



## **1. INTRODUCTION**

- 1.1 Christ's College is fully committed to the principle, and to the promotion, of freedom of speech.
- 1.2 This Code of Practice sets out the College's commitment to freedom of speech, outlines the various legislative frameworks under which such freedoms must be upheld and may be circumscribed, and summarises the procedures used by the College to manage these issues.

## **2. SCOPE**

- 2.1 This Code of Practice applies to:
  - 2.1.1 all members, staff and students of the College; and
  - 2.1.2 visiting speakers and all other persons invited or otherwise lawfully participating in College activities on College premises.
- 2.2 For the avoidance of doubt, this Code of Practice does not apply to purely commercial meetings or events on College premises.
- 2.3 References in this Code of Practice to "College premises" means those premises over which Christ's College exercises control, whether indoor or outdoor.
- 2.4 The University of Cambridge and its associated Cambridge Students' Union both have their own duty to secure freedom of speech within the law and have both issued their own Code of Practice on this topic.
- 2.5 The activities of the College student union(s), the Junior Combination Room (JCR) and Middle Combination Room (MCR) are subject to this Code of Practice and adherence of these student union(s) to the Code is monitored by the College.

## **3. KEY CONCEPTS AND LEGISLATIVE FRAMEWORK**

- 3.1 Freedom of speech means the freedom, within the law, to receive and impart ideas, opinions or information by means of speech, writing or images (including in electronic form) without interference.
- 3.2 Academic freedom, in relation to academic staff at the College, means their freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without loss of their jobs or privileges at the College, or the likelihood of their securing promotion or different jobs at the College being reduced.
- 3.3 These concepts are underpinned by the Human Rights Act 1998, which brings

the European Convention on Human Rights into direct effect in national law. Article 10 of the Convention articulates freedom of expression as a human right and sets out the limited circumstances in which that right might be circumscribed (such as to protect public safety, for the prevention of disorder or crime, or for the protection of the reputation or rights of others). These concepts also exist within other UK legislation. Universities and similar institutions in England (including the College) have duties under the Higher Education and Research Act 2017 (as amended by the Higher Education (Freedom of Speech) Act 2023) to take such steps as are reasonably practicable to secure and promote freedom of speech and academic freedom within the law for staff and students and for visiting speakers.

- 3.4 Section 26 of the Counter-Terrorism and Security Act 2015 places a duty on certain bodies, including higher education institutions such as the College, in the exercise of their functions to have 'due regard to the need to prevent people from being drawn into terrorism'. This necessitates the establishment of protocols and procedures by which to assess the risks associated with meetings or events that are University hosted, affiliated, funded, or branded. This Act also requires the College to have particular regard to its other duties with regard to academic freedom and freedom of speech. Debate, discussion, and critical enquiry are, in themselves, powerful tools in preventing people from being drawn into terrorism.
- 3.5 Under the Equality Act 2010, Fellows, staff and students must not be subjected to 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 are not to be interpreted to undermine freedom of speech and academic freedom. As a result, students' learning experience and the working environment of Fellows and staff may include exposure to research, course material, discussion or speakers' views that they find offensive, contentious or unacceptable, but are nonetheless within the law, and unlikely to be considered unlawful harassment or discrimination under the Equality Act 2010.
- 3.6 There are other legislative requirements that may be relevant in particular cases, such as offences under the Terrorism Acts if speech encourages terrorism, or amounts to the incitement of religious or racial hatred or hatred on the grounds of sexual orientation under the Public Order Acts, as well as statutory requirements relating to the holding of processions and assemblies. The College is not under any obligation to secure or promote freedom of speech that contravenes any legislative requirements.

#### **4. VALUES**

- 4.1 The College's core values are 'freedom of thought and expression' and 'freedom from discrimination' and it encourages its staff, students and visitors to engage in robust, challenging, evidence-based and civil debate as a core part of academic enquiry and wider College activity, even if they find the viewpoints expressed to be disagreeable, unwelcome or distasteful. These

values extend to the student unions of the College. The steps the College takes to embed its values in practice are set out in section 5 below.

- 4.2 The College fosters an environment in which all of its Fellows, staff and students can participate fully in College life, and feel able to question and test received wisdom, and to express new ideas and controversial or unpopular opinions within the law, without fear of intolerance or discrimination. In exercising their right to freedom of speech, the College expects its Fellows, staff, students and visitors to be tolerant of the differing opinions of others, in line with the College's core value of freedom of expression. The College also expects its Fellows, staff, students and visitors to be tolerant of the diverse identities of others, in line with the College's core value of freedom from discrimination. While debate and discussion may be robust and challenging, all speakers have a right to be heard when exercising their right to free speech within the law. Neither speakers nor listeners should have reasonable grounds to feel censored or intimidated.
- 4.3 The College will ensure that Fellows and staff are able to exercise freedom of thought and expression within the law without placing themselves at risk of losing their job, Fellowship or other supernumerary position, or any College privileges and benefits they have or affecting the likelihood of their securing other jobs or roles in the College. The College expects all Fellows, staff and students to engage with intellectual and ideological challenges in a constructive, questioning and peaceable way. The right of Fellows, staff and students to freedom of assembly, and to protest against certain viewpoints, should not obstruct the ability of others to exercise their lawful freedom of speech.

## **5. STEPS THE COLLEGE TAKES TO ENSURE FREEDOM OF SPEECH AND ACADEMIC FREEDOM**

- 5.1 The College will ensure that its teaching, curriculum, programmes of events (both of the College and its student union, policies and procedures reflect its duties to ensure, so far as is reasonably practicable, freedom of speech and academic freedom within the law and the very high level of protection for the lawful expression of viewpoints and for speech in an academic context, including but not limited to:
- a) its processes for programme development and approval, quality assurance and academic assessment;
  - b) its processes for admission, appointment, reappointment and promotion;
  - c) its policies relating to equality, diversity and inclusion (including the public sector equality duty) and the Prevent duty;
  - d) its processes for facilitating research; and
  - e) its codes of conduct and other behaviour policies, which will ensure no individual will be subjected to disciplinary sanction or other less favourable treatment by or on behalf of the University because of the lawful exercise of freedom of speech or academic freedom.
- 5.2 The College does not enter into non-disclosure agreements related to complaints about sexual misconduct, bullying or harassment.

- 5.3 The College has processes in place to identify and manage any risks to freedom of speech or academic freedom arising from the terms of certain overseas funding, including funding from endowments, gifts, donations, research grants and contracts, and educational or commercial partnerships.

The College shall:

- 5.3.1 ensure that this Code of Practice is brought to the attention of new students at registration and new Fellows and staff during induction;
- 5.3.2 draw the attention of Fellows, students and staff to this Code of Practice annually, and ensure that it is referred to in other College documentation as appropriate;
- 5.3.3 ensure that all relevant Fellows and staff are aware of and/or receive appropriate training on freedom of speech and academic freedom;
- 5.3.4 ensure that all relevant decision-makers, in making any decision or adopting any policy that could directly or indirectly (and positively or negatively) affect freedom of speech, act compatibly with the College's free speech duties as they apply in the relevant circumstances;
- 5.3.5 periodically seek feedback from Fellows, staff, students and other stakeholders to secure their views on whether freedom of speech and academic freedom at the College are being adequately protected and take the responses into account;
- 5.3.6 ensure that there are adequate measures in place to raise concerns about freedom of speech and academic freedom;
- 5.3.7 ensure that when new policies and procedures are introduced consideration is given to their impact on freedom of speech and academic freedom;
- 5.3.8 ensure that it has appropriate processes for the holding of events and meetings as set out in section 6 below;
- 5.3.9 monitor any concerns that have been raised about freedom of speech and academic freedom to ensure that they are addressed so far as is reasonably practicable and to address any lessons learned and draw the attention of complainants to its processes for investigating complaints and the OfS complaint scheme as set out in section 7; and
- 5.3.10 take steps to secure compliance with this Code of Practice, including where appropriate taking disciplinary action.

## **6. COLLEGE AND STUDENT UNION EVENTS AND MEETINGS – PROCEDURES AND CONDUCT OF ATTENDEES**

- 6.1 Active speaker programmes are fundamental to the academic and other activities of the College and Fellows, staff and students are encouraged to invite a wide range of speakers and to engage critically but courteously with them, including as set out at paragraph 6.6 of this Code. This Code of Practice provides the only mechanism by which the College can cancel or impose conditions on College and student union 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 College 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.

- 6.2 The starting point should always be that the event should go ahead and that cancellation is exceptional and undesirable. Depending on the circumstances, it may however be reasonable to refuse permission for a College meeting or event where the College reasonably believes (from the nature of the speakers or from similar activities in the past whether held at the College or otherwise) that:
  - 6.2.1 the views likely to be expressed by any speaker are contrary to the law;
  - 6.2.2 the speaker is likely to incite breaches of the law or to intend breaches of the peace to occur;
  - 6.2.3 the meeting will not permit contrary or opposing viewpoints to be held or expressed;
  - 6.2.4 the speaker and/or the organisation they represent advocates or engages in violence in the furtherance of their political, religious, philosophical or other beliefs;
  - 6.2.5 the views likely to be expressed by any 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; or
  - 6.2.6 it is in the interest of public safety, the prevention of disorder or crime, the proper functioning of the College or the protection of those persons lawfully on College premises, that the meeting does not take place.
- 6.3 The lawful expression of controversial or unpopular views will not in itself constitute reasonable grounds for withholding permission for a College or student union meeting or event.
- 6.4 Where the College is reasonably satisfied that the otherwise lawful expression of views at an event or meeting on College premises is likely to give rise to disorder or threats to the safety of participants or the wider College community, the College shall consider what steps it is necessary to take to ensure the safety of all persons and the security of College premises. These may include, but are not limited to: requirements as to the provision of security/stewards, the speaker being part of a panel, ensuring that a member of staff is in attendance, or that the event or meeting should take place in alternative premises, at a later date, or in a different format. The College may impose such conditions and requirements upon the organisers as are reasonably necessary in all the circumstances, ensuring that the conditions and requirements go no further than is necessary to address the risks it has identified. The College will only pass on the costs of security for using the premises to those arranging the relevant event or meeting in exceptional circumstances, such as where the costs are wholly disproportionate to the numbers likely to be attending the event and the event could be held in a more proportionate way, or where the visiting speaker could reasonably be expected to have their own security because of the political or state office they hold. Any request to a meeting or event organiser to pay security costs in exceptional circumstances will be in writing and will explain those costs and any appeal mechanism. Any request to pay security costs will not be

influenced to any degree by the ideas or opinions of any individual involved in organising the event or meeting, or by the policy or objectives of, or the views of any of the members of, anybody involved in organising the event or meeting.

- 6.5 These narrow exceptions to the general principle of freedom of speech are not intended ever to apply in a way that is inconsistent with the College's commitment to the completely free and open discussion of ideas.
- 6.6 Those attending events and meetings at the College are expected to conduct themselves in a manner consistent with the following principles:
- 6.6.1 everyone has the right to free speech within the law.
  - 6.6.2 the aim of events at the College is to expose Fellows, staff and students to the widest possible range of views, within the law.
  - 6.6.3 protest is itself a legitimate expression of freedom of speech but protesters should recognise the rights of others participating in the event or meeting, and in particular not violate the rights of others to speak during the event. Protest must not shut down debate.
- 6.7 Where any person or body to whom this Code of Practice applies is seeking to hold a College or student union event or meeting on College premises which is outside of the normal academic curriculum the processes in the Annex shall be followed, except where the event or meeting is purely commercial.

## **7. BREACHES AND COMPLAINTS**

- 7.1 Where the College receives a concern about the exercise of academic freedom or freedom of speech or where it has received a concern about a possible infringement or departure(s) from the values and procedures set out in this Code of Practice, it will consider which of its procedures are most appropriate to consider the concern, making such enquiries and seeking such information as it considers necessary. Such consideration may lead to further investigation in accordance with the College's disciplinary procedures (Fellow, staff or student), or the College's grievance or complaints procedures.
- 7.2 The Office for Students (OfS) operates a free speech complaints scheme. Under that scheme, the OfS can review complaints about free speech from members, students, staff, applicants for academic posts and (actual or invited) visiting speakers. Information about the complaints that the OfS can review is available on its website.

## **8. MONITORING AND REVIEW**

- 8.1 The College Council will periodically review the contents and operation of this Code of Practice and report on its operation.
- 8.2 The point of contact for any query about this Code of Practice and its Annex is the Senior tutor ([senior.tutor@christs.cam.ac.uk](mailto:senior.tutor@christs.cam.ac.uk)).

## **Annex: Processes for meetings and events on College premises**

### **Annex 1**

#### **Organisation and Approval of Meetings and Events on College Premises.**

- A1. This Annex is issued under paragraph 6.7 of the College's Code of Practice on Freedom of Speech, which reads: "Where any person or body to whom this Code of Practice applies is seeking to hold a College event or meeting on College premises which is outside of the normal academic curriculum the processes in the Annex shall be followed, except where the event or meeting is purely commercial."

#### **Organisation and Approval of Meetings and Events on College premises**

- A2. Any meeting or event on College premises to which this Annex applies should have at least one organiser who is responsible for the meeting or event and is a member, member of staff, or student of the College, or of the University. If a meeting or event is proposed without such an organiser, it may only proceed on condition that a member, member or staff or student is identified or nominated as the organiser responsible for the meeting or event.

- A3. Permission is required for meetings and events, including dinners, to be held on College premises, whether indoors or outdoors, by an individual with appropriate authority.

A3.1 For meetings and events, including dinners, at which there will be more than 12 attendees, or an external speaker (regardless of number) organised by students of the College or University permission may be granted by the Senior Tutor, or their delegate, following the process outlined in Annex 2 – Student Policies – Booking Events and Meetings in College;

A3.2 For other meetings and events, including dinners, permission may be granted by the responsible Fellow, senior member of staff, or staff with authority as part of their role.

- A4. It is anticipated that, in the vast majority of cases, the authority in question will straightforwardly consider the request as part of normal business.
- A5. A general authorisation may be issued in writing to cover a number or a series of meetings organised by an individual, society, or group.
- A6. Normally, a period of notice will be expected of (i) not less than 24 hours in advance in the case of a meeting where not more than 25 persons can reasonably be expected to be present, and (ii) not less than 10 working days in advance where more than 25 persons are expected to be present. In exceptional circumstances shorter periods of notice may be accepted.



- A7. Room bookings must be made through the College Room Booking System, the Conference and Events Team, the Porters' Lodge, or other relevant authority.
- A8. Normally, an application for authorisation should state the name of the member of the College taking responsibility for the meeting, the date and time of the meeting, the place, the names, addresses and colleges (if any) of the organisers, the name of the organisation making the arrangements, and the name of any expected speaker, whether or not a member of the University.
- A9. In the exceptional circumstances that the authority in A3 considers that the holding of the meeting or event might reasonably be refused on any of the grounds set out at paragraph 6.2 of the College's Code of Practice on Freedom of Speech, there is a process of escalation to the Master, or if the Master is conflicted, the President. Only the Master (or President) may refuse permission in this way and on these bases. The request should be forwarded to the Master (or President) with a statement of the concerns at least seven working days in advance of the proposed meeting or event. Members of the College who are concerned that a particular forthcoming meeting or event should be escalated to the Master (or President) may do so directly. The Master (or President) will, in consultation as necessary, determine whether the meeting or event can go ahead as originally planned, or should be subject to reasonable conditions such as those set out in paragraph 6.4 of the Code of Practice on Freedom of Speech. Only in exceptional circumstances, when there are risks which cannot be mitigated or the event organiser refuses to meet any conditions imposed, will permission be withheld.
- A10. Any decision by the Master (or President) (including one upheld on appeal) that a meeting or event should not take place, or may only take place subject to conditions, is binding and takes precedence over any other decision which may have been taken by any other body or officer in the College, subject to the right of appeal set out below.
- A11. An organiser who is unhappy with the decision of the Master (or President) has the right of appeal to a panel comprising three members of Governing Body on the Fellows' List.

### **Management of Meetings and Events on University Premises**

- A12. Once approved, the organisers of meetings and events must comply with any conditions set by the College authorities concerned. Such conditions may include the requirement that tickets should be issued, that an adequate number of stewards or security staff should be available, that the Proctors and/or University Security and/or the Police should be consulted and their advice taken about the arrangements, and that the time and/or place of the meeting should be changed. The cost of meeting the conditions, apart from security costs, and the responsibility for fulfilling them, rests with the organisers. Security costs will be borne by the College other than in exceptional circumstances, as set out in



paragraph 6.4 of the Code of Practice on Freedom of Speech.

### **Conduct at Meetings on College Premises**

- A13. The organisers of any meeting on College premises, and persons attending the meeting, must comply with instructions given by any College officer or by any other person authorised to act on behalf of the College (including the Proctors) in the proper discharge of their duties.
- A14. Members of the University are reminded that University disciplinary regulations apply on College premises and that the College may invite the Proctors to enter its premises.
- A15. The attention of members of the College is drawn to the College Regulations and the Code of Student Behaviour available at <https://www.christs.cam.ac.uk/rules-students>.
- A16. Any person attending a meeting who is not a Resident Member of Christ's College may be required at any time to leave the College's premises, notwithstanding any payment that may have been made for attendance at the meeting and under such circumstances it is the responsibility of the organisers to make any appropriate reimbursement.

### **Other Legal Requirements**

- A17. The attention of organisers of public meetings and assemblies is drawn to Sections 11 and 14 of the Public Order Act 1986, concerning processions and assemblies. Other legal requirements may affect the conduct of meetings. A speaker, for example who incites an audience to violence or to breach of the peace or to racial hatred commits a criminal offence. Equally, assemblies of persons, even if directed to lawful purposes, cease to be lawful if they threaten serious public disorder or breach of the peace. Attention is also drawn to the provisions of the Licensing Acts which require the licensee to maintain good order on licensed premises, and give them the power to expel persons from the premises if they consider it necessary.

### **Application of the Code**

- A18. Any person who is in any doubt about the application of this Code of Practice to any meeting or public gathering in the College is under an obligation to consult the Senior Tutor, or in the case of student members of the College their own Tutor, who will determine whether the provisions of the Code apply.
- A19. Breach by any member of the College of any of the requirements of this Code may be treated as a serious disciplinary offence

## Annex 2

### Student Policies - Booking Events and Meetings in College

1. The College has a legal duty to ensure freedom of speech and academic freedom, and to protect student and staff welfare. As part of this the College needs policies and procedures in place for the management of events and meetings using College premises. This policy should be read in conjunction with the College's "Code of Practice on Freedom of Speech".
2. For the purposes below, a speaker is considered external if they are neither a member of the University nor of any College of the University. For the purposes of this document, alumni are considered members of the College.
3. The policy below applies to events requested by student members of the College or wider University. It covers **all** events, including dinners, to which external speakers, not simply guests, are invited; and to **any** event organised to which more than 12 attendees are expected, regardless of whether there will be an external speaker.
4. Events and meetings that do not require approval through the process below can be booked directly using the College's room booking system with queries directed to the Conference and Events team.
5. Events covered by paragraph 3 should complete a "Booking Request Form" available on request from the Conference and Events team. Organisers may wish to provisionally check room availability with the Conference and Events team before completing the form. The information submitted on the form must include:
  - a. name and contact details of the event organiser;
  - b. title of the proposed event;
  - c. names of external speakers and presenters, if any;
  - d. details of any external organisation represented or publicised at the event;
  - e. brief description of proposed talks and/or activities;
  - f. dates and times of the proposed event;
  - g. projected number of attendees, including:
    - i. student members of the College;
    - ii. other members of the College;
    - iii. other members of the University;
    - iv. people external to the College and the University.
6. Once completed the form must be sent to the Senior Tutor for approval, copying in the Conference and Events Team.

7. Requests should be submitted in a timely manner and, if involving an external speaker, must not be advertised until approval has been given. External speaker events, and any event with 25 or more attendees, should be submitted at least 2 weeks in advance. Events with no external speaker and less than 25 attendees should be made not less than 24 hours in advance.
8. Requests made outside of these time lines may be considered, though the College reserves the right to refuse the request.
9. The Senior Tutor may decide to set conditions upon an event such as the implementation of ticketing, the provision of stewards or porters, changes to times, locations and numbers. Any costs resulting from these conditions, and the requirements of meeting them, must be met by the organisers.
10. In some instances general authorisation for a series of events or meetings may be provided.
11. If a booking is refused the decision may be appealed to the Master, or if the Master is conflicted, the President. The decision following an appeal will be the final decision.
12. Activities likely to be considered inappropriate to be conducted on College premises include:
  - a. events or talks which directly or indirectly promote violence, or which may advance the radicalisation of College members (as it is defined in the College's statement on freedom of speech and the Prevent duty guidance 2023);
  - b. internal or external speakers whose presence or activity, in the view of the College, carries a reasonable likelihood of risk to the health or safety of its members or of the general public;
  - c. physical activities where there has not been due regard for the safety of participants and onlookers;
  - d. activities where the College has been advised by the police that they represent a high risk at the specified time or location proposed.
13. The College reserves the right to seek additional information before confirming a booking.
14. The event organiser (i.e. the named person making the booking) is responsible for the event and should be present when it takes place. They agree as a condition of submitting the booking request to notify the College if any of the details submitted change.
15. The College reserves the right to review its decision on allowing an event

to proceed if any of the information provided changes.

16. The deliberate provision of false or incomplete information by the event organiser may be addressed under the disciplinary procedures of the College, if appropriate, or otherwise invalidate the booking.
17. This policy does not cover commercial bookings, except where these are made by University, or other College, Clubs and Societies, where completion of the Booking Request Form and approval from the Senior Tutor will be required. Advice, on any commercial booking, may be sought from the Director of College Services or the Senior Tutor
18. Any Christ's Society booking a formal dinner in a private room must have a Fellow

| <b>Date</b> | <b>Summary of Changes</b>   | <b>Date of next review</b> |
|-------------|---|----------------------------|
| June 2024   | Code of Practice on Freedom of Speech approved by College Council | July 2024                  |