

External Speakers and Events Policy

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1. PURPOSE OF THIS POLICY

- 1.1 The purpose of this policy is to articulate the University's approach to the Public Duty imposed by Section 26(i) of the Counter-Terrorism and Security Act 2015 and the associated UK and Scottish Government 'Prevent Duty Guidance for higher education institutions in Scotland', with specific reference to external speakers and events.
- 1.2 The Public Duty states that "*Encouragement of terrorism and inviting support for a proscribed terrorist organisation are both criminal offences. Higher education institutions should not provide a platform for these offences to be committed*". The University is required to have policies and procedures in place for the management of events and external speakers in order to comply with the Public Duty; and this policy has been produced for that purpose.

2. GUIDING PRINCIPLES

- 2.1 The following principles have been used to guide the development of the policy.
- The policy should address the 'Prevent Duty guidance for higher education institutions in Scotland', including ensuring freedom of speech and having regard to the importance of academic freedom.
 - The policy should balance the Prevent Duty with other legal requirements such as relevant charity legislation.
 - The policy should be straightforward and transparent for those using it.
 - The policy should be developed, and its application reviewed, in liaison with the staff and students of the University.

3. UNIVERSITY POLICY ON EXTERNAL SPEAKERS AND EVENTS

- 3.1 The University recognises that external speakers are often invited to take part in events organised by parties (as described in section 4 below). In facilitating such events, the University will seek to ensure that the organisers uphold academic freedom and freedom of speech within the law as well as having due regard to health and safety.
- 3.2 The University will also seek to ensure that external speakers and events do not provide a platform for the encouragement of terrorism or invite support for a proscribed terrorist organisation. The University will ban an external speaker or cancel an event if, in the view of the Prevent Duty Group (see appendix for details), there is a significant risk of the University committing a criminal offence by allowing the external speaker to speak and/or the event to proceed.
- 3.3 Such a ban or cancellation would be authorised by the Principal and Vice-Chancellor of the University on the recommendation of the Prevent Duty Group.
- 3.4 Within the context of general academic principles of freedom of speech, the University will in general not set conditions on external speakers and events; and, in particular, will

not oblige organisers to present opposing views from those of an external speaker, preferring instead to cancel an event where it is thought that there is a significant risk of breaching the law (as per 3.2 and 3.3, above).

The University nevertheless reserves the right to impose measures on an event or external speaker, but would expect this to be done only exceptionally and without impeding the speaker or the event. *[Note: separately, measures may be taken for other reasons such as health, safety and wellbeing of students, staff and members of the public.]*

3.5 A general risk assessment will be completed to inform the University's policy in this area (see Section 6).

3.6 Individuals organising events/speakers will be required to address the two questions set out in Section 5 of this policy.

4. APPLICATION OF THE POLICY

4.1 This policy applies to all external speakers and events associated with the University, including events organised:

- by members of staff of the University, even if taking place on external premises if they relate to the organiser's position as a member of University staff or if they are associated prominently with the University (e.g. if University-affiliated, -funded or -branded);
- by students of the University (including, but not limited to, those organised in the context of the activities of Abertay Students' Association and related clubs and societies); and
- by third parties through a booking of University premises.

4.2 'External speaker' in terms of this policy refers to any person who is not an Abertay employee, student, Visiting Lecturer, Visiting Professor or Honorary Professor.

5. PREVENT DUTY: GUIDANCE FOR ORGANISERS OF EVENTS AND EXTERNAL SPEAKERS

5.1 Under the Prevent Duty, terrorism is as defined in the Terrorism Act 2000: i.e. the use or threat of action "where –

- (a) the action falls within subsection (2) [below],*
- (b) the use or threat is designed to influence the government or to intimidate the public or a section of the public, and*
- (c) the use or threat is made for the purpose of advancing a political, religious, racial or ideological cause.*

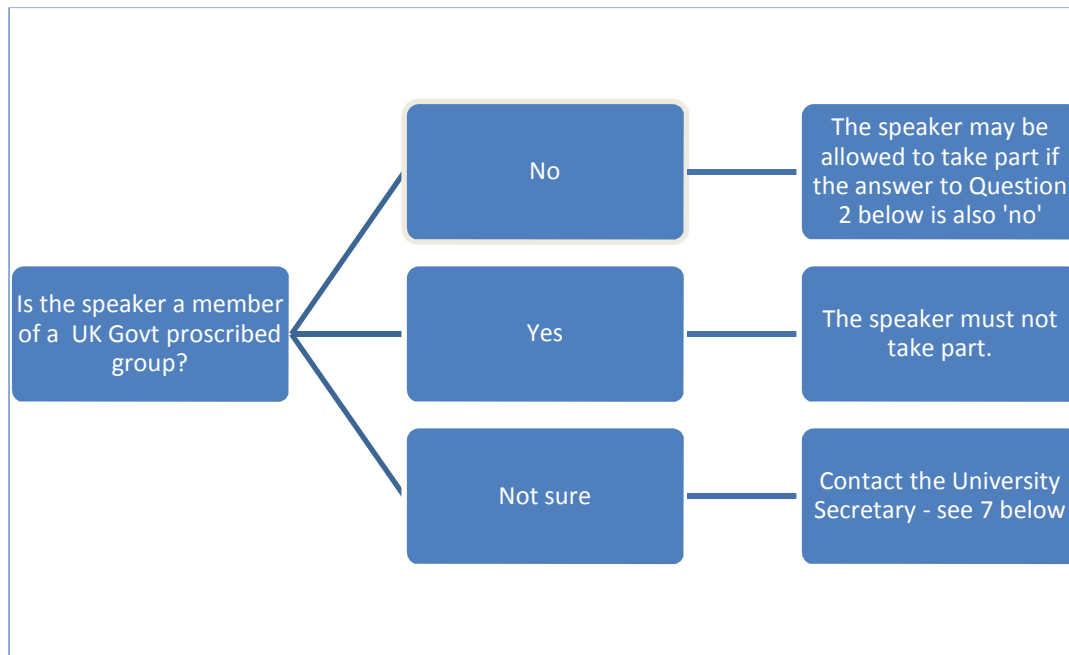
(2) Action falls within this subsection if it—

- (a) involves serious violence against a person,*
- (b) involves serious damage to property,*
- (c) endangers a person's life, other than that of the person committing the action,*

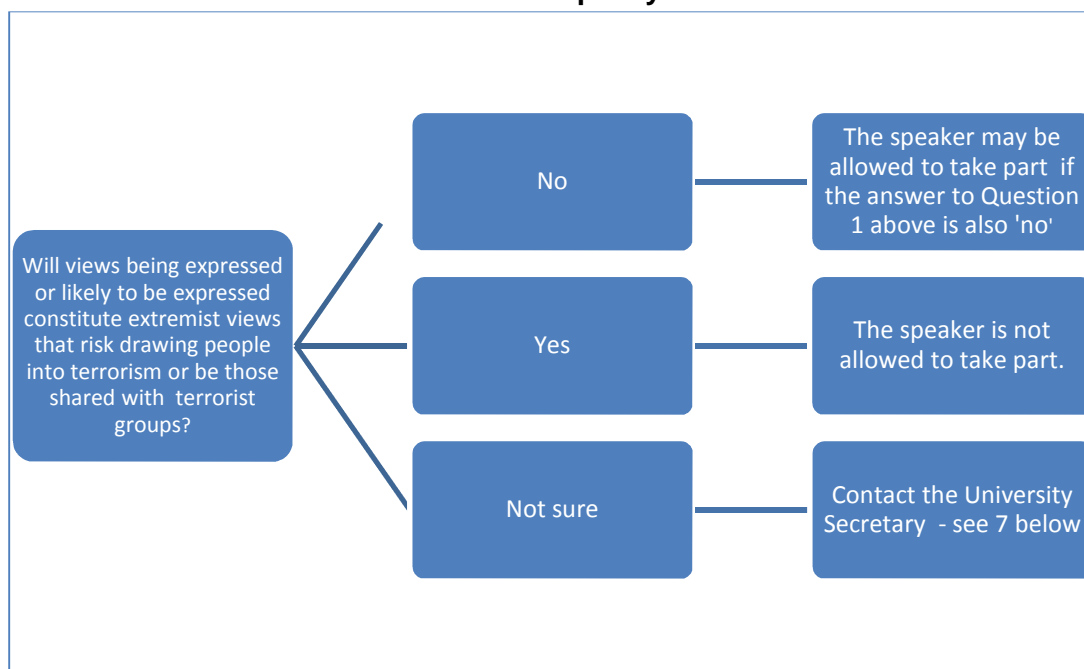
(d) *creates a serious risk to the health or safety of the public or a section of the public, or*
(e) *is designed seriously to interfere with or seriously to disrupt an electronic system.*

5.2 When deciding whether or not to host a particular speaker or organise an event, the event organiser should consider carefully whether the views being expressed, or likely to be expressed, constitute extremist views that risk drawing people into terrorism or are shared by terrorist groups; by answering the following two questions.

Question 1: Is the speaker a member of a proscribed group? [A list of proscribed groups is available from the UK Government website.]



Question 2: Will the views to be expressed or likely to be expressed be those shared with terrorist groups or constitute extremist views *that risk drawing people into terrorism* as set out in section 6.1 of this policy?



5.3 If the organiser is uncertain, they must contact the University Secretary, who is the Chair of the University's Prevent Duty Group, providing the information requested in the referral form – see *Appendix*.

5.4 The remit of the Prevent Duty Group includes considering whether to allow a controversial¹ speaker to visit the University when referred by event organisers who have answered the questions above.

5.5 The Prevent Duty Group may decide to recommend to the Principal and Vice-Chancellor that the event may be cancelled or the speaker banned.

6. IMPLEMENTATION AND MONITORING OF THIS POLICY

6.1 To assist the University in meeting the requirements of the Public Duty, a general risk assessment will be completed annually by the Prevent Duty Group.

6.2 University Court will receive an annual report on the implementation of the policy from the Prevent Duty Group.

7. INFORMATION AND ADVICE

7.1 In the event of any queries about this policy, please contact the University Secretary via ExecutiveOffice@abertay.ac.uk.

7.2 Individuals who are not the organisers of the event/speaker, but who have concerns should contact the organiser in the first instance; then the University Secretary if they still have concerns.

¹ 'controversial' means in the context of the Counter-Terrorism & Security Act 2015 and indicates a risk that the speaker may encourage individuals to become involved in terrorism. It does not refer to the generally understood meaning of the word.

PREVENT DUTY: REFERRAL OF EXTERNAL SPEAKER TO UNIVERSITY SECRETARY

In the event of an event organiser being unsure as to whether an external speaker will be allowed to speak at a planned event, the organiser must contact the University Secretary at ExecutiveOffice@abertay.ac.uk and provide the following details:

- Event title
- Date of event
- Event organiser's full name
- Organiser's contact details (including address, email, telephone contact number)
- Speaker's full name (and organisation if applicable)
- Title of talk
- Subject matter

The University Secretary will consider each case and confer with the University's Prevent Duty Group. Any recommendation from the University Secretary and/or the Prevent Duty Group that the event should be cancelled or the external speaker barred from speaking must be made to the Principal and Vice-Chancellor of the University, whose decision will be final.

Prevent Duty Group: Remit

The University's Prevent Duty Group is responsible for:

- (a) Maintaining a shared awareness and understanding of the risks of radicalisation within the campus community;
- (b) Communicating to relevant staff the requirements and importance of the statutory duty;
- (c) Ensuring that the statutory duty is addressed effectively; and
- (d) Making decisions/recommendations on sensitive matters that may arise in relation to Counter-terrorism and Security; examples are;
 - i. Deciding what action to take where concerns are raised that a member of the campus community may be being drawn into terrorism; or
 - ii. Considering whether to allow a controversial² speaker to visit the University.

Decisions to ban a speaker or cancel an event must be referred to the Principal & Vice-Chancellor.

The Group reports to the Principal and Vice-Chancellor and is responsible for providing reports to the University Court as and when required.

² 'controversial' means in the context of the Counter-Terrorism & Security Act 2015 and indicates a risk that the speaker may encourage individuals to become involved in terrorism. It does not refer to the generally understood meaning of the word.

Version Control Table

Version number	Purpose / Changes	Author	Date
Draft 1	Prepared for discussion with Prevent Duty Group	University Secretary	26.02.16
Draft 2	Comments from Prevent Duty Group included	University Secretary	29.02.16
Draft 3	Comments from Vice-Principal (Academic) included and updated for submission to Executive Group	University Secretary	07.03.16
Draft 4	First revision post-Executive Group	University Secretary	29.03.16
Draft 5	Second revision	University Secretary	18.05.16
Draft 6	Third revision following feedback	University Secretary	01.06.16
Draft 7	Further revision following discussion	University Secretary	02.06.16
Approved Version 1	Approved by Executive Group	University Secretary	06.06.16