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Freedom of Speech in Universities

Thank you for contacting me about freedom of speech in universities.

Our universities have a proud history of encouraging freedom of speech and it is vitally important that this right is preserved. Our universities should encourage open debate as a vital part of learning.

I am encouraged that the Minister for Universities has been clear that universities have a legal duty to secure freedom of speech for students, staff and visiting speakers and must have clear policies in place to support this. This duty extends to both the premises of the university and premises occupied by students' unions, even if they are not part of the university premises. This means that universities have a legal obligation to ensure the use of student union premises is not denied to individuals on the grounds of their beliefs, policies or objectives. Of course, there is also a duty to ensure that violent extremism, hate speech and incitement are not promoted so universities must fulfill their statutory Prevent obligations regarding terrorist and extremist groups.

In addition, universities have a responsibility under the Equality Act 2010 to provide a safe and inclusive environment for all staff and students. This helps to ensure that individuals are able to express their opinions without fear of discrimination or harassment.

The Department for Education provides additional support to universities to ensure that ideas and opinions can be heard, challenged and debated – including help with assessing the possible risks around external speakers. I have been assured that it also proposes to raise the issue of freedom of speech as part of the consultation on the public interest principles to be included in the public interest governance condition that universities will need to meet and which will be the responsibility of the Office for Students.

Freedom of speech must be safeguarded and upheld, not least in higher education. It is essential that university teachers and students can encounter new ideas and that those ideas are explored and challenged. I am encouraged that procedures are in place to uphold this right.

Thank you again for taking the time to contact me.

Kind regards,

Craig Whittaker MP