

# Alumni for FREE SPEECH

Ms Janet Legrand KC (Hon)  
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27 February 2023

Dear Ms Legrand KC,

**The rescreening of “Adult Human Female” and continuing free speech compliance issues at Edinburgh**

On 21 December 2022, I wrote to the Principal on behalf of AFFS to raise serious concerns about the University’s failure to prevent aggressive activists from preventing the lawful screening of a film called “Adult Human Female” at the University on 14 December last year. I copied you into my email of 17 January 2023 reminding the Principal of my letter.

The Principal sent a short reply on 18 January 2023. Although that letter failed seriously to engage with the issues I had raised (including the obvious need to identify and discipline students and staff involved in illegality on University premises), we thought it best to leave matters there and rely on the University to take necessary actions, including in relation to the rescheduling of the event.

Unfortunately, it has now been brought to our attention that the University has imposed conditions in relation to the rescheduling of the event which have effectively penalised the organisers in terms of the numbers and nature of attendees and the ease with which an early date can be found for the rescreening. The details can be found here: <https://blogs.ed.ac.uk/edinburghafaf/2023/02/20/eafaf-statement-screening-and-discussion-of-adult-human-female/>. Unsurprisingly, the matter has also been the subject of press comment.<sup>1</sup>

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<sup>1</sup> <https://www.thetimes.co.uk/article/83bb0580-b2cb-11ed-be6b-8488e113f360?shareToken=70a1f9f53fc78a01e0894125adf00bca;>

We understand that since last December, the University has permitted its facilities to be used, without any similar restrictions, for an event organised by the University's Staff Pride Network. This event advocated the other side of the ongoing public debate between trans ideological and gender critical views.<sup>2</sup> Permitting this event to go ahead prior to the rescreening of the event its organisers tried to shut down is bound to give an unfortunate impression about the University's approach to the requirements of institutional neutrality.

Much more seriously, however, given that so-called gender critical views are, as we explained in our earlier letter, within the "protected characteristic" identified in **Section 10** of the **Equality Act 2010**, we believe that by treating the organisers of the "Adult Human Female" event differently from Staff Pride Network, the University may have unlawfully discriminated against them contrary to **Sections 13** and/or **19** of the 2010 Act. Furthermore, it is difficult to see how the University can be acting consistently with its Public Sector Equality Duty under **Section 149(1)** of the 2010 Act if it continues to impose unreasonable and unjustifiable restrictions on the rescreening on the film.

The screening of "Adult Human Female" was (and is) organised by Edinburgh academics. The university's obligations to protect academic freedom under **Section 23** of the **Higher Education Governance (Scotland) Act 2016** are, therefore, also engaged and at stake.

The University's statutory duties are clear. They require the University to take effective steps to permit the screening to go ahead on the same terms as before and without additional restrictions on numbers or venue. AFS often sees supposed security concerns used as an excuse to cancel or restrict meetings of students or staff who take views other than those favoured by university managers. Nonetheless, the fact that certain students and staff are prepared to act illegally does not entitle the University to shirk its responsibility to take appropriate steps to safeguard the free speech rights of those wishing to screen and attend the film. To do otherwise, is effectively to penalise one side of the debate because, rightfully respectful of their opponents' free speech rights, they are not themselves prepared to act unlawfully in order to disrupt rival meetings.

Given its behaviour, AFS is forced to conclude that the University's generalised statements about their commitment to free speech and academic freedom will not be matched by

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<sup>2</sup> Staff Pride Network was one of the groups that tried to stop the screening of "Adult Human Female" event going ahead and organised the demonstration which led to its unlawful disruption. Katy Montgomerie, a trans activist who had given enthusiastic support to the sabotaging of the screening of the film, spoke at the event. We understand that, because it was ineffectively chaired, several breaches of the University's Dignity and Respect policy were permitted during the event (including comparing EAFAF to "misogynist dickheads" in a section of the talk that applauded the deplatforming of its attempt to screen "Adult Human Female"). The content of the event (which was explicitly framed not in terms of any debate between two ideological positions but, rather, in terms of why people with gender critical views should not be permitted to express them, including by means of so-called "no-platforming") can be seen here: <https://www.youtube.com/watch?v=Xmg7YsGOPRA>.

appropriate actions. As you are yourself an experienced lawyer as well as the Senior Lay Member of the University's Governing Body appointed under the **Higher Education Governance (Scotland) Act 2016**, AFFS believes that it is now high time for you to take a direct interest in this continuing free speech fiasco at the University in order to mitigate existing free speech compliance failures and to avoid further such failures.

We are, of course, copying both the Principal and the Provost into this letter. We are also copying in, Edinburgh alumna, Joanna Cherry KC who we know has taken an interest in the issues addressed in this letter.

Yours sincerely

Andrew Neish KC

**Alumni for Free Speech**

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