

Proposed Amendment 2 to Grace 2 of 28 September 2020

Change paragraph 6 of the Statement proposed in the Grace from:

An active speaker programme is fundamental to the academic and other activities of the University and staff and students are encouraged to invite a wide range of speakers and to engage critically but courteously with them. This Statement and the Code provide the only mechanism by which the University can cancel or impose conditions on meetings or events where this action is deemed necessary as a result of the event's subject matter and/or speaker(s). This is to ensure that the use of University premises is not inappropriately denied to any individual or body of persons on any ground connected with their beliefs or views or the policy or objectives of a body (with the exception of proscribed groups or organisations) of which they are a member. However, all speakers should anticipate that their views might be subject to robust debate, critique and challenge.

to:

An active speaker programme is fundamental to the academic and other activities of the University and staff and students are encouraged to invite a wide range of speakers and to engage critically but courteously with them. This Statement and the Code provide the only mechanism by which the University can cancel or impose conditions on meetings or events where this action is deemed necessary as a result of the event's subject matter and/or speaker(s). This is to ensure that the use of University premises is not inappropriately denied to any individual or body of persons on any ground connected with their beliefs or views or the policy or objectives of a body (with the exception of proscribed groups or organisations) of which they are a member.

The University's policy, in line with its duty under Section 43 of the Education (No. 2) Act 1986, is that any speaker who has been invited to speak at a meeting or other event, on University premises or at the Student Union, must not be stopped from doing so unless: they are likely to express unlawful speech, or their attendance would lead the host organisation to breach other legal obligations, and no reasonably practicable steps can be taken to reduce these risks. However, all speakers should anticipate that their views might be subject to robust debate, critique and challenge.

Flysheets

University societies, having decided to invite a speaker, should not then be forced to cancel because of objections to the speaker's views.

Nothing could be more inimical to free debate than a situation where a society invited (say) a pro-Israeli or a pro-Palestinian speaker but then withdrew the invitation because of protests from those holding an opposing view.

Few things could be more threatening to the purpose of this institution. Being exposed to views that question or offend your fundamental beliefs and feelings, about yourself and society, is a large part of the point of attending University in the first place.

Dis-invitations of this sort are frequent – there were three high-profile cases last month alone¹ – but in England and Wales are contrary to the Equality and Human Rights Commission’s *Guidance* on s. 43 of the Education (no. 2) Act 1986.² The proposed amendment – which simply follows the *Guidance* – makes clear that shutting down speaker events will not be tolerated. It reassures any societies contemplating an invitation to a controversial speaker, that the University would support the event were the invitation to be accepted.

Council does not dispute this point. It only remarks that making explicit reference to it is unnecessary because its s. 43 duties are ‘already summarized elsewhere in the statement.’³

But nowhere in Council’s proposed statement is there any reference to this s. 43 duty. The only reference to *any* s. 43 duty is the passing reference, in the fourth paragraph, to the duty ‘to take such steps as are reasonably practicable to ensure that lawful freedom of speech and expression is secured for all staff and students and for visiting speakers’, and to publish a code of practice regarding meetings.⁴

The code itself (Annex II of Council’s report) makes no further reference to any other s. 43 duty. There is extensive reference to Prevent. There is a section entitled ‘Other legal considerations’ which covers the Public Order Act 1986. There is also a link to a document called ‘Guidance for booking meetings and events’; but neither that document, nor the Proctorial notices to which *it* links, give any more details of what s. 43 requires.⁵ Any University Society consulting the proposed Statement and Code could be forgiven for remaining entirely ignorant of the duty not to dis-invite invited speakers.

It is worth emphasizing that the amendment does not mandate or even encourage any University society to invite a ‘politically balanced’ list or to use ‘balanced’ panels. As far as this amendment is concerned any society is free to invite anyone it likes. The point is that once a society has decided that it *would* like to hear someone, and once that person is engaged to speak, nobody else can shut them down. We urge you to support Amendment 2.

¹ Chris Williamson: <https://www.swlondoner.co.uk/news/08102020-ex-labour-mp-uninvited-royal-holloway/>

Richard Dawkins: <https://www.independent.ie/irish-news/trinity-college-historical-society-rescind-richard-dawkins-invitation-over-authors-stance-on-islam-and-sexual-assault-39568028.html>

Caroline Farrow: <https://thestateindia.com/2020/09/20/university-debating-society-disinvited-author-opposed-to-gay-marriage-only-to-then-re-invite-her/>

²<https://www.equalityhumanrights.com/sites/default/files/freedom-of-expression-guide-for-higher-education-providers-and-students-unions-england-and-wales.pdf>

³ <https://www.admin.cam.ac.uk/reporter/2020-21/weekly/6589/section1.shtml#heading2-9>

⁴ <https://www.admin.cam.ac.uk/reporter/2019-20/weekly/6582/section5.shtml#heading2-13>

⁵ Guidance for booking meetings and events:

https://www.em.admin.cam.ac.uk/files/uoc_event_booking_guidance_0.pdf

Proctorial notices: <https://www.proctors.cam.ac.uk/notices>

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