



FSU
FREE SPEECH UNION

THE FREE SPEECH UNION
85 GREAT PORTLAND ST.
LONDON W1W 7LT

FREESPEECHUNION.ORG

Professor Lisa Roberts
Vice-Chancellor
University of Exeter
Northcote House
The Queen's Drive
Exeter EX4 4QJ

17th September 2020

Dear Professor Roberts,

I wish to make a formal complaint about the no-platforming of Caroline Farrow, the Catholic writer and activist and a member of the Free Speech Union, by the Exeter University Debating Society.

Ms Farrow was invited on 18th August to take part in a debate organised by the Society, the motion being, "This house believes sex work is real work." She was happy to accept, having spoken at the Society four times before. The debate is due to take place tomorrow at 7pm. However, at 11am this morning she received an email from Robert Jones, the Chair of the Society, which read as follows:

I regret to inform you that the Debating Society is retracting our invitation to speak. A number of articles have been brought to our attention concerning your widely-cited anti-LGBT activism. This is in direct contradiction to the inclusive culture we wish to promote, being an incredibly broad-church society both in our ideas and diverse makeup.

The decision by the Society to rescind its invitation to Ms Farrow is a breach of Exeter University's Academic Freedom and Free Speech policy which states:

It is a primary duty of universities to uphold the fundamental principles of academic freedom and freedom of speech within the law.

It is also a breach of the University's Event management policy, which states:

The University is committed to the protection of freedom of speech and academic freedom, alongside a duty of care to its staff, students and visitors. Our policies for the booking of speakers and events reflect this and confirm our commitment to allow events to go ahead providing that they are within the law.

Finally, it is a breach of the University's Agreement on Academic Freedom, which links to the UCU statement on academic freedom, last revised in 2016. That states:

One of the purposes of post-compulsory education is to serve the public interest through extending knowledge and understanding and fostering critical thinking and expression in staff and students, and then in society more

widely. Academic freedom is essential to the achieving these ends and therefore to the development of a civilised democracy.

Your predecessor Professor Sir Steve Smith was adamant in his defence of academic freedom and freedom of speech. He issued a Freedom of Speech statement, still on the University's website, in which he said:

Academic freedom and freedom of speech are fundamental to our nature as a global University. In the pursuit of new knowledge, free and open debate is crucial. We will therefore seek at all times to encourage a culture of vigorous and fearless discussion within the law that ensures critical thinking and which challenges violent extremist and illegal narratives and those who seek to promote them.

The University also has a Freedom of Speech policy that clearly states that the University's commitment to free speech extends to protecting the speech rights of invited visitors:

The University of Exeter policy on freedom of speech in relation to meetings and events held on University premises is set out below. Please note that if inviting a speaker onto campus or to events held in the name of the institution, the UOE speakers and events policy... must be followed. These have been developed to provide support to allow events to go ahead wherever possible, with appropriate controls in place to protect the University, the organiser of the event and those who attend.

The UOE Speakers and events policy referred to above states:

The University is committed to the protection of freedom of speech and academic freedom, alongside a duty of care to its staff, students and visitors. Freedom of Speech within the law will be protected.

Just to make it crystal clear that this policy extends to invited speakers, it states:

This policy applies to non-curriculum linked speakers, conferences, events and/or speeches and guest speakers held at or in the name of the University of Exeter, whether booked by University staff, students or external parties.

The no-platforming of Ms Farrow is a clear breach of these policies. If the University allows this no-platforming to stand, it would be in breach of the legal duty of UK universities to protect free speech, as set out in the Education (N^o 2) Act 1986, which was passed, in part, to prevent the no-platforming of visiting speakers at British universities. In particular, it would be a breach of s.43(a) of the 1986 Act, which requires universities to:

... take such steps as are reasonably practicable to ensure freedom of speech within the law is secured for members, students and employees of the establishment and for visiting speakers.

This Act and these words are referred to in Exeter's Freedom of speech policy.

Ms Farrow is not an "anti-LGBT activist". On the contrary, she is a supporter of LGBT rights. The fact that she has in the past expressed her deeply-held religious beliefs about a range of LGBT issues does not make her an "anti-LGBT activist", any more than the Pope's opposition to same-sex marriage makes him an "anti-LGBT activist". Would the Debating Society's commitment to being a "broad-church society" not extend to allowing the leader of the Catholic church to voice his opposition to gay marriage? Ms Farrow's views may be unfashionable, even offensive to some, but they are not unlawful and it is difficult to imagine how the University would be upholding its commitment to "a culture of vigorous and fearless discussion within the law" if speakers with unfashionable or offensive views are no-platformed. As Mr Justice Sedley said in his judgment in *Redmond-Bate v Director of Public Prosecutions*:

Free speech includes not only the inoffensive but the irritating, the contentious, the eccentric, the heretical, the unwelcome and the provocative... Freedom only to speak inoffensively is not worth having...

While the Exeter University Debating Society is under no obligation to invite anyone to speak at its events, once it has extended an invitation to a particular speaker it is under an obligation not to rescind that invitation at the behest of other students who disapprove of the speaker or disagree with the speaker's political views. For a student society to withdraw an invitation to a speaker at the behest of other students who disapprove of the speaker's views endangers freedom of speech on campus because it effectively gives groups of activists and protestors the power of veto over the expression of viewpoints they disagree with. This is a point made clear in the guidance produced by the Equality and Human Rights Commission last year entitled "Freedom of expression: a guide for higher education providers and students' unions in England and Wales". According to this guidance, a higher education provider, or a student society, is within its rights not to invite a particular speaker; but once it has extended an invitation it should not then withdraw it and if it does so – or if a university does nothing to restore that speaker's invitation – it may be in breach of s.43 of the Education (No 2) Act 1986.

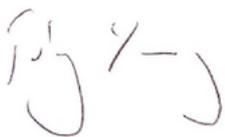
What is particularly disappointing about the decision of the Debating Society to no-platform Ms Farrow is that this debate would have been a perfect opportunity for those who disagree with her views to engage in a vigorous discussion about them with her, in keeping with the University's stated policy of encouraging "open debate". In addition, it would have been consistent with the Debating Society's Aims and Objectives, which include "Critical engagement with public discourse", "Exposure to a diversity of thought" and "A broader philosophical, legal and political education". How can the Society hope to fulfil these aims and objectives if it no-platforms people because they hold views that some students disagree with? Isn't providing a platform to people with views that others disagree with exactly what a debating society is supposed to do?

Universities sometimes justify the no-platforming of invited speakers by appealing to "risk assessments" that have been carried out by the event organisers or university authorities, showing, for instance, that honouring the invitation to the speaker in question would provoke violent protests. That cannot be a reason in this case because the debate, while convened by an Exeter student society, is taking place online.

I very much hope you will intervene to ensure that the Exeter University Debating Society honours its invitation to Ms Farrow, thereby upholding the University's stated commitment to free speech and ensuring that it is not in breach of s.43 of the Education (No 2) Act 1986. I know you have only just taken up the job of Vice-Chancellor, but I am assuming your commitment to free speech is as great as your predecessor's. It would be an inauspicious start to your period in office if you allowed such a blatant violation of free speech to take place.

I look forward to hearing from you at your earliest convenience.

Yours sincerely,



Toby Young
General Secretary
The Free Speech Union
toby@freespeechunion.org

cc Robert Jones, Chair, Exeter University Debating Society
The Rt Hon Michelle Donelan, Universities Minister, Department for Education
Mr Iain Mansfield, Department for Education
Sir Michael Barber, Chair, Office for Students
Ms Nicola Dandridge, CEO, Office for Students
Mr David Smy, Office for Students