

# Alumni for FREE SPEECH

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

2 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**

I wrote to you on 27 February 2023 to express AFFS’ concern about the University’s failure to facilitate the rescreening by Edinburgh academics of the documentary film “Adult Human Female”. That letter referred to my earlier letter to the Principal of 21 December 2022 about the disruption of the first attempt to show the film on campus on 14 December 2022. Because I am copying this further letter to all other members of the University’s Court, I am attaching PDFs of my earlier letters. I am also copying-in the Principal, the Provost and Joanna Cherry KC, MP who, as an alumna, I know, shares AFFS’ concerns about the University’s continuing failure to take the steps necessary both to comply with its own legal obligations relating to free speech (including under the **Human Rights Act 1988** and the **Equality Act 2000**) and to uphold academic freedom as specifically required under **Section 23** of the **Higher Education Governance (Scotland) Act 2016** (“the 2016 Act”)

In my letter of 27 February 2023, I noted:

“AFFS 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.”

Although the University did not go as far as we would have liked in terms of ensuring that those organising it were not penalised in terms of the conditions imposed, AFFS was pleased to see that the University had facilitated the rescreening of the film for 26 April 2023. While we were aware of some, entirely predictable, social media campaigns attacking the rights of the organisers to show the film, in light of the illegality which occurred at the University on

14 December 2021 we assumed that the University would, this time round, take all reasonable steps to ensure the rescreening could take place.

We were, therefore, dismayed to learn from press reports that the University had once again permitted the lawful screening of this film to be disrupted and cancelled by a handful of extremists. Given that the presence of such extremists was entirely foreseeable (and, indeed, pre-advertised), the University's failures can only be regarded as woeful. The simplest steps could and should have meant that intolerant masked militants were unable to take over the entrances to the venue. Given what had happened before and what was being threatened on social media, a modest police presence was plainly required but, it seems, not effectively organised by management in advance and on terms which made clear the need, if necessary, physically to remove activists. In the absence of the necessary back-up from police, the University's security staff were unable to remove trespassers acting illegally on the University's premises or to ensure those who wished to see the film were able to. This was a result of management failure to make proper arrangements and, instead, to pass over its own responsibilities to security staff without providing them with any adequate support.

In light of the above, it is unsurprising that some suspect the University of seeking to achieve indirectly what it dare not do openly i.e. to ensure the lawful screening of this film never occurs. Suspicions of this kind are an inevitable side-effect of a public body openly taking sides on a contested issues of public controversy instead of adopting a properly institutionally neutral position.

Assuming, as we are prepared to, that the above suspicions are unjustified, the time has surely now come for the University to pay more than mere lip service to its free speech obligations. Any Edinburgh student or employee who played any role in either encouraging or participating in the further unlawful interference in the free speech rights of others should be identified and disciplined. The University should take urgent and effective steps (including proper liaison with Police Scotland) to ensure that the film can be shown at the first opportunity. This should now be treated as a matter of principle. Consistent with your statutory duties under **Sections 1** of the 2016 Act, AFFS believes that you should now take responsibility for ensuring this happens.

Please could you ensure that this letter is distributed to all other members of the University's Court currently listed on its website.

Yours sincerely

**Andrew Neish KC**

**Alumni for Free Speech**

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