an Ofsted Inspector

The Government's business case for the OAK ALB acknowledged that Ofsted's overall emphasis, since 2019, on the curriculum within school inspections "may...be influential in shaping and accelerating the uptake of [Oak's] service."

[Read the Full NEU Statement here.](#)

We believe Oak is a flawed and dangerous idea, and we are not alone. We believe that whilst Oak attempts to involve experts in its creation, the mechanisms and ethos behind creation of resources will ultimately restrict and control. And let's remember that whilst Oak touts itself as being "free", it does in fact cost money which the government could choose to spend in wiser ways to value teachers, build knowledge and seek real vision. Those original consultations we attended? We see no evidence of listening to what we heard during those sessions, and in many other education

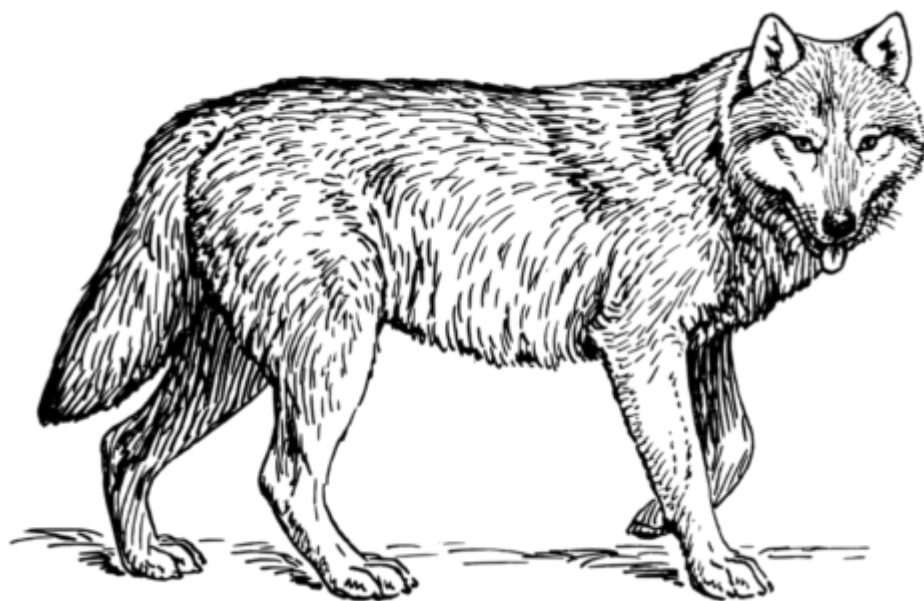
roundtables, as a no thank you to Oak National Academy.

As a Subject Association and charitable organisation which has worked long and hard to develop expertise which develops and enables our community of users to feel supported, inspired and empowered, AccessArt will continue to work independently through our principles and practice to support our members. We thank you for your continued support and understanding about what's really important in art education.

Paula Briggs, CEO & Creative Director AccessArt,
April 2024

Explore...

Taking Control of the narrative



“I realised through conversations with school leavers that they could no longer use words like intuition, entitlement, dreaming, invention, play. These words are unfamiliar to them, and they no longer resonate. These words, and therefore the ways of being they describe, are not available to them right now.”

Read why we need to change the narrative and speak with more courage about the purpose of education...

Not just ideas: Action Too



“One cold, rainy morning in January 1999, I received a phone call from the then DfES. The woman started the call with the words: “What is the best news someone could call you with on such a rainy January day?””

Explore and understand all that AccessArt has achieved and the impact we are making

**Sketch Your World: Drawing
The Details**

**Sketch Your World:
Perspective**

**Sketch Your World: Choosing
Subject Matter**

Sketch Your World: Materials

**Sketch Your World:
Sketchbooks & Composition**

Sketch Your World: The Basics

**Urgent Reform Needed In 11-16
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**The AccessArt Primary Art
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Evidence Autumn 2023

Angry Cat, Calm Cat

Adapting AccessArt: Playful Making Inspired by Nnena Kalu

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The Art Now Report

AccessArt Response to the Ofsted Curriculum Review for Art & Design 2023

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Thinking about Art Education? Think again

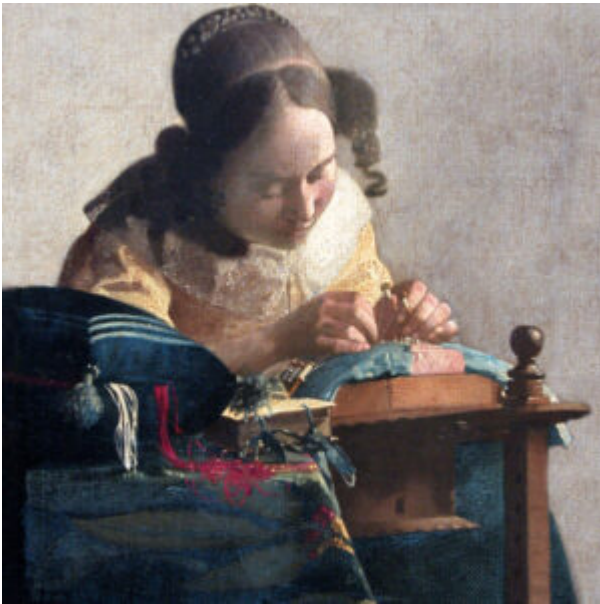
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