

Freedom of Speech Policy

1. Introduction and context

The Academy recognises the fundamental importance of freedom of speech within the law (though not duty bound under Section 43 of the Education [No. 2] Act 1986 which requires government funded educational institutions to take measures to protect freedom of speech within the law)

Freedom of speech is an important part of academic and wider life, especially to artists. The Academy will ensure it promotes freedom of speech for its students, staff and visiting speakers. On rare occasions, individuals might seek to express unlawful opinions or an event might lead to a breach of the peace. It is, therefore, necessary to have regulations, as described below, to deal with the situation. However, in assessing any necessary restrictions the Academy will always be mindful of the sacrosanct principle of freedom of speech.

The Academy shall take such steps as are reasonable to ensure that freedom of speech within the law (even if such speech is controversial or offensive) is secured for every person to whom this policy applies. Incitement of public disorder, racial hatred, religious hatred, harassment, discrimination on the grounds of age, sex and sexual orientation or promoting acts of terrorism are not within the law.

2. Scope

This policy applies to all staff and students of the Academy as well as external speakers, visiting tutors and artists.

3. Regulations

1. The Academy will not unreasonably limit the freedom of speech (within the law) of students (via tutors, as agents of the Academy) and tutors themselves (as representatives of the Academy). In this context freedom of speech can be manifested in the creation of artwork as well as written and verbal forms of expression. Reasonable grounds for limitation are as outlined below in point 3.
2. Organisers of events that will be addressed by external speakers are required to comply with this policy and the Academy's prevent policy.
3. The Academy will not unreasonably refuse to allow events to be held on/ works of art to be displayed in its premises. The expression of controversial or offensive views which do not breach the law will not of itself constitute reasonable grounds for withholding permission for an event/ removal of an artwork.

Reasonable grounds for refusal would include, but are not limited to, the fact that the event/ display of artwork may, within the premises of the Academy:

- incite those attending to commit a criminal act;
- lead to the expression of unlawful views;
- be in direct support of an organisation whose aims and objectives are illegal;
- give rise to a breach of the peace
- be in breach of the Academy's Prevent and/or safeguarding policy

In determining whether the holding of an event on/ display of an artwork in Academy premises might reasonably be refused, consideration should be given to:

- the safety of persons attending the event and persons on Academy premises who might foreseeably be put at risk;
 - the security of Academy premises;
 - the good name and reputation of the Academy.
 - the legality of the event and its compliance with this and the Academy's Prevent policy
4. The Academy will refuse the use of its premises by any organisation or individual if the aims and objectives of the organisation or individual are deemed by the Academy to be incompatible with those of the Academy .
 5. Where a breach of the law takes place at an event, the Academy may take steps to assist the police to secure identification of the persons committing offences with a view to appropriate action being taken against them.

4. Responsibilities

The Academic Course Manager has responsibility in monitoring and vetting all external speakers, visiting tutors/ artists and for monitoring activities undertaken by students and tutors in regards to this policy. The Academic Course Manager and Operations manager have joint responsibility to ensure that these regulations are adhered to in regards to events held on Academy premises.

Policies and documents that supplement and reference this document:

Student Handbook
Staff Handbook
IT User agreement
PREVENT policy
Equality and Diversity Policy and Strategy
Student Disciplinary Policy
A guide to Student Engagement
Moodle guide