

Freedom of Speech Policy

Introduction

- 1.1 The London Institute of Banking & Finance welcomes and promotes freedom of speech and expression within the law. The purpose of this policy is to set in place a framework for those engaged with The London Institute of Banking & Finance, in whatever capacity, to ensure that activities where debate, challenge and dissent are not only permitted but expected, can continue for current and future generations.
- 1.2 This policy applies to all students, staff, faculty, members, partners and visiting speakers of The London Institute of Banking & Finance in relation to any activity, whether in person or digitally delivered, on behalf of, or in partnership with, The London Institute of Banking & Finance.

Freedom of speech

- 2.1 The Education Act (No 2) 1986 requires universities and colleges to take such steps as are reasonably practicable to ensure that freedom of speech within the law is secured for its members, students, employees and visiting speakers.
- 2.2 However, whilst the law promotes and protects freedom of speech, it also places limits on those freedoms to maintain public order and safety and to ensure that there is no breach of the law. The London Institute of Banking & Finance recognises that in this context, a conflict exists between the laws which promote freedom of speech and those which restrict it.
- 2.3 Consequently, The London Institute of Banking & Finance acknowledges that it has a legal responsibility to create a balance between minimising the possibility that extremism or unlawful conduct will arise and ensuring that it meets its legal obligations in relation to securing freedom of speech.
- 2.4 The By Laws of The London Institute of Banking & Finance states that the Board of Governors shall ensure that the academic staff of The London Institute of Banking & Finance have freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions without placing themselves in jeopardy of losing their jobs or any privileges they may have at The London Institute of Banking & Finance. This principle is extended to all students, staff, faculty, members, partners and visiting speakers.
- 2.5 Within that context, The London Institute of Banking & Finance requires all students, staff, faculty, members, partners and visiting speakers to tolerate and protect the expression of opinions within the law whether or not these opinions are repugnant to them.

Acts of Parliament that constrain free speech include the following:

Public Order Act 1986: A person who uses threatening, abusive or insulting words or behaviour, or displays any written material which is threatening, abusive or insulting, is guilty of an offence if:

- (a) he intends thereby to stir up racial hatred, or
- (b) having regard to all the circumstances racial hatred is likely to be stirred up thereby.

Racial and Religious Hatred Act 2006: introduces Part 3A into the Public Order Act 1986 which provides that a person who uses threatening words or behaviour, or displays any written material which is threatening, is guilty of an offence if he intends thereby to stir up religious hatred.

Criminal Justice and Immigration Act 2008: amends Part 3A of the Public Order Act 1986 (hatred against persons on religious grounds) to include hatred against a group of persons defined by reference to sexual orientation.

The Terrorism Acts 2000 and 2006: define criminal activities relating to terrorism in terms of inciting acts of terrorism, including its glorification, the dissemination of terrorist publications or belongings to or supporting proscribed organisations (a list is published on the government website).

Counter Terrorism and Security Act 2015: states that a specified body, including a university, 'must, in the exercise of its functions, have due regard to the need to prevent people from being drawn into terrorism,' and to 'have particular regard to the duty to ensure freedom of speech... to the importance of academic freedom...'



<https://www.gov.uk/government/news/universities-to-comply-with-free-speech-duties-or-face-sanctions>

<https://www.farrer.co.uk/news-and-insights/freedom-of-speech-in-universities-spring-2021-update/>

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- 3 This policy is subject to review approximately every 12 months by the QPR.

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