



By e-mail and first-class post to toby@freespeechunion.org

Mr Toby Young
General Secretary
Free Speech Union
85 Great Portland Street
London W1W 7LT

6th April 2020

Dear Mr. Young

Further to the letter of complaint received by the College dated 1st March 2020 from the Free Speech Union (FSU), I write to inform you that the review of the complaint has been completed and to inform you of its outcome. As you are aware, this represents the completion of Stage Two of the College's Complaints and Appeals Procedures.

In accordance with its procedures, the College asked a panel of Fellows, chaired by a senior Fellow, to conduct the review (the Complaint Panel) of the matters referred to in the complaint, namely the alleged "no platforming" of Professor Selina Todd from the Women's Liberation 50th Anniversary Celebration Conference (WLC), organised by the Oxford International Women's Festival and held on the College's premises (the site of the original Women's Liberation Conference in 1970) on Saturday 29th February 2020. The complaint alleged that the College acted in breach of its own Code of Practice on Freedom of Speech (Code of Practice) and its duty under s.43 of the Education (No. 2) Act 1986 (the Act) to ensure that freedom of speech within the law is secured. In particular, the complaint alleged that the College should have cancelled the event when it learned that Professor Todd had been disinvited from speaking.

The Complaint Panel reviewed the events that led up to and took place at the WLC, the public statements of those involved and internal College communications. It interviewed relevant College representatives and received comment from participants. The Complaint Panel received legal advice on the substance of the complaint from specialist Counsel.

The Complaint Panel noted inter alia:

- The Act requires the College to take such steps as are reasonably practicable to ensure that freedom of speech within the law is secured.
- The College recognises its obligations under the Act and followed its procedures for the booking of its premises for external events, including receiving a written undertaking from the organisers of WLC requiring compliance with the Code of Practice.
- The College was not contacted by the organisers or Prof. Todd regarding any discussion or decision relating to the disinvitation, and only became aware through third parties just before 10pm on the evening before the Conference, some hours after the decision by the organisers had been taken.

- When contacted by the College the organisers disputed the characterisation of their decision as “no platforming”, and stated that Prof. Todd had been asked only to give a brief message of welcome, was not a key speaker, and was still welcome to attend the event.
- The Conference itself was supposed to be a celebration of a significant historic event, with 120 delegates and was the opening of a fortnight of planned events representing the Oxford International Women’s Festival.

The Complaint Panel concluded that, in the particular circumstances of this case, it would not have been reasonably practicable for the College to cancel the event at such short notice and without a proper opportunity to investigate and deliberate, given the considerable practical disruption this would have caused and the adverse impact on the free speech rights of the other speakers and delegates. In consequence, the Panel concluded that the College did not in the circumstances breach its duties under the Act or its Code of Practice.

Nevertheless, the Complaint Panel also concluded that in their view Professor Todd’s freedom of speech was infringed by the organisers’ decision regarding her, and noted that this view appears to be shared by the University History Faculty and by the WLC itself which voted at the opening of its proceedings to reinstate her role. The Panel has asked the College to consider strengthening its procedures with respect to third party bookings in order to minimise the possibility of such events recurring, which the College intends to do as a matter of urgency, in consultation with the University.

The College takes this matter seriously and considers that the events surrounding the WLC on 28th and 29th February were deeply regrettable. The College emphasises that it remains committed to ensuring that the principle and practice of the right of freedom of speech within the law is respected and secured for its members, students, employees and visiting speakers.

Yours sincerely

A solid black rectangular box redacting the signature of the representative of Exeter College.

For and on behalf of Exeter College