



Jesus College

Code of Practice for the protection of Freedom of Speech

Members of the College (including students), as well as employees of the College, must conduct themselves at meetings and other events on College premises so as to ensure that freedom of speech within the law is secured for members and employees of the College and for visiting speakers.

- 1) Section 43 of the Education (No 2) Act 1986 requires the College to issue and keep up to date a code of practice setting out the procedures, to be followed by all of its members and employees, in connection with the organisation of meetings and other activities, which are to be held on its premises, and for the conduct required of such persons in connection with any such meetings and other activities.
- 2) An intentional or reckless breach of this Code of Practice will, for a student, amount to a breach of College Bylaw 15.1(a). Such breaches are liable to be the subject of disciplinary action.
- 3) Under s.43(2) of the 1986 Act, it is the duty of those concerned in the government of the College to ensure, so far as is reasonably practicable, that the use of any of its premises is not denied to any individual or body of persons on any ground connected with:
 - a. the beliefs or views of that individual or of any member of that body; or
 - b. the policy or objectives of that body.

Meetings and events on College premises

- 4) Where the nature of a proposed meeting or activity, the identity of the speaker or speakers or some other factor gives rise to concern on the part of the organisers, or any other member or employee of the College, they are responsible for bringing the meeting or event promptly to the attention of the Dean, where the meeting or activity is being organised by a student or students, or the notice of the Director of Accommodation, Catering and Conferences (D.A.C.C.) where it is being organized by someone other than a student. Members and employees of the College must always report events where they consider that:
 - the meeting or activity may give rise to unlawful actions or statements, whether they would be criminally or civilly unlawful. Examples of statements that would involve a breach of the criminal law are incitement to commit a crime, sedition and the stirring up of public disorder. Examples of civilly unlawful statements are those that are defamatory or amount to contempt of court. Under the provisions of the Equality Act 2010, it is (civilly) unlawful to take certain kinds of action, or to encourage others to take such actions against persons on account of their age, disability, gender reassignment, marriage or civil partnership, pregnancy, maternity, race, religion or belief, sex or sexual orientation. Those actions include discrimination, harassment and victimisation.

- a proposed external speaker is a member of, or is likely to use the event to encourage support for, a proscribed organisation;
- the meeting or event is likely to pose a risk to health and safety of those lawfully on College premises; or that it may prompt a risk to public safety;
- the meeting, activity or event will involve, or is likely to involve, views being expressed which constitute extremist views that risk drawing people into terrorism or that are shared by terrorist groups.

Procedure

- 5) Organisers of meetings or other activities must supply to the Dean {or to the D.A.C.C., as the case may be} details of the following:
 - time and date of the proposed meeting or event;
 - proposed location of the meeting or event;
 - the names, addresses and colleges (if any) of the organisers;
 - the name of the organisation making the arrangements;
 - the name of any expected speaker and whether or not they are a member of the College;
 - an overview of the meeting or event and the topics that will be covered;
 - whether the event will be open to members of the public.
- 6) Information should be provided to the Dean or the D.A.C.C., as the case may be at least seven working days in advance (although they may agree to receive information closer to the time of the meeting than this). The Dean or the D.A.C.C. may cancel any meeting or event where the required information has not been provided seven working days in advance.
- 7) The Dean or the D.A.C.C. may consult with relevant persons or bodies as appropriate.

Decisions

- 8) All decisions will be reached by the Dean or the D.A.C.C. following careful consideration of the evidence presented to them. The Dean or the D.A.C.C. will limit any actions to those that are, in their assessment, reasonable, proportionate and necessary to ensure, as far as reasonably practicable, that events are not directed to unlawful purposes; not such as to promote support for a proscribed organisation; not likely to pose a risk to health and safety of those lawfully on College premises, or to the public; and not such as to be at least likely to involve views being expressed which constitute extremist views that risk drawing people into terrorism or that are shared by terrorist groups.
- 9) The Dean or the D.A.C.C. has the power to postpone or relocate a meeting or activity or to impose conditions. Such conditions may include, but are not limited to, a requirement that tickets should be issued, that an adequate number of

stewards should be provided, that the police should be consulted about the arrangements, and that the time and place of the meeting should be changed. The cost of meeting the requirements, and the responsibility for fulfilling them, rests with the organisers.

- 10) In the event that the Dean or the D.A.C.C. considers that the risks posed by the proposed meeting or activity cannot be reasonably mitigated by conditions, they have the right to cancel the event. The cost of cancellation rests with the organisers.
- 11) The Dean or the D.A.C.C. will communicate the decision taken to the organisers of the event promptly and will set out the reasons for the decision.

Appeal

- 12) If an organiser is dissatisfied with the outcome of a decision of the Dean or the D.A.C.C., he or she may write to the Principal, setting out clear reasons for that dissatisfaction, and requesting a reconsideration of the decision.
- 13) The Principal will communicate the decision on the appeal to the organisers of the event promptly and will set out the reasons for the decision.
- 14) College premises proposed to be made available for use by outside organisations
- 15) In any case where it is being proposed that permission be granted to an outside organisation or group to hold a meeting or event on College premises, the provisions of this Code will apply.

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