

**QSC 10.22-03**

## **Freedom of Speech / Freedom of Expression Policy**

Providers of Higher Education (HE) are required by law to outline their principles and practices in relation to freedom of speech and freedom of expression. This Statement takes into account the specific legal responsibilities, as set out in Section 43 of the Education (No 2) Act 1986, the Equality Act 2010 and the Counter-Terrorism and Security Act 2015.

This statement outlines the principles of free speech which apply to all members of staff and students at the Metanoia Institute and visiting speakers. This policy should also be referenced to the Metanoia Institute Social Media Policy, to be found at: <https://metanoia.ac.uk/about/policies-and-procedures/>

### **Academic Freedom**

Freedom of expression is relevant to, but should not be confused with, the important principle of academic freedom. Academic freedom relates to the intellectual independence of academics in respect of their work, including the freedom to undertake research activities, express their views, organise conferences and determine course content.

Metanoia Institute will protect the academic freedom of staff. Whilst important to be heard, student complaints and protests will not dictate course content or speaker events organised by the Institute. Where necessary, support will be available to staff to ensure that student pressure does not lead to self-censorship of teaching or academic work.

### **Principles:**

It is recognised that freedom of speech and freedom of expression are essential within Higher Education (HE) and play a key part in the learning experiences of students. Sharing ideas is crucial for learning and teaching, allowing students to develop criticality in thinking, to challenge intelligently and to engage with different perspectives. The right to free speech is protected within the by law (Equality and Human Rights Commission 2019).

Metanoia Institute seeks to foster an environment where all staff and students can, express views, debate opinions, engage in research and participate in all activities with confidence. The Institute acknowledges its statutory duties in protecting staff and students from “radicalisation”, which in this context means being drawn in by others to offer ideological or practical support for terrorism, or to commit acts of terrorism.

Metanoia Institute will be guided by these principles regarding obligations relating to freedom of speech, the management of the health and safety of staff, students and the

general public, the promotion of equal opportunities and prevention of discrimination on the grounds of belief, race, gender or sexual orientation or other legally-protected characteristics, and its duties associated with preventing people from being drawn into terrorism or the promotion of terrorist activities.

Metanoia Institute acknowledges that providers of Higher Education need to be mindful of their role in encouraging debate, discussion and the exchange of views, which may include controversial ideas. It is important that:

- HE providers work to widen debate and challenge, never to narrow it.
- Decisions about speakers and events should seek to promote and protect the right to freedom of expression.
- Peaceful protest is a protected form of expression; however, protest should not be allowed to shut down debate or infringe the rights of others.
- Freedom of expression should not be abused for the promotion of hatred or intolerance of others.
- Providers of HE should always aim to encourage balanced and respectful debate.

However, it is important to note that speech *can* be limited if it would break criminal law. Criminal offences that may occur in relation to speech include (but are not limited to):

- speech causing fear or provocation of violence
- acts intended or likely to incite hatred on the grounds of race, religion, disability or sexual orientation
- speech amounting to a terrorism related offence
- speech causing harassment, alarm, or distress

In accordance with these principles, and guided by duties under the law, Metanoia Institute therefore reserves the right to refuse access to its premises if it is of the genuinely held opinion that a visiting speaker intends (or that a meeting is intended) to encourage a breach of the peace, engagement in criminal activity, violence or incitement of hatred.

*As a registered charity, Metanoia Institute trustees are responsible for ensuring that the institution complies with charity law and any other relevant laws.*

## **Policies and Procedures:**

The Institute will draw upon its published policies and procedures in the event of concern that freedom of speech or freedom of expression is not being upheld/being abused (as defined within this document).

The MI institute will refuse to allow a workshop or event to go ahead, where it reasonably believes that it is likely to: -

- Incite hatred, violence or call for the breaking of the law
- Encourage, glorify or promote acts of terrorism.
- Spread hatred and intolerance including insulting other faiths or groups
- Promote, support or gather funds for an illegal group.
- Promote views, which contravene those outlined in the MI equality and diversity policies.

## **Procedure for Staff and Students:**

In the event of a staff member or student wishing to invite an external speaker to speak at a MI event, the following procedure must be followed:

The Staff member or student will submit an external speaker request form to the relevant Faculty Head, which contains the following information

- a) Expected number of attendees and whether the event will be a member only, invitation only event or open to the general therapeutic community
- b) Confirm any external speaker's' affiliations (specifically where they are political or religious)
- c) Declaration of any knowledge of controversy attracted by the speaker or topic in the past
- d) Confirmation if the event and speaker are likely to attract media interest – if so why?
- e) Confirmation of web site details (where relevant) providing further information on the speaker.

***Any failure to disclose full speaker details may result in an event/booking being cancelled and could result in referral for disciplinary procedures.***

On receipt of the form, the Faculty Head will check all speakers on social media platforms/Google (after first looking at any web link provided) and look at the first three pages of results (if any results are found). This information is then noted on the sheet including a link to the most relevant information about the speaker.

The Faculty Head will refer any speakers that may require further exploration to the Equality and Diversity Committee and CEO, providing at least five hyperlinks to the most relevant Google results for any speakers that are a cause for concern. Any speakers who are deemed to require further exploration will be investigated by the Equality, Diversity and Inclusion Committee and the CEO, who will conduct a short investigation into the proposed booking. All other speakers will be considered approved.

Policies that will be used to uphold these principles, and should be cross-referenced, include:

- Metanoia Institute Code of Ethics and Conduct (with reference to Professional Body requirements)
- Metanoia Institute Discipline Policy
- Metanoia Institute Fitness to Practice / Fitness to Study policies
- Metanoia Institute Social Media Policy

***Please see:***

<https://metanoia.ac.uk/about/policies-and-procedures/>

<b>Author:</b>	<b>C.E.Weston</b>
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<b>Committee:</b>	Executive
<b>Approved by board:</b>	