

FREEDOM OF SPEECH AND LAWFUL ASSEMBLY

1 Introduction

- 1.1 The Education Act 1986 requires the University to take such steps as are reasonably practicable to ensure that freedom of speech within the law is secured for its members, including its students and employees, and visiting speakers.
- 1.2 The University undertakes not to deny access to its premises to individuals or bodies on the basis of their beliefs, views or policies, or any protected characteristic as covered by the Equality Act 2010.
- 1.3 The University is subject to a statutory duty under the Counter Terrorism and Security Act 2015 to have due regard to the need to prevent people from being drawn into terrorism.
- 1.4 Further, University students and employees are entitled to study and work in an environment that is unhindered by hostility, offensive conduct or intimidation. The Student Code of Conduct, Bullying & Harassment Policy, and the Dignity at Work Policy, with which all students and employees are expected to comply, underpin this right and the principles upon which this Code of Practice is founded.

2 Code of Practice

- 2.1 The University is an academic community that respects members' and visiting speakers' rights to hold free and open discussion – including the expression of views and opinions that challenge prevailing orthodoxies and/or the positions and views of others – *provided that such discussion does not transgress the bounds of lawful speech*. The University will not, for example, permit meetings or events that are likely to:
 - a) incite those attending and/or participating to commit a criminal act;
 - b) lead to the expression of views in a manner which is contrary to civil or criminal law (e.g. incitement of racial hatred);
 - c) be in direct support of an organisation whose aims and objectives are illegal;
- 2.2 Additionally, the University will not permit meetings or events that are likely to:
 - a) endanger the security and/or safety of the University premises and/or its employees, students and/or members of the community with whom it comes into contact;
 - b) contravene health and safety regulations; and/or
 - c) cause a breach of the peace which may be a consequence of the event.

2.3 Whilst the University is committed to ensuring the continuance of freedom of speech for its members and visiting speakers, the right to freedom of speech is not absolute. The University recognises that it has both a legal and moral responsibility to minimise the possibility of radicalisation or intolerance arising on its premises, and will therefore undertake to ensure that its members are not subject to, or at risk of, hostility, harassment or intimidation. Therefore, under general legal principles and in specific areas of legislation, there may be occasions when the University determines that limitation of expression is permissible where public safety and/or lawful conduct is put at risk.

3 Organising Events Involving External Speakers

There are potentially three categories of event which may involve an external speaker:

- academic events (on campus)
- non-teaching events (on campus)
- off-campus branded events

3.1 The procedure for teaching events and off-campus branded events should involve a self-assessment and escalation to the relevant Director for decision, if necessary; this assessment will be a pre-requisite for on campus events involving an external speaker and built into the room booking process.

3.2 The following criteria should be the point of reference for organisers.

- do you think that the speaker(s) or the subject might attract protest or concern?;
- have you checked whether there have been issues / concerns raised about the speaker(s) or issues when they have attended other events?;
- have there been issues / concerns raised about the speaker(s) or issues when they have attended other events?;
- has the speaker ever been refused permission to speak at any other venue?;
- is there a risk that the speaker or the subject might result in offence or concern in respect of equality policies?;
- are there any security-related threats known to the speaker(s)?;
- are any specific arrangements, requirements or restrictions requested or intended which may result in equality concerns (e.g. gender separated seating or attendance, physical access arrangements)?

3.3 Academic events

These are defined as events directly associated with the academic research activities and/or academic teaching programmes (as either core or enhancement events) of the University.

It is the responsibility of the organiser to ensure the event complies with the relevant policies and to use the above criteria as a point of reference. If the organiser believes there is a risk the code of practice may be breached, they should escalate the consideration of the proposed event for approval by the Director of Department.

3.4 Non-teaching events

The risk assessment of these events, using the above criteria, will be built into the room booking system.

Insert link to Events involving external speakers: process for events held in rooms booked via FXP

3.5 Off campus branded events

These events must have a named organiser and be risk assessed against the above criteria, with escalation for the approval of the Director of Department, if necessary.

3.6 If Directors require further input in order to make a determination, they can seek assistance from the Director of Student Services who can support in making a second level risk assessment, with input from the University members of the Prevent Partnership Group (in the same way second level assessments are conducted for non-teaching events).