

Alumni for FREE SPEECH

Professor Peter Mathieson
Principal and Vice-Chancellor
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BY EMAIL (principal@ed.ac.uk)

21 December 2021

Dear Professor Mathieson,

Incident at the University of Edinburgh on 14 December 2022

We recently wrote to the University to introduce Alumni for Free Speech (“AFFS”). More information about AFFS can be found at: <https://affs.uk>.

We now write to express AFFS’s concern at the disturbing events at the University of Edinburgh on 14 December 2022 when the screening of the film “Adult Human Female” was physically prevented by the occupation of the University venue at which it was due to be shown. Entry to a replacement University venue was then prevented by a group of Trans activists, some wearing masks and acting very aggressively.

The involvement of student activists was predictable, but no less a breach of their own obligations as members of the University bound by its policies in relation to freedom of speech. We note that these are set out in Statement of General Principles on the University’s website¹ and contain a broadly accurate and complete summary of relevant obligations under, among other things, the **Equality Act 2010** and the **Human Rights Act 1998**.

More concerning still are the reports that academic staff at the University were involved in these flagrant breaches of the University’s policies and legal obligations (including in respect of upholding academic freedom under **Section 26** of the **Further and Higher Education (Scotland) Act 2005**). Such reports are consistent with the

¹ <https://www.ed.ac.uk/files/atoms/files/freedomofexpressionstatement.pdf>.

involvement of certain members of University of Edinburgh UCU and the University's Staff Pride Network in protests against the screening of the film by other Edinburgh academics associated with Edinburgh Academics for Academic Freedom ("AFAF").

We, of course, welcome the fact that, consistent with its Freedom of Speech policy, the University refused to bow to pressure from Trans activists to revoke the AFAF's permission to use a university venue. To do otherwise might also have been a breach of the University's Public Sector Equality Duty ("PSED") under **Section 149** of the 2010 Act (the scope of which is acknowledged and summarised in the University's Freedom of Speech policy).

In this regard, we attach AFFS's briefing note on protected philosophical beliefs under the 2010 Act. This explains that what are sometimes called gender-critical views were themselves recognised to be "protected characteristics" under the 2010 Act in the groundbreaking *Forstater* case in 2021. Since then (at least), the University will have been very well aware of its clear statutory duty to prevent unlawful discrimination and harassment of people with such views as well the need to comply with its PSED in relation to differences of opinion between Trans activists and those with gender critical views.

In addition to very likely acting in breach of their obligations to the University, to the extent that students and staff of the University acted in an intimidatory and aggressive way towards people on account of their protected views, they risked bringing the University into disrepute (as negative press coverage of this incident demonstrates) and causing it to discriminate against or harass those people.

Offences under the **Protection from Harassment Act 1997** might also have been committed by some of the aggressive activists involved.

As you will appreciate, the issues raised above are very serious. We believe they should lead the University to take all practicable steps to ascertain: who was involved in breaches of its Freedom of Speech policy, how activists were able to gain access to and occupy the original venue, and why they were permitted aggressively to prevent audience members seeing the film at the alternative venue.

We applaud the fact that the University stood firm against unjustified pressure from small groups of student and academic activists to cancel the showing of the film. We are, however, concerned that the University nonetheless failed to take sufficient steps to ensure the screening could go ahead as advertised. While, naturally, AFFS fully supports the rights of Trans activists to express their own views freely within the law, they are not entitled to impose such views on others or to prevent contrary views or opinions being held, expressed and discussed. The University was, it seems, well aware of the vocal opposition of small numbers of student and staff to AFAF's

screening of the film. We assume that the University was also aware of the advertised intention of activists to hold a protest near the venue on the evening of the event. All reasonably practicable steps should, therefore, have been taken by the University to ensure the screening could go ahead. These should have included the elementary steps required to prevent the first venue being occupied and the second being aggressively blockaded.

In any event, as it seems that both student and academic activists have acted in breach of their obligations as members of the University in participating in these deplorable attacks on other members' freedom of speech, we urge you to take all necessary steps to identify and take appropriate disciplinary measures against those involved and to ensure that more is done to prevent any repetition of this very regrettable incident. We understand that some participants are readily identifiable from footage on Twitter and other social media sources.

As we are an alumni-based organisation, we have included Mr Chris Cox among those to whom this letter is being copied. We believe that, like those of other universities which have experienced equally well publicised freedom of speech issues, Edinburgh alumni will wish to take account of the University's record on upholding free speech and academic freedom when invited to support it financially.

AFFS will be compiling a league table of UK universities which will reflect the steps they take (beyond mere lip service) to protect free speech from the threats it increasingly faces from small groups of extreme activists. In our experience, such activists are often encouraged by universities' formal relationships with controversial lobby groups. Such groups include Stonewall and Mermaids (as far as trans gender ideology is concerned) and Black Lives Matter (in relation to contested racial theories are concerned). It is encouraging to see that increasing numbers of public bodies (including the BBC, the EHRC and some universities) are, understandably, revoking their formal arrangements with such lobby groups. We urge the University to do the same.

Yours sincerely

Alumni for Free Speech

www.affs.uk

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cc. Professor Kim Graham, Provost (Kim.Graham@ed.ac.uk)
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