

# Alumni for FREE SPEECH

Ms Janet Legrand KC (Hon)  
Senior Lay Member of Court  
University of Edinburgh  
Old College  
South Bridge  
Edinburgh  
EH8 9YL

16 May 2023

BY EMAIL: [court@ed.ac.uk](mailto:court@ed.ac.uk); [Janet.Legrand@ed.ac.uk](mailto:Janet.Legrand@ed.ac.uk)

Dear Ms Legrand KC,

**The attempted rescreening of “Adult Human Female” on 26 April 2023 and continuing free speech compliance issues at Edinburgh University**

Thank you for taking the time to reply to my letter to you of 2 May 2023. AFFS obviously welcomes what was said both in the Principal’s public statement (of which it was already aware) and in your email, which mirrors its contents.

In relation to the detail of what you say, however, we continue to have concerns about: the University’s failure to take sufficient steps to ensure the screening could go ahead second time around; its failure to take any disciplinary steps to deter any repetition of this kind of unlawful interference with others’ rights in the future; and its failure to confirm that the screening of the film will now take place as soon as possible.

In relation to security steps, we had ourselves noted with increasing concern inflammatory material being circulated by the Staff Pride Network and others about the rescreening on social media. We assumed that the University would also be aware of such materials and be taking appropriate steps both to condemn (and, if necessary, discipline) those distributing such materials in breach of the University’s Free Speech Statement and to ensure security at the event would be adequate. We therefore chose not to write separately to you about social media threats to the rescreening. We have, though, since learned that, so far from taking any steps to enforce its own free speech code or to ensure tolerance of differing lawful views on campus, the University did nothing about the extreme statements on social media. We also understand that the University refused a request by the film’s organisers to require its SPN to withdraw an invitation to “Cabaret Against Hate Speech”, an external group whose avowed intention is to drown-out speech with which it disagrees, to co-organise a protest against the rescreening. In this context, as in others, the University’s restated commitment to free speech must be reflected in positive action to prevent illegal suppression of others’ rights to speak if it is to mean anything in practical terms. Whatever other steps it took, the University’s failure to take effective steps to prevent the attendance of the sorts of extremists who were, if allowed

on campus, bound to disrupt the screening, means that it must accept responsibility for the further cancellation.

In relation to disciplinary action, even though some of those organising (or encouraging) protests which were bound to lead to the sort of illegal actions again seen at the University on 26 April 2023 are both readily identifiable from social media and subject to the University's Free Speech Statement, we are unaware of any meaningful disciplinary steps the University has taken against anyone. Again, the Principal's public statements about taking all investigative steps are no substitute for action. Without action, the sort of illegal behaviour (or encouragement of illegal behaviour) by certain members of the University in clear breach of the University's applicable rules about permissible behaviour will continue with impunity. If so, the University risks giving the impression of being cowed by, or in sympathy with, the small groups of extremists whose actions are repeatedly bringing the University into public disrepute.

AFFS of course welcomes the fact that a meeting has now been scheduled between the members of the University who want to show the film and the Principal. It is, however, surprised that this has taken three weeks to arrange such a meeting. It is also disappointing to see nothing in either the Principal's statement or your own email which confirms the University's determination to ensure that the screening of the film will go ahead as soon as possible.

AFFS believes that it is high time the University acted on the basis that there is no equivalence between the unlawful behaviour of trans activists and that of those members of the University doing nothing more than attempting to organise a lawful screening of a documentary film on a matter of public debate and interest. Statements of hope of the sort repeated in your latest email do not, with respect, amount to compliance by the University with its legal obligations in relation to freedom of speech. The University's preparedness to host public events by trans activists while taking no effective steps to ensure the other side of the debate can be heard could expose it to the sort of legal action for discrimination under the **Equality Act 2010** which Joanna Cherry KC, MP has recently had to threaten in relation to the attempted cancellation of her appearance at this year's Fringe.

We are also concerned about what was said in a recent Guardian article<sup>1</sup> about the potential disruption of EAFAP's "Academic Freedom and the Law" event this coming Saturday at which both Joanna Cherry and, Equalities and Human Rights Commissioner, Akua Reindorf KC are due to speak. We assume that the University, consistent with its public statements, is taking all steps required to ensure this event can go ahead. As it happens, I will be able to judge that for myself as my wife and I are attending the event.

As with our earlier correspondence, I would be grateful if a copy of this letter could be sent to all other members of the University's Court.

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<sup>1</sup> <https://www.theguardian.com/uk-news/2023/may/12/edinburgh-university-tries-to-defuse-row-after-trans-rights-protests-over-film>

Yours sincerely

**Andrew Neish KC**

## **Alumni for Free Speech**

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