



FSU
FREE SPEECH UNION

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

Nikita Ma
Oxford University Students Union
4 Worcester Street
Oxford
OX1 2BX

25th June 2021

Dear Ms Ma,

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.

This letter concerns the OUSU project to set up a 'Student Consultancy of Sensitivity Readers'. While press coverage has focused on the project's impact on the *Cherwell*, we believe a greater concern is its impact on Oxford's other main student newspaper – the OUSU-owned *Oxford Student*.

Due to OUSU's ultimate control of the *Oxford Student*, we believe this project will inevitably, whether in fact or in perception, compromise the editorial independence of the *Oxford Student*.

The OUSU resolution of 25 May 2021 stated as follows:

Council Believes:

1. The need for better editing in student papers but also in JCR affairs, society publications, and other areas of Oxford life is clear from the amount of 'scandals', that is, problematic articles being published. These could represent a certain group of people unfairly or inaccurately, be implicitly racist or sexist, or just generally inaccurate and insensitive.
2. There are not enough mechanisms for editing teams to handle sensitive pieces.
3. A more formal system is needed to deal with issues like this to help Oxford's student scene produce more accurate, sensitive, considered journalism.
4. Using elected reviewers who can take pieces to people more qualified than them can help ameliorate the potential damage from content. This could add more pressure to peer-review work.

Council Resolves:

1. To establish "Student Consultancy of Sensitivity Readers" (see appendix) as an Oxford SU Project.

The project received hostile press coverage, attracting accusations that OUSU was censoring the student press, and fettering its editorial independence. In response to the press coverage, OUSU issued a helpful [clarification](#), affirming the editorial independence of the *Oxford Student* and stating:

The service will be available on a voluntary basis. The resource would be accessed by writers or editors who decide that they need another pair of eyes to further fact-check writing on subjects they do not have specialist knowledge in. The website would be a facility to help the Oxford publishing outlets replicate professional industry a little more, thus providing better training for all those involved. The aim of this project is not to ban any subject or censor individual expression, but to help improve the accuracy and integrity of published work.

We accept in good faith that this sets out the intentions of the Student Council in affirming the project.

Whatever the intent, however, the effect of this project will be needless and avoidable damage to the independence and credibility of the *Oxford Student*. Any use it makes of the new service will be, ostensibly or actually, an act of obedience to its overly powerful owner – OUSU.

We accept that under OUSU bye-law 15.3 the editor of the *Oxford Student* is not obliged to observe OUSU policy. Other than that, the safeguards on the *Oxford Student's* independence are threadbare.

Bye-law 31.5(e) requires the setting out of the principles of editorial independence which apply to the *Oxford Student* and other student media. However, it is for OUSU's own media board, consisting of OUSU officers and appointees, to determine the content of those principles.

It is also the role of the media board under bye-law 31.5(a) to determine the procedure for appointing and removing the editor of the *Oxford Student*.

The corporate independence of the *Oxford Student* is also no safeguard. It is true that the publisher of the *Oxford Student* is OSSL Ltd, not OUSU. However, as recorded at [Companies House](#), OUSU owns 100% of the shares in OSSL Ltd, and four of its five statutory directors are OUSU sabbatical officers or part of the OUSU senior leadership team.

The motion of the Student Council was not an appropriate action by a newspaper owner. It puts the editors of the *Oxford Student* in an invidious position. They cannot make use of the new service without immediately attracting accusations that they are bowing to the edict of their over-powerful owner. 'Edict' is, we suggest, the right word – the prescriptive tone of the motion is unmistakable.

Nor would it be easy for the *Oxford Student* to reject OUSU policy and take a stand against sensitivity reading. To do so would attract accusations of – to adopt the motion's wording – unfairness, racism, sexism and insensitivity.

A responsible proprietor would not put its newspaper editor in this unconscionable position. It is exactly the kind of proprietorial over-reach and erosion of the 'Chinese wall' separating a newspaper owner from a newspaper editor that Rupert Murdoch has been criticised for in the past.

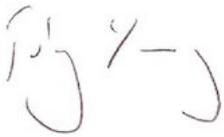
We urge you as President of OUSU to use whatever constitutional means are open to you to reconsider this motion in light of the need to preserve the *Oxford Student's* editorial independence. This could mean putting in place proper separations between OUSU and OSSL Ltd – such as an 'independent board' of the kind that Margaret Thatcher insisted on to preserve the integrity of the *Times* when Rupert Murdoch acquired the newspaper.

The more sensible approach, however, would be to reverse a motion which has done significant damage to the credibility of the University and the Union as supporters of free, open-minded and diverse journalism. There can be no excuse for enforced blandness.

I was myself the editor of a student magazine at Oxford and would not have welcomed this kind of interference. Nor would it have been helpful when it came to preparing me for a career as a journalist and editor. In Britain, the custom is for the editor of a publication to be the captain of her own ship, an important principle when it comes to preserving the independence of the fourth estate. Having to submit articles to a censor appointed by my proprietor as a student editor would have been completely at odds with this vital democratic practice.

I would also like to remind you, though you surely need no reminding, that the Higher Education (Free Speech) Bill will, when it becomes law, imposes new duties on students' unions to secure freedom of speech. In the event it were found that OUSU were in fact imposing a system of journalistic censorship, OUSU could face regulatory action by the OfS or even a claim for damages in the civil courts. Should an Oxford journalist believe their speech rights have been breached by OUSU, we would of course support them in any action they chose to take.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Toby Young'.

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

cc: Louise Richardson, Vice-Chancellor, Oxford University