Name of Policy: Freedom of Speech

RESPONSIBLE COMMITTEE: General Purposes Committee
RESPONSIBLE OFFICER: Principal Bursar
LINKED DOCUMENTS: College: Room Booking Policy; Research Ethics for College-only Staff Policy; Social Media Policy, Prevent Duty, Complaints Policy
LINKED DOCUMENTS: Other: University Freedom of Speech Bill
Annual Review date: First meeting of Hilary Term

PURPOSE OF POLICY

1. This document sets out the framework within which members of the College, staff and visitors enjoy the right to freedom of speech.

2. The freedom protected by this policy is confined to the exercise of freedom of speech within the law, in particular the Higher Education (Freedom of Speech) Act 2023, which places a duty on the College to secure and promote freedom of speech.

3. This Policy covers all events taking place on College premises; or events held elsewhere which are College funded, affiliated or branded.

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4. The Governing Body of the College will ensure it is understood by the College community as a whole that principles of free expression, academic freedom, autonomy, confidentiality, privacy and equality of rights according to law provide the overarching context within which the College's Prevent duty will be considered. The Prevent duty strategy will be implemented in a manner that is proportionate and positively secures and protects these rights.

5. Members, students, and employees of the College are required at all times to conduct themselves so as to ensure that freedom of speech within the law is secured for members, students, and employees of the College and for visiting speakers.

6. The College believes that a culture of free, open and robust discussion can be achieved only if all concerned avoid needlessly offensive or provocative action and language.

7. Whilst there is no legal prohibition on offending others, the College expects speakers and those taking part in meetings and other events to respect its values, to be sensitive to the diversity of its community and to show respect to all sections of that community. Speakers and audience alike are reminded of their responsibilities to observe the relevant College's policies on harassment and to conduct civil academic discussions at all times.

8. Any significant infringements of the provisions of this policy may render those responsible liable to disciplinary action under the College's disciplinary procedures.

9. In any case where the College is proposing to grant permission to an outside organisation or group to hold a meeting or event on College premises, the provisions of this policy will apply.

Code of Practice on Freedom of Speech

The following Code of Practice on Freedom of Speech was approved by Governing Body in Hilary Term 2025 to supplement the College Policy on Freedom of Speech.

1. Introduction

1.1 This Code of Practice sets out the College's values and expectations relating to freedom of speech and academic freedom and how these values and expectations are applied to College activities.

1.2 Freedom of speech means the freedom, within the law, to receive and impart ideas, opinions or information by means of speech, writing or images (including in electronic form).

1.3 Academic freedom is a separate, but complementary right. It applies, in relation to academic staff at the College and, means their freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, including their opinions about the College, without institutional censorship and without placing themselves in jeopardy of losing their jobs or privileges.

1.4 References in this Code of Practice to "College premises" means land, buildings, or other premises under the day-to-day control of the College. This Code of Conduct also applies to events held elsewhere which are College affiliated or branded.

1.5 The University and the Oxford Students' Union each have their own Codes of Practice on Freedom of Speech.

2. Legislative framework

2.1 The legal duty of UK universities to protect free speech is enshrined in the Education (No 2) Act 1986. Academic freedom is protected under the Education Reform Act 1988. Freedom of speech is also protected under Article 10 of the European Convention on Human Rights which has effect in the UK through the Human Rights Act 1998.

2.2 Section 43 of the Education (No 2) Act 1986 states that:

(1) Every individual and body of persons concerned in the government of any establishment to which this section applies shall take such steps as

are reasonably practicable to ensure that freedom of speech within the law is secured for members, students and employees of the establishment and for visiting speakers[1].

(2) The duty imposed by subsection (1) above includes (in particular) the duty to ensure, so far as is reasonably practicable, that the use of any premises of the establishment is not denied to any individual or body or persons on any ground connected with-

(a) the beliefs or views of that individual or of any member of that body; or

(b) the policy or objectives of that body.

2.3 Section 3 of the Education (No 2) Act 1986 states further that the Governing Body must maintain a code of practice setting out certain matters relating to meetings and activities, which are addressed in this document.

2.4 Whilst the College is not a registered higher education provider as defined by the Education (No 2) Act 1986 and therefore not directly subject to the duty outlined above at 2.2, the College has chosen to set out a Code of Practice in line with these principles.

3. Values[2]

3.1 Freedom of speech and academic freedom are central tenets of College life and must be robustly protected.

3.2 In all its activities, the College seeks to:

(1) secure and promote civic and academic freedoms including freedom of speech;
(2) ensure a very high level of protection for the lawful expression of a viewpoint and for speech in an academic context; and
(3) foster a culture of openness and inclusivity, in which members of our community engage with each other, and the public, in debate and discussion, and remain open to both intellectual challenge and change.

3.3. Inevitably, this will mean that members of the College are confronted with views that some find unsettling, extreme or offensive. The College believes that a culture of free, open and robust discussion can be achieved only if all concerned engage critically but courteously with each other.

3.4 Within the bounds prescribed by law, all voices or views which any member of our community considers relevant should be given the chance of a hearing. Wherever possible, they should also be exposed to evidence,

[1] A "visiting speaker" means a person who has been invited to speak at the College by a member, student or College employee acting in their capacity as a member, student or College employee.

[2] The University's EDI Strategic Plan sets out the University's values that express the ethos of its approach to equality, diversity and inclusion. They are: curiosity, courage, community and excellence. St John's strategic plan can be found here.

questioning and argument. As an integral part of this commitment to freedom of expression, we will take steps to ensure that all such exchanges happen peacefully and respectfully. In allowing events to proceed, the College requires the event organisers to ensure that members of our community should have no reasonable grounds to feel intimidated or censored.

4. Conduct

4.1 The College is committed to fostering an inclusive culture which promotes equality, values diversity and maintains a working, learning and social environment in which the rights and dignity of all members of the College community are respected. In accordance with the terms of its Policy and Procedure on Harassment the College does not tolerate any form of harassment or victimisation and expects all members of the College community, its visitors and contractors to treat each other with respect, courtesy and consideration.

4.2 Peaceful protest is a legitimate expression of freedom of speech. However, such protest must not shut down debate nor cause substantial disruption to College activities. The respect which the College expects all members of the College community to demonstrate towards each other is particularly important where it comprises respect for the right of others to speak freely and exercise their academic freedom. Staff, students and members of the College wishing to protest either on College Premises or on non-College premises in a manner which may substantially disrupt College activities, must seek permission in advance by referring the matter under the Procedure for Meetings and Events set out in Annex A of this Code. Carrying out such protests without permission may lead to disciplinary action under the relevant procedures (as set out in paragraph 4.3). The College may also take action to remove any unauthorised encampment or occupation under its common law power of removal or by court proceedings. The Proctors have published Guidance on Demonstrations or Protests which is available as Annex B to this Code.

4.3 Complaints about the behaviour of individuals should be made under the appropriate procedure:

(a) Complaints about staff members should be made under the College's Policy and Procedure on Harassment as set out above;
(b) Complaints about students should be made under the College's Non-Academic Disciplinary Procedure;
(c) Complaints about others should in the first instance follow the College's complaints process.

4.4 Complaints that arise in the University context (ie in the course of University activity or on University premises) should normally be made to the University.

4.5. Events must be planned in accordance with the provisions below and with relevant College policies including the Room Booking & Events Policy and Health and Safety Policy. Where the organiser or College has reason to believe that an event falls or may reasonably seem likely to fall under 6.2a)-e) below a risk assessment will be carried out.

5. College Activities

5.1 The College ensures that its teaching, research, policies and procedures reflect its duties to ensure, so far as is reasonably practicable, freedom of speech and academic freedom within the law.

5.2 In making decisions or adopting policies that could directly or indirectly (and positively or negatively) affect freedom of speech, the College will take into account:

(a) the importance of academic freedom (as required eg by the Education Reform Act 1988);
(b) the need to take reasonably practicable steps, to ensure that freedom of speech within the law is secured for members, students and employees of the College and for visiting speakers (as required eg by the Education (No 2) Act 1986);
(c) the rights and freedoms enshrined in the European Convention on Human Rights and incorporated into domestic law by the Human Rights Act 1998;
(d) the Public Sector Equality Duty established by the Equality Act 2010 which requires universities to have due regard to the need to eliminate unlawful discrimination, promote equality of opportunity, and foster good relations between different groups; and
(e) the Counter-Terrorism and Security Act 2015 which requires universities to 'have due regard to the need to prevent people from being drawn into terrorism' (section 26 (1)) and which also provides that 'when carrying out the duty imposed by section 26 (1)', universities 'must have particular regard to the duty to ensure freedom of speech; and to the importance of academic freedom.'

5.3 A breach of this Code may lead to disciplinary action being taken under the appropriate College procedure (including staff disciplinary procedures for staff or the Student Non-Academic Disciplinary Procedure for students) Complaints that the College has breached its duties in relation to freedom of speech may be raised by students and employees through the usual complaint routes. A complaint may also be brought by a former student where their complaint relates to events which occurred while they were a

student and which impacted them in that capacity. The appropriate procedure for raising such complaints is as follows:

(a) complaints by members of staff should be addressed under any applicable grievance procedure unless they are related to other complaints and/or form part of an existing complaint, and/or fall under the scope of another staff procedure, in which case they should be raised within the procedure associated with those other complaints (eg the Harassment or disciplinary procedure);

(b) complaints by students should be raised under the Student Complaints Procedure unless they are related to other complaints and/or form part of an existing complaint under another procedure in which case they should be raised within the procedure associated with those other complaints (eg the Harassment Policy and Procedures etc);

(c) complaints by previous staff, applicants for academic posts, visiting speakers (actual or invited) and current or previous non-student members should be raised under the Complaints policy.

On receipt of any such complaint, the College will consider the most appropriate procedure to be followed, in consultation with relevant colleagues and the complainant and in some cases they may refer the matter to be considered under a different more appropriate procedure.

5.4. Should the resolution of a Freedom of Speech complaint not be to the complainant's satisfaction following conclusion of the College's internal procedure, eligible complainants [3]have the option to take their complaint to the OfS. The scheme is free to use. Information about the complaints that the OfS can review is available on the OfS website

6. College Meetings and Events

6.1 Through the implementation of this Code, the College takes reasonably practicable steps to ensure that freedom of speech within the law is secured within its community. The College acts in a risk-based and proportionate manner and will always aim to allow an event to go ahead, provided that it is within the law and does not shut down debate, pose unacceptable risks to individuals or cause substantial disruption to College activities and will work with the organisers towards this goal. Cancellation of events is undesirable and should be exceptional.

6.2 A member, student (including Common Rooms and College Societies) or employee of the College who is organising a meetings or event (including those

[3] Eligibility complainants under OfS scheme are: staff (current and previous), non-student members and invited visiting speakers (current and previous), academic job applicants. Students' route to complaints following conclusion of internal procedures remains through the OiA.

that take place online) or is responsible for administering external bookings of College Premises (the "Organiser") is responsible for assessing those meetings and events in the context of this Code, the College's Room Booking & Events Policy and other relevant College policies. The Organiser MUST follow the procedure outlined in Annex A to this Code in any of the following circumstances:

(a) the meeting or event may give rise to an environment in which people will experience, or could reasonably fear, discrimination, harassment, intimidation, verbal abuse or violence, particularly (but not exclusively) on account of their age, disability, gender reassignment, marriage or civil partnership, pregnancy, maternity, race, religion or belief, sex or sexual orientation;
(b) the event is a protest[4] which is intended to take place on College premises and/or in a manner which may substantially disrupt College activities, including by any person[5] occupying or setting up camp on College premises;
(c) the event could involve the use of College Premises for any purpose or in any manner that may cause damage to College premises; loss or damage to any person or put the College in breach of any law or obligation (contractual or otherwise) to any person;
(d) the event may shut down debate or prevent others from speaking freely or exercising their academic freedom;
and/or
(e) the meeting or event may pose a risk to the safety of any person.

If Organisers are in any doubt or have any questions or need for further information, they are encouraged to discuss the situation with the Senior Dean, who may then seek input, as appropriate, from other College Officers.

In light of the Office for Students guidance on Freedom of Speech, a committee has been established to consider and record decisions on Freedom of Speech matters as they arise, consisting of the President, relevant College officers and representatives of Governing Body; it will report annually in Michaelmas Term to the General Purposes Committee on cases it has considered.

No meeting or event which is proposed to be held on College premises may be refused, cancelled or altered as a result of the beliefs or views (in the case of an individual, or a member of a body) or the policy or objectives (in the case of a body) of the individual or body seeking to hold the meeting or event save as a result of consideration by the Senior Dean.

7. Monitoring and review

7.1 St John's College will periodically review the contents and operation of this Code of Practice and report on its operation and recommend amendments to it for consideration by Governing Body as appropriate or necessary.

[4] Protest includes any demonstration, protest, rally or similar event
[5] "Person" means any natural person, corporate or unincorporated body

ANNEX A: PROCEDURES FOR MEETINGS AND EVENTS

A1. This Annex is issued under section 6.2 of the College's Code of Practice on Freedom of Speech (the "Code").

A2. Where a meeting or event falls or may reasonably seem likely to fall under section 6.2 (a)-(e) of the Code, the Organiser should formally notify the meeting or event to the Senior Dean, following the College's Room Booking & Events Policy.

A3. In the context of this Code, the Senior Dean is entrusted with the duty to assess the implications of events formally referred to them and to act in accordance with the College's legal responsibilities, including as set out in the conduct and procedures in this Code.

A4. On receipt, the case will be assessed by the Senior Dean who will consult with the Domestic Bursar, Senior Tutor, Fellow for EDI, and colleagues as necessary. The Senior Dean will usually seek to make a determination within two working days. The starting point for the Senior Dean considering a particular event will be that the event should be allowed unless there are compelling and exceptional reasons for it not to proceed.

A5. As required by section 12 of the Terrorism Act 2000, the Senior Dean will not give permission to hold a meeting or event where it is known that:

(a) the proposed speaker belongs to, or professes to belong to, a proscribed organisation; or
(b) the proposed speaker will use the event to support, or to further the activities of, a proscribed organisation.

A6. In exceptional circumstances, it may be reasonable to refuse permission for a College meeting or event where the Senior Dean reasonably believes (from the nature of the speakers or from similar activities in the past whether held at the College or otherwise) that:

- the views likely to be expressed by any speaker are contrary to the law;
- the intention of any speaker is likely to incite breaches of the law or to intend breaches of the peace to occur;
- the meeting is likely to include the expression of viewpoints that are reasonably believed to be highly controversial and/or offensive and the Organiser will not permit contrary or opposing viewpoints to be held or expressed;
- the views likely to be expressed by any speaker are for the promotion of any illegal organisation or purpose, including organisations listed on the government's list of proscribed terrorist groups or organisations;
- the event is likely to shut down debate or prevent others from speaking freely or exercising their academic freedom;
- the event is a protest which involves any person occupying or setting up camp on College Premises;
- the event is likely to involve the use of College Premises for any purpose or in any manner that may cause damage to College premises or loss, damage,

or injury to any person or put the College in breach of any law or obligation (contractual or otherwise) to any person;
- the event is likely to cause substantial disruption to College activities which cannot be mitigated by conditions imposed by the Senior Dean under paragraph A8;
- it is in the interest of public safety, the prevention of disorder or crime, that the meeting does not take place.

A7. The lawful expression of controversial or unpopular views will not in itself constitute reasonable grounds for withholding permission for a College meeting or event.

A8. Where the College is reasonably satisfied that the otherwise lawful expression of views at an event or meeting on College Premises is likely to give rise to disorder or threats to the safety of any person, they shall consider what steps it is necessary to take to ensure the safety of all persons and the security of College Premises. This might include postponing or relocating a meeting or event or imposing conditions. The responsibility for fulfilling these conditions rests with the Organiser.

A9. The College will usually carry out a risk assessment for each meeting or event falling under 6.2 a) – e) above in this Code of Practice.

A10. Where the College decides that the meeting or event requires security, those security costs must be met by the Organiser within the timeframe specified by the College.

A11. Where the visiting speaker could reasonably be expected to have their own security because of the political or state office they hold the College will not usually be involved in security arrangements.

A12. In the event that:
a meeting or event falls under section 6.2 (a)-(e) of the Code but the Organiser does not notify the Senior Dean ; or
the Senior Dean considers that the risks cannot be mitigated by the imposition of conditions; or
the Senior Dean reasonably believes that the Organiser will not comply with the conditions,
then in each case the Senior Dean can refuse consent for the meeting or event to go ahead and/or cancel the meeting or event.

A13. If the Organiser does not comply with the College's conditions or goes ahead with the meeting or event after the Senior Dean has refused consent or cancelled the meeting or event then such action may lead to disciplinary action under the relevant procedures (as set out in paragraph 4.3) and where relevant the College may remove any unauthorised encampment or occupation under its common law power of removal or by court proceedings.

A14. The Senior Dean will communicate their decision promptly and will set out the reasons for the decision.

A15. If any student or member of staff is dissatisfied with the decision of the Senior Dean in relation to a meeting or event they may refer the matter under the relevant complaints procedure set out in section 5.4 above.

ANNEX B: GUIDANCE ON DEMONSTRATIONS OR PROTESTS

This Guidance is issued under section 4.2 of the College's Code of Practice on Freedom of Speech (the "Code").

We uphold freedom of speech within the law, as outlined in the College's Code of Practice on Freedom of Speech above.

Free, open and robust discussion is essential to our academic community. However, such a culture can only be maintained when all participants engage with each other in ways which may be critical but which are courteous. The College does not tolerate harassment or victimisation in any form. We expect all members of the College community, as well as visitors and contractors, to treat each other with respect, courtesy, and consideration. Please refer to the College Harassment Policy.
The College is committed to fostering an inclusive culture that promotes equality and which values diversity. The College has a responsibility to maintain a safe, effective, and welcoming environment for all our students, staff, and visitors.

A demonstration or protest will fall within the College's procedures for meetings and events (as set out in section 6 of the Code of Practice on Freedom of Speech above). As such organizers must contact the College in advance, following the procedure set out in the relevant policy, and a risk assessment will be required. The College has a duty to promote freedom of speech and will work with organisers to ensure that protests can take place but do not violate College policies and procedures and hence result in disciplinary action. The Senior Dean and other relevant College Officers can be contacted for advice.

College members participating in protests are required to identify themselves to College or University officials when requested to do so. Failure to do so is a breach of Statute XI which all students with a contract to study at Oxford must abide by. For clarity, identification need not entail, for example, removing a face covering worn for religious or medical reasons.

Students will face disciplinary investigation if the University Statutes or College policies including the relevant provisions of our Non-Academic Disciplinary Procedure are breached.

In addition to actions that the College may take under this and related policies, unauthorised occupation of College land or buildings may lead to legal action including the College issuing court possession proceedings or exercising its common law power of removal.

POLICY HISTORY

Date of GB approval	***Brief summary of changes***	***Confirmation that linked documents have updated if necessary***	***College policy register updated***
June 2016	Generation of policy	Confirmed	Yes (Sandra Campbell)
March 2017	Policy reviewed by Committee	Confirmed	Yes (Sandra Campbell)
March 2018	Policy reviewed by Committee and subsequently approved by GB	Confirmed	Yes (Sandra Campbell)
Jan 2019	Policy reviewed by Committee and subsequently approved by GB	Confirmed	Yes (Sandra Campbell)
Feb 2020	Policy reviewed by Committee and subsequently approved by GB	Confirmed	Yes (Kate Doornik)
Jan 2021	Policy reviewed by Committee and subsequently approved by GB	Confirmed	Yes (Sandra Campbell)
Jan 2022	Updated linked Documents, hyperlinked to University statement Policy reviewed by Committee and subsequently approved by GB	Confirmed	Yes (Iris Burke)
Jan 2023	Reviewed by GB, no amendments	Confirmed	Yes (Iris Burke)
Jan 2024	Reviewed by GB, linked to HE Freedom of Speech Act 2023	Confirmed	Yes (Iris Burke)
March 2025	Policy reviewed by Committee: amended in line with University guidance issued in MT24; combines previous policy with Code of Practice and Annexes A and B for events and protests; subsequently approved by GB	Confirmed	Yes (Iris Burke)

Feb 2026	Link to Prevent added; amended clause 6.2 with new College case committee and reporting; approved by GB	Confirmed	Yes (Iris Burke)
Sep 2026	Amendment to clause 6; clauses 5.3 (c) and 5.4 added, linking to OfS Freedom of Speech complaints scheme	Confirmed	Yes (Iris Burke)