

Freedom of Speech at the Union of Brunel Students

Core Values The Union's core values are Driven by You; Open to All; Passionately Positive; and Integrity. We uphold freedom of speech through these values by committing to:

"Talk with all of our communities to hear and understand differing views and provide a plethora of opportunities for members to choose who can best represent their voice. We will help our members have the confidence and tools to drive their own agenda, challenge themselves and others, and take responsibility and accountability in equal measure."

1. Importance of Free Speech

1.1 The Union recognises the importance of free speech and commits to:

- **Respecting Diverse Opinions:** We will respect the right of students, staff, and visiting speakers to express their opinions freely, even if these views are unpopular or may cause offense.
- **Promoting Mutual Respect:** We expect all members to demonstrate mutual respect and tolerance towards differing views.
- **Operating Within the Law:** While free speech is a right, it must operate within legal boundaries. Unlawful speech is not protected. Relevant UK laws include but are not limited to:
 - **Human Rights Act 1998 (Article 10 - Freedom of Expression):** This guarantees the right to freedom of expression, but allows for restrictions to protect national security, public order, and prevent crime.
 - **Public Order Act 1986:** Protects against hate speech, incitement to violence, and public disorder, which are not covered under freedom of speech.
 - **Equality Act 2010:** Ensures that freedom of speech does not breach anti-discrimination laws.
 - **Counter-Terrorism and Security Act 2015 (Prevent Duty):** Requires institutions to prevent individuals from being drawn into terrorism, balancing this obligation with the need to uphold free speech and academic freedom.
 - **Protection from Harassment Act 1997:** Establishes civil and criminal offences related to harassment and provides mechanisms for protection from such conduct.
 - **Terrorism Acts 2000 and 2006:** Define criminal activities such as inciting terrorism and supporting proscribed organisations.

1.2 Freedom of speech encompasses all forms of expression, including written materials, images, symbols, and works of art. It is not limited to spoken words.

2. Lawful Freedom of Speech

2.1 Lawful freedom of speech is essential for a vibrant university and student union. We encourage all individuals to:

- Show courtesy and patience towards opposing views.
- Support rational debate.

2.2 The Union will not normally deny the use of its premises to any member or recognised membership group based on their lawful beliefs, ensuring that all members can engage in their activities without fear of intimidation. Legal obligations may limit certain freedoms to protect the rights of others.

3. Event Procedures

3.1 Arranging Events

The following procedures apply when planning events:

- Event spaces must be booked according to Union policies.
- The Union Events Form must be completed before any booking is considered.
- An events Risk Assessment form must be completed and approved by a relevant staff member.
- For Medium or High-risk events, a Freedom of Speech form must be completed to initiate discussions with relevant staff.
- Medium or High-risk events generally require at least 20 days' notice.

Note: Forms are available on the Student Activities section of the Union's website. Support is provided by Student Activities staff.

3.2 Evaluation of Events

In evaluating event requests, the Union upholds free speech within legal limits, considering:

- Potential Criminal Activity: Whether the event may involve illegal actions or if participants have prior convictions related to their speech.
- Public Order: Whether the event poses a threat to public safety.
- Health and Safety: Whether there are risks that cannot be managed effectively.
- Incitement of Criminal Acts: Whether the event encourages illegal actions.
- Legal and Non-discrimination Compliance: Whether the event violates the legal rights of others or breaches non-discrimination laws.
- Disruption of Other Events: Whether the event disrupts authorised activities.

3.3 Controversial or unpopular views may not, if lawful, necessarily result in refusing an event or speaker.

3.4 Conditions for Use of Facilities

The Union may impose reasonable conditions to fulfil its health and safety obligations. These conditions include:

- Risk Assessment: A completed and approved risk assessment by the Chief Executive (or nominated deputy).
- Security: A security presence, if necessary.
- Access Restrictions: Limits on who can attend, such as Union members only.
- Club/Society Events: Events exclusive to clubs/societies may be required to be open to all Union members.
- Ticketing/ID: Entry may require tickets or appropriate ID.
- Attendance Limits: A cap on attendees, even if the venue can hold more.
- Recording/Photography Restrictions: Restrictions on recording or photography, limited to official channels.
- Chairing/Moderation: The event may need a chair or moderator agreed in advance.

- Q&A Session: A question-and-answer session may be required.
- Observation: Union, BUL, or third-party officials may observe the event.
- Speech Submission: A copy of the speaker's speech may need to be submitted beforehand.

4. Practical Considerations

4.1 The Union reserves the right to modify, shorten, postpone, or, in rare cases, cancel an event if practical issues arise (cost, short notice, or safety concerns).

5. Respect and Tolerance

5.1 The Union expects all event attendees to adhere to the values outlined in Section 1, showing respect and tolerance for all viewpoints, particularly in how views are expressed during events or protests.

6. Grounds for Withholding Permission

6.1 Permission for an event may be denied based on the criteria outlined in Sections 3.2, 3.4, and 4.1, or if the organiser cannot meet the conditions set by the Chief Executive (or nominated deputy).

7. Withdrawal of Permission

7.1 The Chief Executive (or nominated deputy) may withdraw permission for an event if, after initially granting it, they determine that it no longer complies with the Union's freedom of speech processes.

7.2 The Chief Executive (or nominated deputy) may also withdraw permission for an event to be associated with the Union's name or brand, even if the event is held off-campus or on digital platforms, if it does not meet the union's freedom of speech requirements.

8. Appeals and Complaints

8.1 Complaints:

Complaints about the Union, and Union members, handling of freedom of speech issues can be made through the Union's complaints policy.