

CODE OF PRACTICE ON FREEDOM OF SPEECH

1. INTRODUCTION

- 1.1. Section 43 of the Education (No. 2) Act 1986 and the Higher Education (Freedom of Speech) Act 2023 requires universities and colleges and all concerned in their governance to take such steps as are reasonably practicable to ensure that freedom of speech within the law is secured for its members, students and employees and for visiting speakers.
- 1.2. The University of Law University values diversity and is committed to the principles of academic freedom and freedom of speech and expression, as codified in the Higher Education (Freedom of Speech) Act 2023.
- 1.3. This Code of Practice sets out the rights and obligations inherent in supporting the principles of freedom of speech and academic freedom within the law and the procedure to be followed by students and staff in connection with the organisation of events and meetings which fall under this Code of Practice.

2. SCOPE

2.1 This Code of Practice applies to:

- a) Staff, students and members (including but not limited to members of the board of directors and holders of honorary doctorates) of the University

3.3 The University has a duty to protect its staff and students from unlawful discrimination, harassment, intimidation or threats of violence on the grounds of race, sex, age, religion or philosophical belief, sexual orientation, disability, gender reassignment, marriage and civil partnership, or pregnancy or maternity. However, the provisions of the Equality Act 2010 should not be interpreted to undermine freedom of speech and academic freedom. As a result, may include exposure to

or unacceptable, but are nonetheless within the law, and unlikely to be considered unlawful harassment or discrimination under the Equality Act 2010.

3.4 Academic freedom means freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions without being at risk of being adversely affected. An individual would be deemed to have been adversely affected if they had either lost their job or privileges at the University, or experiences a reduction in the likelihood that they would secure a promotion or different job at the University.

3.5 The University is committed to ensuring that academic staff and students have the freedom to question and test received wisdom and put forward new ideas and opinions without placing them at risk of using their job, privileges or future opportunities. Academic freedom shall extend to all students, academic staff and to any visiting or guest lecturer invited by the University.

4 VALUES

University

3.3 The University will not unreasonably refuse the holding of Events on its Premises. The expression of controversial views which are not unlawful does not constitute reasonable grounds for withholding facilities for an Event.

3.4 Grounds for refusal would include:

- i. the views likely to be expressed by the Visiting Speaker are contrary to the law;
- ii. the intention of the Visiting Speaker is likely to be to incite breaches of the law or to intend breaches of the peace to occur;
- iii. the Event will include or is likely to include the denial of the right to hold or to express an opposing opinion;
- iv. the Visiting Speaker and/or the organisation they represent advocates or engages in violence or non-violent extremism in the furtherance of their political, religious, philosophical or other beliefs;
- v. the views likely to be expressed by the Visiting Speaker are for the promotion of any illegal organisation or purpose, including organisations listed on the government's list of proscribed terrorist groups or organisations;
- vi. it is in the interest of public safety, the prevention of disorder or crime or the protection of those persons lawfully on premises under the control of the University, that the Event does not take place.

3.5 Where it is reasonable to assume that there could be a breach of the law, the Responsible Officer may consult with the police or require the Principal Organiser of the Event to consult with the police before giving permission for it to take place.

3.6 Where the Responsible Officer has concerns, the matter will be referred to the Campus Dean or the Marketing Director. Where the Campus Dean assesses that the event presents high risks and/or reputational damage, it will require the consideration and approval of the Pro Vice Chancellor External.

4. DECISION

4.1 Within 5 working days of receiving the Visiting Speaker Request Form, the Responsible Officer or their nominee, will advise the Principal Organiser in writing (electronically or otherwise) of their decision with regard to the Event. The decision will state that:

- i. permission has been granted and provide details of any instructions or conditions that apply to the permission (see paragraph 5 for further details); or
- ii. permission has been withheld and the reasons for the refusal.

4.2 Where the Principal Organiser feels that a decision to refuse the Event or attach conditions is unreasonable, they may raise the matter with their Campus Dean or make a complaint via the

4.3 Where the Event is planned to take place at a University of Law campus which is based on a site owned by another University the Responsible Officer will only give permission for the
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5. WHERE PERMISSION IS GRANTED

5.1 Permission to hold an Event may be subject to such conditions, as reasonably necessary, to enable the University to fulfil its responsibilities concerning the protection of freedom of speech within the law.

5.2 If, at any stage before the Event, the Responsible Officer is not satisfied that adequate arrangements can be made to maintain good order, permission for the Event may be refused or withdrawn.

5.3 Only those Principal Organisers who undertake to comply with these lawful conditions will be allowed the use of the remises. The conditions may cover:

- i. the control over entry to the Event (including, where relevant, the admission or exclusion of the press, television or of broadcasting personnel);
- ii. the adequacy of stem(o)-9(na 0 1 1/F3 9.96 Tf1 0 0 1 90.024 129.02 Tm0 g0 G[()] TJETQD.000008871 0 595.

