

Freedom of Expression Policy

Policy statement

1. As an institution of higher education, which values academic freedom (including, in particular, critical independence and creativity), Queen Mary University of London (QML) is committed to promoting and encouraging free debate and enquiry. This means that it tolerates a wide range of views, political as well as academic, even when they are unpopular, controversial or provocative.
2. QML has an explicit duty in law¹ to take such steps as are reasonably practicable to ensure that freedom of expression within the law is secured for members, students, employees and visiting speakers. This duty includes a responsibility to ensure that the use of QML premises is not denied to any individual or group on the grounds of the belief or views of that individual or any member of that group or on the grounds of the policy or objectives of the group.
3. This does not mean, however, that the right to freedom of expression is unfettered. It is limited, for example, by laws² to protect national security and public safety, for the prevention of disorder or crime, for the protection of the reputation or rights of others, and to prevent the disclosure of information received in confidence. A significant strand in the regulatory framework is the duty (under the Race Relations (Amendment) Act 2000) to promote good relations between persons of different racial groups.
4. Freedom of expression also has to be set in the context of QML's values, and the values of a civilised, democratic, inclusive society. QML expects speakers and those taking part in activities to respect those values, to be sensitive to the diversity of its community, and to show respect to all sections of that community. These precepts apply in particular to the way in which views are expressed and the *form* of activities.
5. In considering whether or not to permit its premises to be used for a particular activity, QML has to consider whether the views or ideas to be put forward (or the manner of their expression)
 - i. infringe the rights of others or,
 - ii. discriminate against them

Or whether the activity in question

- iii. constitutes a criminal offence or,
- iv. constitutes a threat to public order or,
- v. constitutes a threat to the health and safety of individuals or,
- vi. incites others to commit criminal acts or,

¹ Under the Education (No 2) Act 1986

² The Policy is drafted with reference to the following legislation: The Education (No2) Act 1986, The Education Reform Act 1988, specifically section 43, The Human Rights Act 1998, specifically article 10, The Terrorism Act 2006, specifically section 1

- vii. is contrary to the civil and human rights of individuals.
- 6. A key test is whether a proposed activity is likely to give rise to an environment in which people will experience - or could reasonably fear - harassment, intimidation, verbal abuse or violence, particularly because of their ethnicity, race, religion and belief, sexuality, gender, disability or age. As part of its assessment in this area, QML would, in the case of an external speaker, review past activity and the presence of any convictions that have been received on account of words either spoken or written.
- 7. Another key test is whether adequate arrangements can be made to safeguard the safety of participants in the event, and other people within the vicinity, and to ensure that public order is maintained.
- 8. The general rule is that QML will intervene to restrict freedom of expression in any particular case only on the grounds indicated in 5-7 above.

Authority

- 9. The ultimate authority for the interpretation and implementation of this policy is the President and Principal on behalf of Council (the Principal Officer). The day to day implementation of the Policy shall be the responsibility of the Designated Officer, who shall be the President and Principal's nominee. The President and Principal, and the Designated Officer shall appoint another appropriate member of staff to act on their behalf in their absence. Procedures relevant to this policy (such as those for booking rooms or arranging events on campus) shall be published separately and may be subject to change as the need arises.
- 10. The Designated Officer shall grant or withhold permission for the use of QML premises (including, as appropriate, Queen Mary, University of London Students' Union (QMSU) premises) for proposed activities. Permission may be withheld only on the grounds indicated in 5-7 above, or if the organiser cannot or will not ensure compliance with any conditions set by the Designated Officer. It shall, in all cases, be open to the Designated Officer to invite the Police to be present at any activity on QML or QMSU premises.
- 11. It shall be open to the Designated Officer to withdraw permission for an activity if, having originally granted permission, he or she so judges that the activity will not in fact conform to the Policy (as outlined in 5-7 above).
- 12. It shall be open to the Designated Officer to withdraw permission for an activity or event to be held in association with the name of Queen Mary University of London where the meeting or event is being held on premises not owned or controlled by QML.

Scope

- 13. The Policy is applicable to:
 - i. The legal personality of Queen Mary University of London (QML)
 - ii. All persons (academic or otherwise) working for QML or undertaking duties on its behalf

- iii. All students at QML, including those who are registered, in association, or affiliates, and including those taking part in activities organised by QMSU and by its affiliated clubs, societies and other groups.
 - iv. Visitors invited to speak at or take part in meetings, events or other activities.
14. The President and Principal shall report to Council on the circumstances of any significant infringements of, and departures from, the provisions of the Policy. Any such infringements or departures, in whatever respect, may render those responsible liable to disciplinary action under the relevant QML policy.

Appeals

15. Appeals against the rulings of the Designated Officer may be made to the President and Principal, whose decision shall be final. Such an appeal must be received within two working days of the decision of the Designated Officer.

Implementation and Review

16. Oversight for the implementation and review of the Policy shall belong to the Designated Officer and shall typically involve input from QMSU and Estates and Security Services.
17. The Policy shall be reviewed not less than every three years from the date of the meeting when it was approved.

Approved 1st April 2014
Due for review 1st April 2017