

Freedom of Speech



A Code of Practice issued by the College Council in accordance with the Education (No.2) Act 1986, Section 43

Introduction

1. Royal Holloway, University of London is committed to the principles of academic freedom and of free speech within the law. It believes that vigorous debate is proper and acceptable and that the College must enable a wide range of views and opinions on social, economic, political and religious issues, however unpopular or controversial. For this to be achieved, it requires all concerned to display tolerance and avoid needlessly offensive or provocative action and language.
2. Freedom of thought, freedom of expression and freedom of assembly and association is enshrined in law. However, freedom of speech is not an unqualified privilege and universities are subject to a number of legal obligations to ensure the safety and wellbeing of students, staff and others associated with the College. For example:
 - The protection of freedom of speech does not extend to allowing a speaker to commit a criminal offence in the course of speaking;
 - Universities are subject to the statutory duty "to have due regard to the need to prevent people from being drawn into terrorism";
 - Universities have other legal responsibilities, such as those relating to preventing discrimination, harassment and victimisation and the health, safety and welfare of employees, students, external speakers and visitors.
3. Staff and students, both individually and in groups, have an obligation to respect other members and groups and not to interfere in or seek to hamper or curtail the legitimate activities or affairs of other individuals or groups. This mutual respect is fundamental in a university community and confers rights on members of the College to be able to conduct their affairs free from unlawful or improper interference.

Scope of the Code of Practice

4. **This Code of Practice applies to any meeting (including activities and gatherings of people) where there is demonstrated potential difficulty for a speaker to enter or leave College premises safely and/or to deliver their speech. This includes activities organised by the Students' Union.**

Requirements of the Act

5. The Education (No.2) Act 1986 requires every individual and body of persons concerned in the government of a higher education institution to take such steps as are reasonably practicable to ensure that:
 - a. freedom of speech within the law is secured for members, students and employees of the institution and for visiting speakers;
 - b. the use of the facilities of the institution is not denied to any individual or group of persons on any ground connected with the belief or views or that individual or group or the policy or objectives which they may hold.

Requirements of this Code of Practice

6. Where a meeting which falls under the scope of paragraph 4, it is the responsibility of the organisers to identify that this is the case and then consult this Code. Where the organisers wish to invite external speakers they should also consult the Procedures for inviting External Speakers to College Events. Failure to do so may result in disciplinary action. If the College identifies an event which is scheduled to take place which falls under the scope of paragraph 4 the organisers will be contacted and appropriate action will be taken to apply this code.

7. When the meeting is organised by more than one individual or by a collective group of people, one person must be appointed as the **principal organiser** in order to simplify communication with the College. The principal organiser must give the College Secretary a minimum of **three weeks' written notice** of a meeting which falls under the scope of paragraph 4.
8. The Principal Organiser must book a room for the event using the normal room booking procedures. College has identified certain venues on campus which have been approved as safe venues in which to hold meetings which fall within the scope of paragraph 4. Any room choice must be considered tentative until approved by the Security Manager.
9. The principal organiser must provide the College Secretary with:
 - a. details of the date, time and tentative place of the meeting
 - b. the topic to be discussed
 - c. the name of the speaker
 - d. the intended audience (i.e. students, staff or others)
10. The College Secretary will respond to the principal organiser in writing within one week of receiving notice of the meeting. Where the College Secretary withholds permission for the event to proceed they will state their reasons. Where permission is granted, the College Secretary may attach any conditions which they consider necessary for the fulfilment of the College's legal obligations to protect and secure freedom of speech. These conditions may include, but are not limited to:
 - a. a requirement that tickets must be issued
 - b. that the event must be led by an experienced Chair
 - b. that an adequate number of suitable stewards must be provided by the organisers
 - c. that members of the College Security staff must be present to help keep order
 - d. that a member of staff, appointed by the College Secretary, must be present as a 'controlling officer'.
11. The College Secretary may consult with the police about any meeting under the scope of paragraph 4 and, if appropriate, attach further conditions. These may include a requirement for the meeting to be declared public to allow for police presence.
12. If the College Secretary is not satisfied that adequate arrangements to keep order can be made, with the result that the speaker would not be able to enter or leave College premises safely and/or deliver their speech, the College Secretary may at the outset refuse permission for a meeting or later withdraw permission already given.
13. The principal organiser may appeal to the Principal against the whole or part of the College Secretary's decision. The Principal's ruling will be final.

At the meeting

14. At the meeting, there shall be a Chair who is responsible for conducting the meeting. The Chair must keep order and, as far as is possible, ensure that the speaker and the audience act within the law. The Chair should issue warnings when unlawful conduct occurs and, should such conduct continue, can enforce the removal of the offender(s) with the assistance of any security or police officers in attendance.
15. Should a meeting become out of control, the 'controlling officer' placed by the College shall take charge and close down the meeting. If no 'controlling officer' is present, any security officers present will take charge, acting on information which they will have previously been given by the Security Manager or on their own initiative. If a 'controlling officer' or security officer is not present, the Chair should send a member of the organising group to seek help from the security staff at their normal post.
16. College premises must be left clean and tidy after meetings. Should any additional cleaning or repairs be required after a meeting, the organisers may be charged accordingly. Payment in advance, or evidence of the ability to pay, may be required before a meeting takes place.

Sanctions

17. Failure to observe the requirements of this code or of any conditions laid down by the College Secretary will make the student(s) or staff concerned liable to disciplinary action by the College. In the case of students, the Student Disciplinary Regulations will apply.

The Role of Council

18. Council will receive an annual report on the operation of this code.
19. The Council will review this Code every five years.

Approved by: Council

Date: May 2016

To be reviewed: May 2021