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[FreeSpeechUnion.org](https://www.FreeSpeechUnion.org)



Professor Richard Gilbertson FRS
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1st October 2026

Dear Professor Gilbertson,

I am writing to you in my capacity as General Secretary of the Free Speech Union, a non-partisan, mass membership public interest body that stands up for the speech rights of its members and campaigns for free speech more widely.

It has come to our attention, through a recent report in *The Spectator*, that the College intends to require undergraduates (it is not clear whether this means first-years only or all undergraduates) to attend a 90-minute "inclusivity" session this term, delivered by the charity Stop Hate UK. An email from the College's Education and Tutorial Office states that attendance is mandatory, and that this is important to ensure "a collective and unified response". The session is to cover, among other things, "demonstrating inclusive behaviours" and "recognition of a hate incident and its impact".

A College spokesman has since described the arrangement as "facilitated discussions around inclusivity", agreed in consultation with student representatives. That description is hard to reconcile with a compulsory session run by an outside organisation. I would be grateful if you could clarify which account is correct, and which students the requirement applies to.

The Free Speech Union has no objection to the College hosting a discussion about inclusivity, or to Stop Hate UK being invited to make its case to students who wish to hear it.

Our concerns are threefold:

- that attendance is compulsory;
- that the organisation delivering the session publishes materials that misstate the law in ways likely to having a chilling effect on lawful speech;
- that the arrangement appears to sit uneasily with the College's statutory duty to secure freedom of speech.

The course and its provider

Stop Hate UK's [training for educational settings](#) includes courses on unconscious bias, microaggressions, "Islamophobia awareness" and "Free Speech, Hate Speech, and Social Media". The last of these, offered to university audiences, teaches that the right to free speech is "refined and restricted by other duties,

responsibilities, and legislative and contractual obligations". It also says that opinions are shaped by "unconscious bias, media bias, fake news, etc". It frames free speech by reference to the Universal Declaration of Human Rights. It makes no mention of Article 10 of the European Convention on Human Rights, or of the Higher Education (Freedom of Speech) Act 2023, which is the statute that actually governs free speech at your College.

The organisation's Islamophobia course attributes rising hostility towards Muslims to "mainstream media reporting" – an unevidenced assertion – and lists "the impact of secularism" among its subjects. According to *The Spectator*, Stop Hate UK's material on this subject also treats truthful reporting of the grooming-gang scandals as evidence of anti-Muslim hostility. These are contested political positions, not neutral facts about the law or good conduct.

The Spectator also reports that a video produced by Stop Hate UK tells university students they must always display "positive attitudes" and use language that will not "cause harm or offence". That is not the legal standard. The European Court of Human Rights has held since *Handyside v United Kingdom* (1976) that freedom of expression extends to ideas that "offend, shock or disturb". The Office for Students' own guidance says a free speech code may state that lawful speech "may include speech that is shocking, disturbing or offensive".

The courses on unconscious bias and microaggressions rest on shaky empirical ground. A 2020 evidence review by the Behavioural Insights Team for the Government Equalities Office found no good evidence that unconscious bias training changes behaviour, and some evidence that it can have the opposite of its intended effect. The sociologists Frank Dobbin and Alexandra Kalev reached a similar conclusion in the *Harvard Business Review* ("Why Diversity Programs Fail", 2016). They found that compulsory diversity training is particularly likely to provoke resentment and, in some studies, increased animosity towards out groups. The College's purpose is free intellectual enquiry. Presenting these concepts to students as settled science, in a session they are obliged to attend, is at odds with that purpose and below the intellectual standards students have a right to expect from a community of scholars at a world class university.

Stop Hate UK's account of the law

Of greater concern is that Stop Hate UK's published guidance on hate crime misstates the law, and the College's email indicates that its session will draw on this material.

"Hate incidents". Stop Hate UK's page ["What is Hate Crime?"](#) defines a hate incident as "any incident that the person affected or anyone else believes is based on a person's identity". (It's worth noting that an act of common courtesy, such as holding a door open for a woman, would meet this definition of a "hate incident".) It gives "malicious complaints about parking" and "abusive gestures" as examples, and urges people to report all incidents "no matter how small". This purely perception-based approach is exactly what brought non-crime hate incidents into disrepute. In *Miller v College of Policing* [2021] EWCA Civ 1926, the Court of Appeal held that the police guidance on recording "hate incidents" was an unlawful interference with freedom of expression. On 31st March 2026, the Government announced that non-crime hate incidents are to be scrapped altogether. It would be remarkable for a Cambridge college to teach its students to identify and report "hate incidents" in the very year the Government abandoned the concept.

Out-of-date statute. The same page tells readers that sections 145 and 146 of the Criminal Justice Act 2003 treat hate-motivated crimes as aggravated. Those sections were repealed and re-enacted as section 66 of the Sentencing Act 2020, in force since 1st December 2020. The page also describes one of the protected strands as "Gender Identity", whereas the statute refers to "transgender identity".

"Islamophobia is a crime". Stop Hate UK has been reported as stating that Islamophobia is a crime. It is not. There is no offence of Islamophobia in English law. Offences such as stirring up religious hatred (Part 3A of

the Public Order Act 1986) are drawn narrowly. Section 29J expressly protects "discussion, criticism or expressions of antipathy, dislike, ridicule, insult or abuse of particular religions". The definition of "anti-Muslim hostility" the Government has adopted is non-statutory and creates no offence.

The protected characteristics. A slide from Stop Hate UK's training materials, which has been circulated publicly, lists the protected characteristics under the Equality Act 2010 as "disability, gender identity, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation". This is wrong twice over. First, "gender identity" is not a protected characteristic: section 4 of the Act lists "gender reassignment" as a protected characteristic, not gender identity. Second, the list leaves out age, which is one of the nine protected characteristics in section 4. Material that cannot list the nine characteristics correctly should not be used to instruct students on what the Act requires of them. In *For Women Scotland Ltd v The Scottish Ministers* [2025] UKSC 16, the Supreme Court held that "sex" in the Act means biological sex. Students who hold gender-critical beliefs are themselves protected, since such beliefs are a protected philosophical belief (*Forstater v CGD Europe*, UKEAT/0105/20). We note that members of the Cambridge University Women's Society have spoken publicly about the hostility they faced for joining a single-sex society. Compulsory training that blurs these distinctions risks making Caius a more hostile environment for such students, not a more inclusive one.

The College's legal duties

Since 1st August 2025, Part A1 of the Higher Education and Research Act 2017 has been in force. It was inserted by the Higher Education (Freedom of Speech) Act 2023. Section A1 requires the governing body of every registered provider to take the steps that are reasonably practicable to secure freedom of speech within the law for its students, staff, members and visiting speakers. Section A4 applies that duty to constituent institutions, and the Office for Students has confirmed that the colleges of the University of Cambridge are constituent institutions. "Freedom of speech" in Part A1 means freedom of expression within the meaning of Article 10 of the Convention (section A1(13)). The duty therefore binds the College directly.

The OfS's [Regulatory advice 24](#) sets out the steps it expects providers and colleges to take. Several bear directly on this session:

- **Compelled assent (paragraph 212).** Providers and constituent institutions should not require training that obliges the participant "actively to endorse any viewpoint or value-judgement". The OfS accepts (paragraph 213) that institutions may require training on sensitive subjects. But the session you've made mandatory requires students to "demonstrate inclusive behaviours", and is built on contested ideas about unconscious bias and microaggressions. Depending on how it is delivered and assessed, that comes very close to compelled endorsement.
- **Encouraging reports of lawful speech (paragraph 163).** Institutions should not encourage students to report others over the lawful expression of a viewpoint. Stop Hate UK says "hate incidents" include trivial and non-criminal conduct and asks encourages students to report them, however trivial. Teaching students to recognise and report such perception-based incidents does exactly what paragraph 163 warns against. Example 39 of the guidance addresses the chilling effect of schemes for reporting undefined "microaggressions".
- **Misstating the law (paragraph 159).** Policies and statements should not discourage lawful speech by misrepresenting the law, including by oversimplification that omits the importance of free speech. The mandatory session includes a module on free speech that never mentions Article 10 or the 2023 Act and is due to be delivered by an organisation that misstates the law on hate crime. That falls squarely within this concern.

- **Recording decisions (paragraph 190).** Institutions should record all decisions likely to have a substantial effect on free speech, and those records should show how the institution had particular regard to its importance.

Students who believe the College has failed in this duty may, once they have exhausted its internal complaints procedures, take their complaint to the Office of the Independent Adjudicator for Higher Education. The OfS's own free speech complaints scheme does not cover students, but the OfS retains its full regulatory powers over the College's compliance with section A1. A gender-critical member of staff could complain to the OfS that teaching a course that portrays the expression of gender-critical views as hateful, or as falling foul of the Equality Act, constitutes a breach of the College's duty to take the steps that are reasonably practicable to secure freedom of speech within the law for its students, staff, members and visiting speakers.

There is also a contractual question. As far as we are aware, students admitted to the College were not told that attendance at training of this kind would be a condition of membership. Imposing it after matriculation looks like a unilateral variation of the terms.

What we ask

In light of the above, I would ask the College to:

1. Confirm which students the requirement applies to, and confirm in writing to those students that attendance at the session is optional and that no student will suffer any sanction, record or other detriment for choosing not to attend.
2. Provide the Free Speech Union with a copy of the materials to be used (including slides, videos, scenarios and any quiz), together with the brief the College gave Stop Hate UK.
3. Confirm that no student will be required to endorse, or to "demonstrate" assent to, any politically contentious viewpoint or value-judgement, and that nothing a student says in the session will be reported or used in any disciplinary process.
4. Ensure that students who do attend receive an accurate account of the law, including their free speech rights under the 2023 Act. One way to do this would be to circulate the College's own free speech code of practice to all members of the college, including first years.
5. Tell us whether the decision to engage Stop Hate UK was recorded in the way required by paragraph 190 of the OfS guidance, and what regard was had to the importance of free speech in making it.

Given that the sessions are due to begin shortly, I would be grateful for your reply before any session takes place, and in any event by **7th October 2026**.

The Free Speech Union would be happy to help the College meet its free speech obligations, on a pro bono basis, and to suggest speakers who could offer students a different perspective on these questions.

I look forward to hearing from you.

Yours sincerely,



Lord Young of Acton

General Secretary
The Free Speech Union
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cc.

Dr Deborah Prentice, Vice-Chancellor, University of Cambridge

The Senior Tutor, Gonville & Caius College

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