

Education Committee

Oral evidence: [Free speech and research content in English universities](#), HC 673

Wednesday 7 September 2022

Ordered by the House of Commons to be published on 7 September 2022.

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Members present: Robert Halfon (Chair); Caroline Ansell; Anna Firth; Dr Caroline Johnson; Angela Richardson.

Questions 1 - 136

Witnesses

[I](#): Professor Nalin Thakkar, Vice-President for Social Responsibility, University of Manchester.

[II](#): Professor Sasha Roseneil, Vice-Chancellor, University of Sussex; Professor Anthony Forster, Vice-Chancellor, University of Essex; and Susan Lapworth, Chief Executive, Office for Students.

Written evidence from witnesses:

– [Add names of witnesses and hyperlink to submissions]

Examination of witness

Witness: Professor Thakkar.

Q1 **Chair:** Good morning, Professor. Thank you for attending our session today. Could you introduce yourself and your institution, please?

Professor Thakkar: Good morning everyone. I am Nalin Thakkar. I am professor of molecular pathology and genetics at University of Manchester. I am also the vice-president for social responsibility, but my remit includes research governance, ethics and integrity, and various other things, so it is not just social responsibility.

Q2 **Chair:** I am going to pass over to my colleague Caroline Johnson to lead the opening questions, but what does social responsibility mean—what does that mean you are responsible for?

Professor Thakkar: We think it is important that we consider not just what we are good at but what we are good for. It is really about making an impact through our work. Our area is involved in increasing the impact on our local communities, the wider community in the nation and also internationally. It would include things from working with our local authority in terms of helping them to formulate their science-based targets to having an input into merit scholarships to support students from developing countries—

Chair: Thank you. If we can keep it to very short, concise answers. Can I just ask the broadcast team to put the volume up a bit, please? I am going to pass to my colleague Caroline Johnson, who will lead with the questions.

Dr Caroline Johnson: Thank you, Chair.

Chair: Sorry, I have just been advised by the clerks that today's session is likely to touch upon some sensitive and potentially upsetting material. If you have any concerns about the wellbeing of a child, you should contact the police. If anyone is upset by the context of today's session or the content, please contact the NSPCC or the charity Mind.

Q3 **Dr Caroline Johnson:** As the Chair has alluded to, we are going to be discussing some quite sensitive information today, in particular the reputational damage to Manchester University brought about by the publication of a particular article. This article was noted and brought to my attention by my colleague, the Conservative MP Neil O'Brien, who found out about this article in August. It is an article published in a peer review journal entitled, *I am not alone – we are all alone: Using masturbation as an ethnographic method in research on shota subculture in Japan*. This is an article where the author Karl Andersson masturbates over a three-month period to cartoon images of young boys—children—engaging in sexual activity and describes his experiences of doing so. It is revolting. He has also identified himself as a PhD student at Manchester University, and he credits in his thanks Sharon Kinsella, his PhD



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supervisor, for encouraging him to go where his research desires take him. What are your thoughts on that, Nalin?

Professor Thakkar: We completely understand and share the deep concerns that have been raised by the publication and the students. As you know, we started an investigation on the published activity and, as I can explain, that work was not done as part of his PhD at Manchester, but there are certainly lessons for us.

Q4 **Dr Caroline Johnson:** Thank you. When you apply to do a PhD at Manchester University, what sort of processes does the university go through to establish your credentials—your suitability for such a course?

Professor Thakkar: We take on thousands of students, as you know, and in certain areas the processes for doing background checks are very well developed—for example, clinical sciences, people working with children and so on. This is a small niche area which was a blind spot to us and clearly there weren't any checks done on this individual prior to him being accepted.

Q5 **Dr Caroline Johnson:** Yes, that would seem to be the case. I would certainly agree with you that it is a very niche topic. Was the university aware that Mr Andersson had published in Europe—in the Czech Republic—between 2006 and 2010 a magazine named *Destroyer*, which showed adolescent boys being photographed in a sexual manner and engaged in sexual activity?

Professor Thakkar: Not until the matter was brought to our attention in the summer following the media stories about the publication. We were not even aware of the publication—

Q6 **Dr Caroline Johnson:** What checking did you do before this man got his position on a course? If someone wants to do a PhD at Manchester University, do they just write in and say, "I want to do one," and they get accepted? What process do they go through?

Professor Thakkar: It would be a standard CV that would be looked at and they would go through an interview process, which this person had.

Q7 **Dr Caroline Johnson:** He had an interview process in which you did not uncover what the purpose of his research was to be?

Professor Thakkar: The research that he applied to do at Manchester was looking at users of shota comics. It did not involve a similar approach to the work that was published. It involved semi-structured interviews, surveys and filmmaking, and it was an extension of the work he had done as his master's course at Freie Universität in Berlin.

Chair: Can I ask you to speak up, please, because we have people watching outside on parliamentary television?

Professor Thakkar: I will try.

Q8 **Dr Caroline Johnson:** It might also be helpful to say what shota is,



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because I certainly did not know what it was until we started this investigation.

Professor Thakkar: It is a particular brand of comics. I am, as I said, from a very different background, and I do not know that either, but shota comics, I understand, are where there is a cartoon representation of characters, which in this case are young boys, or based on young boys. This is widely used in Japan, and he was looking at why people, as I understand it, use such comics.

Q9 **Dr Caroline Johnson:** We will be quite specific here that shota is a Japanese genre of self-published erotic comics featuring young boy characters.

Professor Thakkar: That is right.

Q10 **Dr Caroline Johnson:** These are illegal in the United Kingdom. The Coroners and Justice Act 2009, section 65, in part 2, refers to images of children engaged in sexual activity or for sexual use as being illegal, including images of imaginary children. You have already accepted that you were having a chap come into your university to do a PhD in why people use these illegal books.

Professor Thakkar: We have people studying illegality and illegal activity, and there may be legitimate reasons to do it. For example, there will be people studying terrorist behaviour who will be accessing terrorist material or the like, but we have defined processes for accessing such material and liaison with the relevant authorities. We would do due diligence in each of those cases where we need to take a sceptical eye and we need to make sure that the pretext of research is not being used to unlawfully access these materials. As I have said, this is a very small niche area and was a blind spot to us. Certainly, as people overseeing research governance, we did know of it.

Q11 **Dr Caroline Johnson:** Did you do due diligence in this case—yes or no?

Professor Thakkar: No.

Q12 **Dr Caroline Johnson:** Having found this out, what did you do about it? What did you do to ensure that children were safeguarded from this gentleman? What did you do? Did the university immediately report it to the police?

Professor Thakkar: The police informed us at the same time as the media stories started to appear, because they had been contacted directly, and we have been liaising with them.

Q13 **Dr Caroline Johnson:** Do you have any information on whether his PhD supervisor had any idea what was going on?

Professor Thakkar: The PhD supervisor was made aware of the publication after the paper was accepted for publication.

Q14 **Dr Caroline Johnson:** That was when?



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Professor Thakkar: In February.

- Q15 **Dr Caroline Johnson:** Your PhD supervisor, one of your university employees, knew about this publication and did nothing about it—saw nothing wrong with it—all the way back in February?

Professor Thakkar: That is part of the ongoing investigation for us.

- Q16 **Dr Caroline Johnson:** I think my constituents will be hugely disturbed to hear about this. We were in Committee yesterday talking about research and the useful research that could be done into the Gatsby principles for work experience. There could be a lot of useful research done. Do you see any value in this research at all?

Professor Thakkar: I should add that any research that he would have done at University of Manchester would have gone through due process in terms of research ethics, and his PhD project, which was submitted to our research ethics committee, was rejected. To give you context, the ethics committee very rarely gives an unfavourable opinion, because most people are doing sensible programmes of work and have thought through the ethical issues and so on. They would usually get provisional opinion with some tweaking of the project. This project got an unfavourable opinion.

- Q17 **Dr Caroline Johnson:** Did your investigation lead you to look at what other research may be coming out of your university that may also be of a poor or unsavoury quality?

Professor Thakkar: I should add that this research that was published was not our research, so I—

- Q18 **Dr Caroline Johnson:** You say that, but it is published by your university's PhD student. He identifies himself as such as in the SAGE publication and he thanks his PhD supervisor—your university employee—so the reputational damage is not just to him as to any activity that he has been engaged in; it is also to your university.

Professor Thakkar: I completely understand that, but the affiliation to the university is incorrect. Affiliation is usually to the university that has done the work. In normal events they would say what their present address is. We do understand that, as I said right at the outset, we share the deep concerns about this publication and the student. Therefore, we have suspended the student and we are going through our student disciplinary process. The work as published did not go through our due diligence process because it was done outside the university. His current work did not get ethics approval.

- Q19 **Dr Caroline Johnson:** Perhaps we could look at examples that did then, because one of the concerns my constituents have about universities in general is whether the quality of research is any good, and whether we are asking questions and doing research into stuff that is interesting. Manchester University received £391 million in external research funding



last year, much of which has come from the Government or Government-funded sources, and also from corporate business who may be interested to understand the research that they potentially are paying for, which includes questions of *The Feminist Side of the Force: Women Negotiating Feminism and Star Wars / Doctor Who Fandoms*. It may be interesting down the pub to discuss whether women who are feminists should be supporting and enjoying Star Wars or not, but whether we need to spend money on research for it in an actual university is another matter.

Are you familiar with Marta Fanasca's research, supervised by two of your employees, Aya Homei and Peter Cave—apologies if I have pronounced those names incorrectly—*Walk Like a Man, Talk Like a Man: Dansō, Gender, and Emotion – Work in a Tokyo Escort Service*?

Professor Thakkar: I am not.

- Q20 **Dr Caroline Johnson:** This is a PhD, which appears to have been published by your university, by one of your PhD students as a thesis. She describes the two employees I mentioned as her supervisors. What she did was she went over to investigate dansō—also something I did not know about—which is apparently a form of dressing as a male by females. This is a dansō escort service. This student went to Japan and worked undercover as a volunteer in an escort service and wrote about her experiences—2,000 yen, apparently, for a 40-minute date, if you can call it a date. What are your thoughts on that? Is that appropriate research? Are you confident that your ethics committee is really doing what the country and the population and your funding people would expect it to do?

Professor Thakkar: I cannot comment on that specific work because I do not know about it, but I will look at it. In terms of the general comment about the usefulness of our research, you will note that in the recent REP exercise we did extremely well in terms of the impact of our work. While it is easy to identify certain areas of work that we do not approve of, it is outweighed hugely by the work that we do do, and it is important to get that balance right. We can argue about what is useful research, but we also need to think about academic freedoms and the right to question and test received wisdom. I am not defending a particular piece of work; I am just making a general comment. We can argue about a particular piece of work, and I can understand that, but I am not aware of that work. I hope you will appreciate that I cannot comment on it specifically.

- Q21 **Dr Caroline Johnson:** You can perhaps comment on whether you think researching it is useful or whether even asking one of your students or expecting one of your students or sanctioning one of your students to go over and do that work is safe for the student, and whether you have a safeguarding responsibility for the student working as a volunteer in an escort service.

Professor Thakkar: We have had students, for example, looking at gangland culture in Manchester. We put in provisions to make sure they



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were safe, and we worked with the police on that. There are difficult subjects that we often look at, but we make sure that the students are safe. I cannot comment on that particular example because I do not know what was looked at, or not looked at, in that instance, but we do quite a lot of difficult work, and we always make sure that student safety and the safety of any research participants is the most important thing that we consider right at the outset—that we must not do any harm.

Dr Caroline Johnson: I want to pass on to my colleagues so that everyone gets a turn to ask questions, but having looked through some of the research published by Manchester University, some of it is quite shocking and some of it looks pretty unhelpful to wider society—it may be of niche interest to them but I cannot see how it is useful to the wider public to spend money on—and it seems to me that your safeguarding procedures are not in place. Despite the fact you knew you were coming today, you do not seem to know about some of the more obvious, egregious examples of pretty poor or awful, really, research going on at your university, and that is hugely disappointing. I do not know how we would have confidence that you are going to protect the public's use of money or the reputation of your university.

Q22 Chair: Just to follow on from what my colleague said, I do not get any sense from you that you feel ashamed about what has gone on. It is pretty disgusting. I do think it shames your university and I find it incredibly depressing. I have some questions that I would like to ask you.

You say, as a university, that you did not provide funding for this research project. We know that Mr Andersson was a PhD student at Manchester at the time of publication. His PhD research profile on the university website states that his research is "funded by the School of Arts, Languages and Cultures." The research article in question states the author received no financial support for research, yet the critics have suggested that publishing the article would entail significant cost. Dr Stuart Ritchie, a King's College lecturer, has said that someone would have had to pay the £2,500 processing charge. He said that given how universities are funded, it's reasonable to conclude that the UK taxpayer, at least in part, paid for this publication.

Who paid for the publication of this piece of research? Was any taxpayers' money used to fund Mr Andersson's article? At the time of his study in Germany, was Mr Andersson receiving funding for his PhD work from Manchester University?

Professor Thakkar: As far as I know, no, we did not pay for publication of this article.

Q23 Chair: Was any taxpayer money used to fund Mr Andersson's article?

Professor Thakkar: No. As far as I know, we did not fund his article at all.



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You and the previous Member commented that I am not showing any shame. I started by saying that I share the deep concerns that have been raised by this work, and we are looking at it very seriously. The student has been suspended. If I gave you the impression that we do not have any serious concerns about this, that is wrong. I have grave concerns.

Q24 **Chair:** In response to my colleague's second example which, again, seems quite disturbing, you said, "Well, the university has to cover complex issues."

Professor Thakkar: No, I said I do not know about that particular example. I am just making a general comment that sometimes when we look at some difficult cases, we always try to make sure there is a provision to keep the researchers safe. That was the question—"Do we keep researchers safe?" If I misunderstood the question, I apologise.

Q25 **Chair:** To emphasise, again, what my colleague said, and just to understand the protocol, what is the protocol that your university has on university PhD students self-funding or independently publishing a piece of contentious research relating to their ongoing study? Do you retain overall accountability for the content published by your PhD students?

Professor Thakkar: If the work is done at Manchester, yes.

Q26 **Chair:** What is the protocol around a university PhD student self-funding or independently publishing a piece of contentious research?

Professor Thakkar: All research that involves human participants or animal use will go through a formal ethics process. There is a hard outer perimeter that we expect never to breach, which is the law, statutory requirements, regulatory requirements. If you have to step outside, and sometimes there are legitimate reasons to do research in other areas—and I gave an example of terrorist activity—we would work with the relevant authorities to make sure there is a safe and secure way to do this, but we would also do due diligence on the student.

In this case, we failed. We did not know about this and we should have done due diligence before the student was accepted on the course. I hold up my hands to that, as I said.

Q27 **Chair:** Can I ask about the note that was published online on *Qualitative Research* on 26 April this year? The *Qualitative Research* website now contains a correction in the form of a publisher's notice which states: "We began investigating the publication of the above paper on Aug 9, 2022, and are continuing our investigations. We will consider closely all guidance from the Committee of Publication Ethics and ensure that any actions taken comply with COPE standards." The article has since been taken down and replaced with a removal notice which states: "Due to ethical concerns surrounding this article and the social harm being caused by the publication of this work, the publishers have now agreed with the journal editors and have decided to remove the article while this investigation is ongoing."



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Is it not the case that the only reason the article was removed was because it was brought to the attention of national media by my colleague, the MP Neil O'Brien, and that if this had not happened it is likely the article would still remain published openly?

Professor Thakkar: That is true because it never went through our ethics process. It was not work done at Manchester and we were not aware of it. The supervisor was aware of it, but nobody else was aware of that work.

Q28 **Chair:** Again, that may not be correct because, as I understand it, the supervisor of the student knew about this article.

Professor Thakkar: That is what I just said, that the supervisor was aware of it.

Chair: You were aware and still—

Professor Thakkar: We are going through a process to look at that, but we as a university more widely did not know about this article until it appeared in the national media.

Q29 **Chair:** The supervisor of the university is pretty much the university, is it not? The NSPCC says, "All research, and research publications, should be subject to proportionate but rigorous ethical review, including robust safeguarding checks."

Professor Thakkar: Indeed, and all the research that happens at our university would have been.

Q30 **Chair:** The *Qualitative Research* journal has said that there was "a lack of clarity and hence ethical scrutiny at the time of the initial submission."

Professor Thakkar: That research, since it did not happen at Manchester, would not have gone through our process. The research that he came to do at Manchester did go through our ethics process and was refused. Because that research was not done at Manchester and was incorrectly affiliated to us, it appears that it did not go through our ethics process, but it would not have because the work was not done at University of Manchester.

Q31 **Chair:** He was supervised by the supervisor. The supervisor let it go ahead.

Professor Thakkar: The supervisor was informed, once the publication had been accepted for publication, that this was being published, and she, for whatever reason, backed it.

Q32 **Chair:** How on earth could the supervisor back such a thing? This is where you are responsible because you are trying to wash your hands of it.

Professor Thakkar: That is part of our ongoing look at this matter.



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Chair: It means that you are responsible for it because the supervisor did nothing. Manchester University cannot wash your hands of it and say, "This was done overseas so I was not part of the decision."

Professor Thakkar: Not at all. That is why I am saying we are looking at it. I am not washing our hands of it at all. We are looking at it and appropriate action will be taken.

Q33 **Chair:** What ethical scrutiny was Mr Andersson's research subject to prior to publication?

Professor Thakkar: Because it was not done at Manchester it was not subject to scrutiny at Manchester.

Q34 **Chair:** We know that you rejected a proposal for a piece of research from that student.

Professor Thakkar: That was for his PhD work. The work he published precedes his PhD work. Part of it was done at Berlin.

Q35 **Chair:** Was the rejected piece of research the same project as was later published on *Qualitative Research*?

Professor Thakkar: No. The published work contained two bits. One bit was done as part of his master's programme at Berlin. The second bit—the self-immersion activity—was self-initiated, not part of any university's work and entirely designed and conducted by himself. It was not part of his work at Manchester.

Q36 **Chair:** The acknowledgement section of Mr Andersson's article mentions his PhD supervisor from the University of Manchester, alongside two further anonymous reviewers and an academic who commented on an early version of the article: "Mr Andersson thanks his research supervisor for always encouraging me to go where my research takes me." How many University of Manchester academics reviewed and saw Mr Andersson's research prior to publication, and did any academic—or anyone—raise the alarm around the ethics of this so-called research?

Professor Thakkar: I believe one saw the paper once it was accepted for publication and did not raise the alarm.

Q37 **Chair:** So no one raised the alarm?

Professor Thakkar: There was one person who was aware of the publication and did not raise the alarm.

Chair: Before I carry on, I am going to pass on to Anna and then Caroline.

Q38 **Anna Firth:** I want to press you a little bit on this issue of taxpayer money. You will understand that this is a very serious matter, and obviously there has been a police investigation. I just want to get the facts absolutely straight here, because Mr Andersson lists himself on his Twitter profile as a "PhD student at + funded by" the University of



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Manchester School of Arts, Languages and Cultures. Is that completely wrong?

Professor Thakkar: No. He is funded by the School of Arts, Languages and Cultures for his PhD programme, which I described earlier and which is not the work he has published. It is related to shota comics but it is not the work he has published.

Q39 **Anna Firth:** So you think it is completely appropriate to retain this student despite his earlier research, admittedly done in Berlin—this revolting research. Do you think it is still appropriate for him to remain a student and funded?

Professor Thakkar: No, the process has not been completed, as we have put out in our public statement. He has been suspended and he is going through the student disciplinary process.

Q40 **Chair:** What was the head of department doing in all this time, apart from the supervisor? Wouldn't the head of department as well as the supervisor be assessing these things?

Professor Thakkar: The PhD application was assessed by two other independent professors within the university as well as—because it went through for regional funding—two professors at different universities in the north-west and was—

Q41 **Chair:** We know the supervisor said it is all hunky dory and let it all go ahead. Who was the head of the department of the PhD student? What did the head of department say?

Professor Thakkar: They were not aware of this publication.

Q42 **Chair:** They would not supervise what is going on with PhD students?

Professor Thakkar: No. Each school is a very big unit and they would not be aware of the specific PhDs that every single member of staff within that school would be supervising. That would be the same at any university.

Q43 **Anna Firth:** We still do not have an acceptable answer about the role of the supervisor. We know that he became a student of your university in September 2021, and we know that this particular piece of research was done and published outside your university, but the supervisor was from Manchester University and you have accepted that she backed it. What does that actually mean? In order for her to back this piece of research, what would she have needed to do? Surely she would have needed to read the research and talk to the student, and surely that would all have been funded by the UK taxpayer.

Professor Thakkar: She will have read the paper once it was accepted for publication, and I believe she said by email that it was okay to publish. That would have been, as I understand it, the sum total of her involvement. I am not minimising it, please understand.



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Q44 **Chair:** Not according to the student, because the student said thanks to the “supervisor for always encouraging me to go where my research takes me.” It sounds like a little bit more than an email.

Professor Thakkar: As I understand it, she was presented with the paper after it was accepted for publication, and she gave a nod to publishing it. I am not sure exactly what she said to the student, but I believe that she said that he should go ahead and publish that.

Q45 **Anna Firth:** What is the possible benefit, please, to the UK taxpayer of a supervisor at your university spending time reading this type of research and backing it and encouraging a student of your university to publish it?

Chair: I do not think we should call it research.

Professor Thakkar: I have referred to it as activity. I myself have referred to it as activity, not as research.

Q46 **Anna Firth:** What is the benefit, please, to the UK taxpayer?

Professor Thakkar: Personally, I cannot see a benefit to the taxpayer.

Q47 **Anna Firth:** Is this supervisor still with you?

Professor Thakkar: Yes. We are still going through a process where we are looking at the supervisor as well as the student.

Q48 **Chair:** And the head of department, surely, who should be responsible for this.

Professor Thakkar: The head of department will not be aware of the PhDs of every single supervisor because, as I said, we have very large schools.

Q49 **Chair:** The head of department is ultimately responsible for what goes on in his or her department, are they not? Otherwise, what is the point of being head of department if they are not responsible for what goes on?

Professor Thakkar: Indeed.

Q50 **Chair:** Have you questioned the head of department about the vetting procedures for PhD students? As my colleague Caroline Johnson pointed out, this individual had a particular record going back a number of years involving this kind of material. When he ran a website called *Breaking Boy News*, the website in 2012 featured violent sexual headlines about young boys and had sexualised pictures of prepubescent boys.

Professor Thakkar: The whole university needs to look at the procedures. Again, in our public statement we have said there are lessons for us to learn. I said that right at the outset. There are important lessons for us to learn about vetting students appropriately before they are taken on, particularly when studying sensitive subjects.

Chair: Anna and then Angela, then Caroline.



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Q51 **Anna Firth:** I think we have comprehensively established that your procedure for vetting research—the admissions procedure, not the ethics procedure—is not fit for purpose. Can you assure us of the types of changes that you might be making to make this procedure far more robust?

Professor Thakkar: We take on a lot of students. For most of them we do not need to do deep background checks. We already have good processes in place for where the students have clinical training or where they are exposed to children, as in education and so on. We also have processes in place for people who are doing technology work that may be considered as high risk.

In this area of sensitive work we were unaware, and we need to introduce processes for vetting the students appropriately in this area. We will be looking very broadly at our research areas and providing staff training to ensure that they themselves flag up where they are doing sensitive research. We will make sure that there are rigorous processes in place for doing background checks, which we do for other areas, and the processes are well established in other areas.

Q52 **Angela Richardson:** Professor Thakkar, I just want to clarify something on the timeline. The police became involved in August; is that correct?

Professor Thakkar: That is right, yes.

Q53 **Angela Richardson:** The ethics committee rejected the PhD on 17 June. When the ethics committee rejects the candidate and their research, are there any steps that the university takes if flags or concerns are raised over the type of research that is being undertaken? Should the university have got in touch with the police before the police were made aware of it in August?

Professor Thakkar: No, because the research as submitted to Manchester University did not involve similar work. It was observation of users of shota comics. We can argue whether that is a useful area or not to study, but in itself that is not illegal activity and, therefore, it would not have raised flags. What did raise flags to us was the poor design of the programme and the lack of consideration of ethical issues, and therefore the student was asked to go away and think about what they were doing. Given that this is happening without knowing his background and so on—I have already highlighted our blind spot in not thinking about his background in this case—no flags were raised at that point and we did not contact the police. That has to change.

Q54 **Chair:** Can you explain why the supervisor did find it all acceptable? You must have spoken to the supervisor; what has the supervisor said to you?

Professor Thakkar: As I said, this is not my area of work. They believe study of these comics is a legitimate area of study. I am not an expert in



autoethnography. They believe autoethnography is a justified mode of study.

Q55 **Chair:** Pornography and paedophilia is a justified mode of study, is it?

Professor Thakkar: No. I am not justifying paedophilia—please don't. I am just conveying what the supervisor has said in terms of why this area was not—

Q56 **Chair:** I am not talking about the area; I am talking about the specific student. What I want to know is what the supervisor has said to the university. Why was the green light given to the PhD student to go ahead with it?

Professor Thakkar: Her explanation is that she was not aware of his background, but we think there is a shortcoming—

Chair: I am talking about the content.

Professor Thakkar: You do not need to know the background to know that the work was of serious concern, and we all agree that you do not need to understand the background of the student to understand the work is of serious concern.

Chair: Caroline Ansell and then Caroline Johnson, then Anna.

Q57 **Caroline Ansell:** You spoke about encouraging the student to think about and to reflect upon the subject matter or their choice of research methods. You previously talked about training or support; obviously you cannot talk about the individual, but what might that be—training, support or general awareness raising? What were the lessons that arose from that and what training and support do you offer? Although this is a very shocking example, I imagine it is not entirely a standalone experience when academics are pushing the boundaries of knowledge, shall we say.

Professor Thakkar: We offer research ethics training for our PhD students, so they can undertake that. We offer expert advice. We have five research ethics committees. We have very experienced ethics chairs who can offer direct advice.

Q58 **Caroline Ansell:** Do you offer it or do you require it? Did this student undertake this opportunity or—

Professor Thakkar: Sorry, I interrupted you. As part of the discussion at ethics committee, we would offer advice on how to formulate the research and so on, so we would issue guidance with it.

Q59 **Caroline Ansell:** Do you think that in the light of this particular very sorry episode you might move that to be a requirement rather than an offer?

Professor Thakkar: Indeed. As I said before, getting an unfavourable outcome is very rare in ethics committees. That applies to the NHS ethics



committees as well as university ethics committees, because most people, when they submit research, it is generally okay, and you get a provisional with some tweaking to do. In this case, this was an outright unfavourable opinion. When we do that, we need to think about what we can do to support both the supervisor and the student themselves to arrive at a better programme of work.

Q60 Caroline Ansell: Taking that a little further, because it goes way beyond whether this was a suitable or appropriate research focus, there are much wider, more concerning problems here. Is this where counselling or HR would come in? What flags might this have raised out of concern for any individual?

Professor Thakkar: The biggest flag they should have raised was to do a background check on the student. Beyond that, I suspect that when you do a background check and when you are pushing at the boundaries, as I said, you want to make sure—I am not just talking about this case; I am just talking in general because this case is still under investigation and I do not want to prejudice that in any way—that research is not the pretext for accessing something. We need to be really careful in looking at these sensitive areas and making sure that research is not just a pretext for looking at these areas to access materials. That research is clearly biased if you have a prior personal interest in that sort of material.

Caroline Ansell: I am not entirely sure that answers the question, but I think we are pressed for time.

Professor Thakkar: I am sorry. Can I just come back on it?

Chair: No, because I am going to bring in my colleague Caroline Johnson. You can come back then. Caroline Johnson, and then Anna.

Q61 Dr Caroline Johnson: The first point I wanted to make is that you refer repeatedly to these documents as comics and talk about them as comics, but actually they are drawn images of young, prepubescent or adolescent boys engaged in sexual activity, which is not quite the *Beano*, is it?

Also, you suggested they were not illegal, and they are illegal under the Coroners and Justice Act 2009, chapter 2, section 65: "References to an image of a person include references to an image of an imaginary person." These images would be illegal, as I understand it, in the context of the United Kingdom, but that—

Professor Thakkar: What I said was they are not illegal in Japan. I did not say they were not illegal here. I do understand the Coroners and Justice Act and I do know they are illegal here. One of the things that we should have picked up, and we do in other areas and we did not in this area, is that any activity that is illegal in this country we would not permit to be carried out in another country where the legal environment is different. The work, as submitted to the university's ethics committee, did not require access to such material. It was put forward as an observational study of users of such material.



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Q62 **Dr Caroline Johnson:** How long is a PhD course at your university?

Professor Thakkar: It is normally three years.

Q63 **Dr Caroline Johnson:** He has been a student at your university for one year; is that correct?

Professor Thakkar: That is right.

Q64 **Dr Caroline Johnson:** As far as I can tell the only publication that he has had in this time is the one that we have been discussing this morning, which you say is not a work of your university, which conveniently happened in the three months while he was in Germany, where presumably it is not as illegal as it is here, perhaps. What has he done this year? He has been funded by the taxpayer to do a PhD for a year. You have refused his PhD project. He has only published one thing which you say is not for the university. What has he done with all that public money for the last 12 months?

Professor Thakkar: In certain areas—in humanities, certainly—the first year of the subject would be doing background literature survey and so on and designing the programme. That is common practice in many subjects where you would spend the first year doing a thorough literature review, a literature survey, designing your questions and your methodologies, and going through ethics approval. That is why at the end of the first year he submitted his research for ethics approval.

Dr Caroline Johnson: Which has then been refused.

Professor Thakkar: Which has then been refused.

Q65 **Dr Caroline Johnson:** While he was doing this research, his literature reviews and preparing his PhD, what sort of input does he have from the university to make sure he is going along the right track and knows what he is doing and to educate him?

Professor Thakkar: It will be directly from his supervisor, and any core training that he has to do as part of being a PhD student at Manchester, which will include any research methods, and ethics as well.

Q66 **Dr Caroline Johnson:** Would the only person providing him with input be his supervisor, or would there be other people looking at what he is reviewing and seeing what his research is about?

Professor Thakkar: No, and this would apply to all universities: largely, the programme you are supervising is the supervisor's responsibility. You generally would not have a lot of other people looking at it, or anybody else looking at it. It would be the supervisor, largely, who oversees that programme of work.

Q67 **Dr Caroline Johnson:** How many people would the supervisor be supervising?



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Professor Thakkar: Typically, a supervisor can have anywhere between one or two PhD students, up to maybe four or five.

Q68 **Dr Caroline Johnson:** Do you know how many this particular supervisor had?

Professor Thakkar: I am not aware. Sorry, I do not know. I should do, but I do not.

Q69 **Dr Caroline Johnson:** Okay. So you have a PhD supervisor at your university who is currently under investigation—you said that—and who has backed a piece of research that we have agreed is beyond questionable—it is awful—

Professor Thakkar: Agreed.

Dr Caroline Johnson: Yet you have not established whether she is supervising anybody else or what research they may be being supervised to do.

Professor Thakkar: Yes, but I said also that the matter is being looked at further through appropriate channels—through appropriate processes in the university. I am not directly involved with that.

Q70 **Chair:** When will your internal investigation be completed?

Professor Thakkar: We expect in a number of weeks—in a few weeks.

Q71 **Chair:** Will you write to the Committee with the outcome, please?

Professor Thakkar: Yes, we will.

Chair: Thank you.

Professor Thakkar: We have made public the findings of the preliminary investigations.

Chair: Thank you.

Q72 **Dr Caroline Johnson:** This chap has been masturbating to images of prepubescent children engaged in sexual activity. There must be a significant risk that this man poses a risk to real live children as well. It seems that your supervisor did not recognise this when she backed the research and she did not raise the flag, did not report it to the police and did not raise it with her superiors. What work have you done to ensure that all the staff at Manchester University are fully aware of the law and their responsibilities in relation to the safeguarding of children since this article came to light?

Professor Thakkar: As I said at the outset, we are going through a process of making sure that our supervisors are aware of their responsibilities, especially when they are doing work in sensitive areas like this.

Q73 **Dr Caroline Johnson:** So have you done something so far, or have you



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not?

Professor Thakkar: No. The university term is just about to start, so we are doing it at the beginning of the term.

Q74 **Dr Caroline Johnson:** Are you suggesting that you found out about this presumably around 10, 11 or 12 August and you have waited until the start of term to do something about it?

Professor Thakkar: No. We have just come through our summer vacation period. Now that the staff are back, we will not just be taking measures to write to them to say, "You need to be aware of your responsibilities," but we are looking at what training we need to provide, particularly to people who are working in sensitive areas.

Q75 **Dr Caroline Johnson:** Do you not see this as an urgent problem?

Professor Thakkar: We do see it as an urgent problem.

Q76 **Dr Caroline Johnson:** But not urgent enough to ask anyone to do some work before the term resumes—not even at a senior level?

Professor Thakkar: In what sense? What sort of work are we talking about? We have taken on board that we have a blind spot and we need to do something about it, and we are doing something about it. We are starting to inform our staff. We have a comms plan to inform all our staff, particularly to understand their roles and responsibilities.

Q77 **Anna Firth:** One last point. You have agreed with us that there is no benefit to the taxpayer in studies of this nature. I just want to check, on behalf of the taxpayer, as this is the University of Manchester and you are the professor and that vice-president for social responsibility, that we are not funding any other studies of a similar nature.

Professor Thakkar: As I said, my personal opinion is one thing. We either like academic freedom or we do not. We just need to be careful. I do not know every piece of research that University of Manchester does. We do thousands of pieces of research.

Q78 **Chair:** Given what has come out—that your supervisor gave the green light to a paedophile, basically—would you not have checked whether there were any other problems going on in your department?

Professor Thakkar: We certainly are checking that.

Q79 **Chair:** Finally, can you confirm whether the so-called activity—I do not deign to call it research—in Germany took place before the student received any funding from Manchester?

Professor Thakkar: We have not been given accurate information, let me put it that way, about what period that activity took place in Germany. Part of one of the answers was that it happened before, and then a second answer was—

Q80 **Chair:** You must, surely, know whether or not the activity that the



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student was doing in Germany took place before or after the student received funding from Manchester. You must know that.

Professor Thakkar: We have a discrepancy in the two answers we have received from the student and that is being looked at as part of the—

Q81 **Chair:** What about the funding? You have the timetable of the supervisor giving the green light.

Professor Thakkar: As I said, there is a discrepancy in the response we have had. In one response it appeared to suggest it was done prior to him getting funding from us; in the other, part of the period in which he undertook this activity was once he was a student with us, but not under our aegis.

Q82 **Anna Firth:** Sorry, can I just be absolutely clear about this? Are you really telling us you are unable to tell us today whether the UK taxpayer is funding other PhDs into how participants experience sexual pleasure while masturbating?

Chair: With children.

Professor Thakkar: As far as I know, we do not have PhDs in that area.

Q83 **Chair:** Why do you not know whether or not the activity in Germany took place before the student received funding? Surely, you would have done your research before coming to the Committee.

Professor Thakkar: Because it was done outside the university, we are dependent on the student giving us an answer on that, and he has given us two different answers.

Q84 **Chair:** Have you not looked at the timing of when the supervisor said, "Yeah, this is wonderful stuff, go ahead"?

Professor Thakkar: It was once the publication was accepted for publication—that was in February this year—that the supervisor was made aware of this.

Q85 **Chair:** I think you are stonewalling and not giving us an answer.

Professor Thakkar: No, I am not stonewalling. We have said that in our statement as well. We have been given two different answers. We have relayed those to the police as well. We believe it happened in Germany. Part of the period may have overlapped with while he was a student with us—I have said that as well, clearly. It is not that I am trying to say that nothing happened while he was funded by us. Part of the answer he has given to us suggests that it may have happened during his period as a student with us. The university—the member of staff—was made aware in February this year, after the paper had already been submitted to the journal and had been accepted. His supervisor only became aware of this work when the paper had already been accepted for publication.

Chair: Thank you for your evidence. Perhaps it would have been helpful



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for us to have had a bit more information through this session. I do not think any of us are encouraged by what we have heard. I think it is pretty bleak. I think it is genuinely disgusting. It is pretty shocking that when people raise questions about universities and value for money—that this sort of thing is going on and that supervisors give the green light to this—you do not know whether the head of department knew about it or not and then you say, “Well, he’s got a lot of students to supervise.” We would like to know the details of the investigation, and then we will decide as a Committee what follow-up action we take, whether it is a letter to the new Higher Education Minister or whatever it may be, but I thank you for your evidence.

Examination of witnesses

Witnesses: Professor Roseneil, Professor Forster and Susan Lapworth.

Q86 **Chair:** Could I ask our witnesses to formally introduce themselves, please?

Professor Roseneil: I am Professor Sasha Roseneil, vice-chancellor of the University of Sussex.

Susan Lapworth: I am Susan Lapworth, chief executive of the OfS.

Professor Forster: I am Professor Anthony Forster, vice-chancellor at the University of Essex.

Q87 **Chair:** If I may, I will direct the first question to the Office for Students. You have heard the previous session; could you give comments on what you think about that and what action you are going to take? Also, is this sort of thing going on in other universities around the country?

Susan Lapworth: It is fair to say that we shared everyone else's surprise when we saw the press reports over the summer on that article. We have been in touch with the university. We asked some questions about the investigation that we heard described in the previous session. We were satisfied that when those reports surfaced, the university acted quickly to scope an investigation. The investigation looks to us to be appropriately scoped, covering an appropriate range of matters from admissions issues for research students to due diligence on research topics and the effectiveness of supervision and research ethics, so the shape of the questions feel appropriate to us. We understand that the police are interested in these issues and, in that context, it is important that we do not start to take regulatory steps that could impede any police investigation.

Where we are just now is we, like the Committee this morning, have asked the university to keep in touch with us on the progress of its investigation and we are very interested in seeing the outcome of the investigation and, in particular, the steps the university needs to take to resolve any issues it discovers. We will, of course, want to test the appropriateness and the rigour of those steps.



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Q88 **Chair:** Are you checking whether or not this sort of thing that is going on in other universes or higher education institutions?

Susan Lapworth: It is perhaps worth being clear that research is not funded by the OfS. Where public money does flow to research activities and research students, that is funding that comes from Research England and UKRI, so it is not our public funding that is at stake here. Our interest, though, is in the quality of those research degree courses and, in particular, how we can be confident that students are being appropriately recruited and that supervision is effective in the ways that the Committee has explored this morning. The whole sector is paying attention to this discussion, and I think it is right that they do so.

Q89 **Chair:** Okay, thank you. I want to move on to a different subject: the de facto banning of books, as has been highlighted in the newspapers. We have had a submission from *The Times* head of investigations, Paul Morgan-Bentley. *The Times* sent an FOI request to UK universities asking for lists of books, plays, poems and films that have been given content warnings in the previous three academic years. Susan, I am going to direct this to you first and then come on to the other witnesses, for the reasons given. In total, there were 1,081 content warnings across UK universities, and these content warnings were from responses by 74 out of 140 UK universities. In response to his FOI request, many universities stated that they could not provide any information as this would take too much time to compile.

The Times found that in 10 universities there were examples of staff either removing texts from student reading lists or making them optional because of concerns about their content. In two of these cases, books have been removed from reading lists for this reason. Can I ask you, is there a sort of Taliban alive and well at our British universities and banning books across the board? I will go into the specific examples in a minute.

Susan Lapworth: I would hope not. The OfS has been very clear that free speech and academic freedom are fundamental to higher education. They are the foundational principles for everything that universities do, and that must mean that all students and all staff are entitled to a culture that values vigorous debate, in particular where that debate is about things that are difficult or contentious or sensitive. If I talk about books being removed from reading lists just now—

Q90 **Chair:** Again, as I said, *The Times* investigation found 1,081 examples of trigger warnings—Shakespeare, Chaucer, Jane Austen, Charlotte Bronte, Charles Dickens, Agatha Christie. Some academics actually attempted to block the newspaper from discovering details about the changes to the reading lists.

Susan Lapworth: Yes, so our view is that universities are responsible for deciding the content of their own courses—there is not a national curriculum for higher education for good reasons. That means they are responsible for deciding what to put on reading lists. We do, though, have



a regulatory interest in the quality of courses. For example, we require all courses to be up to date. That is likely to involve refreshing the curriculum from time to time to make sure it is up to date and that will include changes to reading lists. In principle, we would see that as a normal part of refreshing the curriculum, but—and I think it is an important but in the context of this conversation—we would expect any of those sorts of changes to preserve the integrity and the rigour of the course. We might be concerned if reading lists were being diluted or texts being removed because they are considered uncomfortable or difficult in some way.

Q91 **Chair:** Do you think the use of trigger warnings and book withdrawals is becoming more prevalent, in a nutshell?

Susan Lapworth: The reporting suggests that it is. The information that we receive from students, staff and third parties is not showing us a significant increase in concerns about trigger warnings as such. We hear about free speech matters, but not, so far, this particular issue. What we would be interested to understand, from a university subject to that kind of reporting, is why it has made those decisions. Who has made those decisions? Have been made by individual academic staff in the department?

Q92 **Chair:** I can give you examples. Again, from *The Times*, both Essex and Sussex have said that they removed books from their reading lists—*The Underground Railroad* and *Miss Julie*, respectively. History students at Exeter can opt out of reading *The History of Mary Prince*, another book on slavery, because it features “graphic accounts of racism, slavery, and extreme violence”. Should students not read about the history of the Third Reich because it has horrific things in it, including slavery and murder and violence?

History students at Lancaster University can choose not to read *The Diary of Thomas Thistlewood* over its detail regarding sexual assaults and extreme violence, because it provides a detailed record of his behaviour as a slave owner in Jamaica in the 1800s. This is why I say that the Taliban seem to be alive and well right across our higher education, because we seem to be banning books or removing them from shelves because of sensitivities. Would we ban *Romeo and Juliet* because it has suicide in it, for example, if we are banning *The Underground Railroad*?

Susan Lapworth: It cannot be right that chunks of the curriculum are being removed simply because there are difficult topics in that curriculum. We would expect universities to be really clear for prospective students when they are making the choice about their course and their university that the content of some courses will inevitably cover the study of things that people might find difficult. At that point, students should make good choices about whether they are ready to engage with the full curriculum. It is also at that point that universities should reinforce the fundamental point here, which is that the purpose of university is to



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discuss and debate difficult issues, even if that might make us feel personally uncomfortable.

What we would then be more concerned about is that perhaps well-meaning actions such as trigger warnings and making books optional do not hinder students' engagement with the full curriculum. Students are resilient. We think we should treat them as adults and able to cope with a normal, vibrant university experience, and that means that we and they should expect them to study issues which may be difficult and controversial. We would be concerned if shying away from those topics started to signal a culture where some things are not discussed or are not taught or are not spoken about. That is where we come into our particular interest in free speech and academic freedom matters.

Q93 **Chair:** Can I ask Essex and Sussex to answer? What is the university policy with respect to book banning or book withdrawals? I will start with you, Essex vice-chancellor.

Professor Forster: Thank you. We do not have policies of banning books—indeed, *The Underground Railroad* is not banned. Multiple copies of that book are in our library. We have books covering themes around slavery on reading lists for many different modules, which would include Octavia Butler's *Kindred*, Toni Morrison's *Beloved* and so on. We are absolutely committed to making sure that we are producing challenging texts that are—

Q94 **Chair:** Well, you have removed *The Underground Railroad* from your reading list, according to *The Times*.

Professor Forster: It was withdrawn because, in updating that particular module, the academics in charge felt that, for pedagogic reasons relating to the learning outcomes, there were more suitable texts. The book has not been permanently banned. It has not been permanently withdrawn. It is available, but the decision was made that, in this particular context—a creative writing module about the development of the novel—there were other better suited materials for that particular set of learning outcomes.

Q95 **Chair:** Sasha, would you like to comment, please?

Professor Roseneil: Certainly. As my colleague from Essex has said, universities are not in the business of banning books or censorship, so this reporting is really inaccurate. What happened at Sussex was that in the regular review of modules which academics do every year—they update their reading lists—one book was switched for another. In fact, a number of changes were made on that module, as we would expect all our academics to make to their modules every year, and the book that it was swapped for was actually Conrad's *Heart of Darkness*, which is hardly easy reading. Our academics are in the business of creating challenging modules for students and then supporting them in basically challenging—

Q96 **Chair:** Your university, according to the FOI, said that *Miss Julie* had



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been permanently withdrawn from an undergraduate literary model because it contains discussion of suicide and that the decision was made after students complained about the potential “emotional effects” of the material.

Professor Roseneil: It was not permanently withdrawn so that was not—

Q97 **Chair:** Well, that is the FOI response.

Professor Roseneil: It is, and it is unfortunate that was said. We now have a better process of—

Chair: What was the—

Professor Roseneil: It was withdrawn. It was swapped that year. It had been on and off that reading list for a number of years. The module is actually a level 3 module, so it is a foundation-year module for 18-year-old students who are coming into the university and getting up to the level of a first-year undergraduate. It is a critical reading skills module, so in fact any text could serve the purpose in that module. It was decided, in the context of a high level of reporting of student suicides that year—*Miss Julie*, if any of you have read it, does just end with a suicide—

Chair: So does *Romeo and Juliet*.

Professor Roseneil: Yes. It ends with a suicide and it also features rape and sexual abuse. In the context of the Sarah Everard case, which had been in the news that year, there was a lot of attention given to the sexual violence that young women—university students—were experiencing and a decision was made to swap it for a different text that is equally challenging to the students, but just not around those issues. It made no difference to the learning outcome.

Q98 **Chair:** You let the students decide whether they read it or not.

Professor Roseneil: Sorry?

Chair: You decide whether the students want to read this particular book?

Professor Roseneil: We take notice of student feedback, but we do not entirely design our modules around it. It is always important to listen to what the students are saying.

Q99 **Chair:** Would you ban the classics, because they have awful rape and incest?

Professor Roseneil: No, we don’t ban any books. *Miss Julie* remains in our library.

Q100 **Chair:** You take them off courses.

Professor Roseneil: We are not banning books or censoring things. Our library remains full of a whole range of different books that students can



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access and our modules are full of challenging texts, but we also have a responsibility to ensure a learning environment for our students that is supportive of them and that recognises the current world that we are living in where young women are facing high degrees of sexual violence and talking about it in a way that they did not used to, and a world in which student suicide, unfortunately, is prevalent. It does not mean we do not talk about suicide. It does not mean we do not talk about sexual violence, but on this module, which was about acquiring skills, other texts could serve that purpose equally well. This is not at all about banning books or censorship on campus.

Q101 **Chair:** As I say, on those grounds, you would also ban *Romeo and Juliet* and classical works.

Professor Roseneil: We have not banned anything.

Q102 **Chair:** Well, you would remove them from the course, which you said you did.

Professor Roseneil: No, I said that *Miss Julie*, on one occasion, was swapped for another text on this particular module. We are not banning books that are about suicide. We are not banning *Miss Julie*. We are not banning *Romeo and Juliet*. Universities do not ban books. That is the opposite of what we do. We believe in the rigorous discussion of literature and history.

Q103 **Chair:** As I mentioned to you, clearly there is an enormous number of trigger warnings being put on books—great works of literature—as *The Times* investigation found out. There were 1,081 examples of trigger warnings across undergraduate reading lists. I am not clear why William Shakespeare, Chaucer, Jane Austen, Charlotte Brontë, Charles Dickens and Agatha Christie need to have trigger warnings.

Professor Roseneil: With due respect, we started this session with a content warning. Content warnings are now widely used on the BBC and before films are screened. Recent research by the Higher Education Policy Institute that has been written up by Nick Hillman says that young people actually really appreciate having some kind of content warning. This is male and female students, Conservative and Labour-voting students—

Q104 **Chair:** Shakespeare, Chaucer, Jane Austen, Charlotte Brontë, Charles Dickens and Agatha Christie—they should have content warnings, should they?

Professor Roseneil: I am not making a comment about which particular texts should have content warnings, but content warnings are a feature of our culture now. It is not just universities that are doing it and, indeed, this Select Committee started—quite rightly, I think—with a content warning.

Q105 **Chair:** Which books have content warnings, trigger warnings, in your university?



Professor Roseneil: I am afraid I do not know exactly which texts have content warnings in my university.

Q106 **Chair:** What about the vice-chancellor of Essex?

Professor Forster: We have 34 module content notes out of 2,200 modules. I would just want to be quite precise about the language that I use. These are not trigger warnings, these are not content warnings: these are content notes. As was rightly pointed out by Professor Roseneil, we started this session with a content note offering some indication of what the material was, how it would be dealt with, and what levels of support are available. For me, content notes lie at the very heart of allowing us to engage with really challenging material that might be objectionable or offensive, but lawful. For me, that is a really important component of—

Q107 **Chair:** Does the Office for Students agree with all this? Are these huge amounts of trigger warnings the right thing to do?

Susan Lapworth: It is very difficult to identify some sorts of texts that may warrant a content warning, to use the language we have just heard. I do not know how a regulator could draw the line between texts that do and texts that do not, so would not take that approach.

Our interest here is in whether these sorts of interventions, which are often done with the best of intentions, contribute to a broader institutional culture that is in some way chilling free speech and academic freedom. That is the interest of our regulatory attention. In that context, the questions we would pose back to universities is, "As you've made decisions about content notes or content warnings or trigger warnings, how have you properly considered your statutory free speech duty? Show us, please, where you have balanced those two considerations, one of which is an active statutory duty to secure free speech within the law." My sense, from the work we have done to date, is that these sorts of decisions about texts are not always being taken with eyes wide open in relation to the consequences for compliance with that free speech duty. That would be—

Q108 **Chair:** In a nutshell, do you have concerns about books—great classic works—being withdrawn from syllabuses at universities, given that over 1,000 examples of so-called trigger warnings have been found?

Susan Lapworth: If that constitutes a narrowing and a reduction of rigour of the curriculum, and if those decisions have been made because there is a view that students will be distressed in some way by those texts, then yes, that would raise questions for us.

Q109 **Caroline Ansell:** On that, and thinking back to our first session, are you aware of any research being done into the impact of the use of trigger or content warnings at the start of the experience of study or reading? Are students more or less likely to engage with that? Will their feelings actually be intensified because of the trigger at the start? That would be



really interesting, because there is a high risk here in terms of building resilience, which does require that engagement with challenging material.

I think Sasha has answered my question on a number of levels already, but it was specifically around removing a text because of the psychological emotional effect of discussions around suicide. To my understanding, the evidence base suggests that actually speaking about suicide is very important and more likely to save life than to inspire or encourage people to complete suicide—I think that is the correct language, rather than commit. Was that particular challenge—that actually it is something that it is important to engage in rather than to reject—made to students? We have come a very long way with mental health, yet there is still some anxiety or stigma around the discussion of suicide.

Professor Roseneil: I think you are right. It is absolutely true that in the grand scheme of things avoiding difficult subjects is not going to help us to deal with them—it is not going to build resilience—but it is a situational decision that an academic would make about, both about their own capacity to deal with issues that might arise in the classroom and about the relevance to the modules. In this particular case, the module was about trying to acquire critical reading skills—base level undergraduate, pre-undergraduate critical reading skills.

Caroline Ansell: That I understand.

Professor Roseneil: In the grand scheme of things, absolutely, our universities should be places where students are able to talk about and think about suicide.

Q110 **Caroline Ansell:** My concern is not around their critical thinking skills, which obviously are being met through the course and through any number of different texts, but if you have a group of students who expressed anxiety around discussing this, would that not in itself be a concern and highlight that how to speak about this subject is something that needed to be engaged with and that students needed to be sort of challenged by, particularly in the light of the rise in young suicides?

Professor Roseneil: Indeed, and we have robust support structures in place for students—wellbeing structures. It was the outgoing cohort of students who said something that impacted on the decision of the academic for the reading list for next year, but this does not mean that the text will never be taught again and that suicide is not being discussed as an issue on many other modules and many other degree programmes across the University of Sussex or other universities. Academics are generally not afraid of tackling difficult topics, but we do also need to make sure that we are supporting academics in teaching in the current context. It is the responsibility of universities to make sure we equip our academics with the necessary skills—and they are complex skills, in dealing with the emotional lives of our students—and make sure that they pass the students on to people who are appropriately trained.



Q111 **Caroline Ansell:** That anxiety suggests to me that there was a real need to maintain texts dealing with this issue rather than to remove—to take up rather than to take out and to remove—if it was a subject of anxiety.

Professor Roseneil: And should it have been a psychology module, for instance, or even a literature module that was specifically dealing with those issues—but it was effectively a methods module. It was a skills-developing module and the text was kind of getting in the way of achieving the learning outcomes on that particular module.

Q112 **Caroline Ansell:** Learning is obviously very powerful cross curricula.

Professor Roseneil: Absolutely it is, yes. You have a very good understanding of how complex the situation is for academics in deciding what text to use at particular moments in their teaching of particular groups of students. We have to respect that our academics are making really careful pedagogic decisions about what to teach, when and how, in particular circumstances. For instance, during the pandemic some academics made decisions to switch texts because they knew the students would be studying at home by themselves, not in a classroom situation with peer support. There are all sorts of decisions that are made at different times about what is appropriate to teach and how.

Q113 **Chair:** Can I just quote Trevor Phillips, chairman of the Index on Censorship, and perhaps get an answer from you, Susan? He clearly thinks there is a problem. Pulling books to protect students from difficult content is “fatuous, patronising and profoundly racist” and that the withdrawal of books is part of “a wider wave of censorship on British campuses.” Have you spoken to the Index on Censorship about this and had any conversation with Trevor Phillips?

Susan Lapworth: No, we have not. The words you have read out mirror what I was trying to say, but I was using more regulatory language. The point is the same: if these examples are a manifestation of a broader culture where it is possible to narrow down the topics that are discussed and debated on campus because they might be uncomfortable, then that does raise questions about the extent to which universities are properly complying with their obligations for free speech.

Q114 **Chair:** What I am just trying to understand, in a nutshell and without the jargon, if I may, is whether the Office for Students believe that trigger warnings on these kinds of books is a good thing.

Susan Lapworth: We would not advocate trigger warnings. We raise an eyebrow when we see reports, as you have referred to in *The Times*. We hear reasons from universities that may feel entirely credible, sometimes not. It is important that we do not respond to each individual instance as a specific instance, what we are looking for is evidence that relates to a culture that supports free speech in the way that we would all expect.

Q115 **Angela Richardson:** Susan, in July you were quoted as saying: “We would be concerned if those cases suggest that lawful views are being



stifled” in English universities. Are lawful views being stifled in English universities?

Susan Lapworth: That question goes to the heart of this debate. We have a range of information and data available. It is quite patchy, for various reasons. We are able to count, for instance, the number of external speakers and events that have not proceeded. That gives us a small piece of information. We receive notifications from staff or students, and often third parties, where they think they can see concerns about free speech within a particular university, and we can count those. So we start to build a picture of people suggesting concerns.

If I come back to the point I was making a second ago, what I think is of more concern to us is the things that we cannot see. How would we recognise a culture in a university that worked to narrow topics for discussion, where staff felt that they could not put a book on the reading list in the first place because it would cause distress and, if I am blunt, a fuss? It is referred to as a chilling effect sometimes. How do we see evidence of that? Debates about numbers of speakers cancelled is important, and we should be alive to those issues, but it is a real small part of the dynamic that we are interested in here.

Q116 **Angela Richardson:** Could you give me a sense of the scale of your concern?

Susan Lapworth: I referred to notifications. In the life of the OfS we have had roughly 800 notifications in total about any number of matters, and they might relate to the same thing multiple times. In relation to free speech broadly, we have had perhaps around 60, and in relation to book lists and trigger warnings, we have had one or two. That gives you a sense of scale. What we sometimes see is inquiry sessions like this and press reporting prompt a flurry of other notifications, so that tends to increase the interest of others in these issues, but we see things outside of those press reporting activities too.

Q117 **Angela Richardson:** In terms of you talking about academics not putting things on their list to start with—that chilling effect—you engage with them regularly, don’t you, and survey them? Is that the sort of question that you ask them?

Susan Lapworth: We don’t ask academics about their views about free speech. That is an interesting question and something we might think about. We are aware of surveys of student views—someone referred earlier to the HEPI survey that gives some information earlier. We are currently consulting on adding an additional question to our national student survey that would ask students for their views about how able they feel to express their views in the curriculum. The data is patchy and that is something we will continue to think about.

Q118 **Angela Richardson:** Sasha, I think we are all aware of the case of Professor Kathleen Stock at the University of Sussex—I followed it very closely and, indeed, asked a question on the floor of the House about it



last year. She felt she was unable to express her gender critical views, which are lawful, and she felt her views were stifled by not just students but also fellow academics. Do you think we have a problem with lawful views being expressed in English universities?

Professor Roseneil: Let me start by saying that freedom of speech and freedom of expression are absolutely fundamental to university life. We cannot have universities if we do not have freedom of speech, freedom of expression and academic freedom. The University of Sussex is deeply committed to those principles.

I am new to Sussex—I have been in post for not quite six weeks. Personally, I deeply regret that Professor Stock did not feel able to continue her employment at Sussex and I know that that feeling was absolutely shared by the university as a body. It is deeply regrettable that she did not feel that the university could contain her beliefs. Her beliefs are lawful—gender critical beliefs are protected by the Equality Act—and we have to do better at building academic cultures of inclusion. Indeed, we have been doing a lot of work at Sussex around that mission. We have added a new strand to our stream of work on Inclusive Sussex that is about connecting people and enabling conversations across protected characteristics. We are trying to make sure that we do not ever again find a situation where an academic feels their perfectly lawful beliefs are not held within the institution.

Q119 **Angela Richardson:** Has that perhaps changed where you get your advice from? I think a lot of the advice that institutions and public bodies have been given around gender critical beliefs has probably not helped the situation. Are you drawing from a different range of advice on how to manage that situation?

Professor Roseneil: We have always taken advice from our general council. I believe that Sussex has always operated within the law. The problem here is not a question of illegality; it is a question of culture and how we change cultures. how do we promote inclusive cultures where a diversity of beliefs, backgrounds and identities can live side by side and speak with each other—not just sort of live side by side and not engage with each other, but actually where people can engage with each other? That is a constant project in a very fiercely contested society where many issues are very fractious. Around dinner tables around the country the same debates that were being had at Sussex are being had by parents, children, between different generations. It is a constant project to keep dialogue going and to make sure that people feel able to speak up, speak out and speak to each other.

Q120 **Angela Richardson:** Anthony, can I come to you?

Professor Forster: I would echo what Sasha was saying. I hope our commitment is clear. As a result of recent experience, we have changed our royal charter and a range of different codes and policies to make sure it is absolutely clear what our legal responsibilities are in relation to



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academic freedom and freedom of speech within the law. If we find that those rights have been transgressed, we will act, and we have a track record of acting.

I do want to build on what Sasha was saying, which is that it is very complex. In universities we have hundreds and thousands of modules. We have a range of different speaker events that are taking place throughout the year. We are sites of contestation, and from time to time it does raise issues as to the balance between a range of different rights and responsibilities.

The law is evolving all the time in a variety of different ways that we need to make sure we are aware of. As I say, we have very significant events that are taking place, but where we fail, we act because academic freedom of speech and freedom of speech within the law is one of the great challenges of our time. I do not conceptualise it myself as a problem to be fixed, because I do not think there is a single solution. For me, it is more complicated than that: it is a challenge that needs to be lived day in, day out. Ultimately, we have to make sure our staff and students feel that there is no chilling effect and they can exercise their right to academic freedom within the law, without any repercussions at all.

Q121 Angela Richardson: You are saying the law changes frequently, but do you feel you are able to adjudicate between those clashes of rights as they come with the information that you have? Do you feel you have good information to be able to interpret how to adjudicate?

Professor Forster: We do have good information, but we are at the leading edge of the evolution of law, and that means that the legal advice we get often lacks the specificity that I, as a vice-chancellor, would like in discharging the rights and obligations that I carry and the university carries. It is because there are changes in primary legislation—we might discuss some of those changes that are coming up—as well as the Court of Appeal rulings, employment appeal tribunals and, indeed, the actions of Government Ministers that might be, for example, proscribing particular organisations, that therefore carry implications for the right to protest and what is and is not lawful. That makes it really complicated and it is a challenge for us, but I hope that in rising to that challenge and, sadly, in circumstances where we fall short, that is not mistaken as a lack of commitment to academic freedom and freedom of speech within the law, because it is not in our case, and having spoken to other vice-chancellors I know they share exactly the same view.

Q122 Anna Firth: Susan, you told us you received 800 notifications last year and 60 were in relation to free speech; it would be useful to know the pattern. Last year was 2021 and we have had nine months of this year, so for that last two years and nine months, it would be useful to know so we can see the pattern. Is that increasing? Is that decreasing?



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Susan Lapworth: Sorry, I was not sufficiently clear: the 800 is across the whole lifetime of the OfS, going back to partway through 2018, so it is not quite as dramatic as it might sound. Across that same period, we have had around 60 on free speech. We are running at about 310 or 320 a year, across the whole, with 20-ish or 30-ish that might have a free-speech flavour. That is reasonably stable across the period. You will see that the pandemic period changed the nature of some of the issues we were hearing about from students, but broadly the pattern has been stable.

Q123 **Anna Firth:** No particular increase or decrease?

Susan Lapworth: No.

Q124 **Anna Firth:** Okay. One of the things you said in your annual report is that you are bringing in an initiative "to increase students' and student unions' awareness of our notifications process"; can you update us on the progress you have made with that initiative?

Susan Lapworth: Yes, we kicked off that work last summer. We have written a guide to the notifications process for students and student unions where we have tried not to use the kind of jargony, technocratic regulatory language. We have tried to say, "If you're worried about this sort of stuff, then come and tell us and this is how you do it", so trying to communicate effectively for those audiences. We work with and through the NUS when they do training for incoming sabbatical officers in universities. We input into the training and, again, we explain what the OfS does and what it does not do—because, of course, we do not currently adjudicate on individual student complaints. Again, we say, "If you're worried about these sorts of things then come and tell us." That is an ongoing piece of work in our student engagement strategy.

Q125 **Anna Firth:** Have you started on that piece of work because you were concerned that the number of notifications per year did not equate with the level of concern about these issues?

Susan Lapworth: It was not so much that, it was that when we did receive notifications from students, the information was not terribly helpful to us. Part of our aim is to improve the quality and the usefulness of the information.

Q126 **Anna Firth:** Thank you, that is helpful. Changing topics slightly, what impact will the Higher Education (Freedom of Speech) Bill have on the higher education sector and on how you might change your procedures and practises in this area? That question is to everybody, and obviously for Susan it would be in relation to students. I know we are short of time so perhaps just a couple of points each. I will start with Professor Roseneil.

Professor Roseneil: There is a lot of legislation covering academic freedom, freedom of speech and freedom of expression in universities, so if the Bill is to become law, university vice-chancellors really hope that it



will help to clarify the relationship between the new legislation and the existing legislation, and that there is increased clarity rather than just another piece of legislation layered over the existing legislation. We are also concerned about how the new statutory tort that is being proposed will operate in practice and the potential that could have for very large amounts of work and dispute. We want that to be further explained. There is still a considerable amount of work to be done to clarify the focus and the mechanisms of the new legislation and how it interacts with existing law.

Q127 **Anna Firth:** Thank you. That was the exact bit that I thought you would want to focus on, and how that might change your procedures when you undertake a balancing exercise, as you have to, to make sure that you yourselves are operating within the law when you are classifying things as uncomfortable or difficult or sensitive.

Professor Roseneil: Indeed, and one of the biggest balancing acts we have is in relation to the Equality Act 2010 and our duties and our commitments to equality, diversity and inclusion, ensuring that all the protected characteristics are indeed protected and balancing that with freedom of speech and freedom of expression. There are complex decisions taking place here. That said very, very few events do not go ahead in universities. There is not an epidemic of speakers being banned or no-platforming. I believe that to a very great extent, British universities are liberal, open, democratic spaces where there is lively debate and discussion.

Q128 **Anna Firth:** Thank you. Anthony?

Chair: In a nutshell, please.

Professor Forster: In a nutshell, I am not sure the legislation will deliver the outcomes that have been sought, and I say that in a context in which I am very keen to make sure that we clarify the duties that universities have in relation to academic freedom and freedom of speech within the law and in relation to the other legal responsibilities that we carry. I am concerned about the unintended consequences which might provide less rather than more clarity to universities and university vice-chancellors and, indeed, the regulator. There are some weaknesses in the proposed legislation in relation to the appointment of the director. It did strike me as odd that—I think I am right in saying—a desirable criterion, not essential, is that they should have experience of understanding the legal framework concerning freedom of speech and academic freedom. It seems odd to me that that is a desirable and not an essential characteristic for the appointment of a person to this post. Lastly, the reporting requirements are quite onerous or potentially onerous.

Q129 **Anna Firth:** Thank you. Susan?

Susan Lapworth: The Bill is currently before Parliament and our job is to implement whatever Parliament gives to us, so we are ready to do that. As currently drafted, the Bill extends the obligations on universities



in relation to free speech and provides clarification, which we think is helpful. It also extends those obligations to student unions, which is an important feature of the Bill. You might also have seen press reporting over the weekend about a university in Wales—so not the OfS's responsibility—where the student union was involved in debates about free speech; the Bill would ensure that we would be able to tackle those issues if they arose in England. More broadly for the OfS, it gives us a new complaint scheme to operate—an adjudicatory function—which is new for us and will inevitably extend the visibility and the extent of our work in this area.

Q130 Dr Caroline Johnson: I want to ask about how you instil a culture that is accepting that other people may have validly held legal but different opinions to oneself and how you instil a culture that is tolerant and accepting of those differences of opinion.

It is clearly very topical. If you look at the news, *The Times* in the last week reported: "Hard-left academics 'plotted gender ID witch-hunt' on colleagues". On 3 September, *The Telegraph* reported that at Swansea University the members of a women-only feminist student society had been threatened in such a way that they had been frightened into quitting. In mid-August, *The Telegraph* reported that a University of Sheffield staff member was being forced out for his support for Kathleen Stock, who was a former professor at your University.

What education do you give to students, perhaps as part of their induction to university or as part of their ongoing learning, to ensure that they understand and are aware of their responsibilities? It is an important life skill to understand the fact that people might agree with you and be perfectly reasonable and nice people, but just have a very different opinion on something you feel passionately about.

Professor Roseneil: As we all know, culture is a complex thing to influence and change, and it involves everyone—it is not something that can be done entirely top down by vice-chancellors and their senior teams, although vice-chancellors and their senior teams certainly set the culture and the tone for the institution. We really have to have conversations across our institutions—between and among staff and between students and staff—about the meaning of the university and our commitments to inclusion. Inclusion is one of our core values and a major theme of our strategic framework at Sussex, but actually enacting it is a daily task of reinforcing the importance of tolerance and developing listening skills.

We are in a very febrile cultural environment at the moment where social media is fierce and there is a lot of polarised hostility. We really want our university to be a place where people of different opinions can sit down and talk to each other and can even be friends with each other. It is possible to have friendships and collegial relationships across big, big divides and, in fact, also to explore the commonality between people. That sort of cultural work is done every day: it has to be done in every classroom and in every sport society, as well as in the debating societies



and the political societies. It has to be done in the student residences with the student residents advisers. It is a project for the whole university.

Q131 Dr Caroline Johnson: Are there any sanctions for students? We have heard some examples of where students have been acting in an intimidating way, frightening others to either not participate in things or to leave the university, in the case of Professor Stock; what sanctions, if any, are there for students who, despite your education and good culture and behaviour, behave in a way that is intimidating to others for their legally rightly held views?

Professor Roseneil: All universities have a code of practice and a set of expectations of their students in terms of behaviour and have ways of pursuing disciplinary action against students. That said, it is not always as easy as it might seem. We do not always have the evidence that we might need to pursue disciplinary action, and we would always rather resolve things without expelling a student, which is really an act of last resort. Universities do all have procedures for this.

Q132 Dr Caroline Johnson: Anthony?

Professor Forster: I was just going to pick up on your point about culture and build on what Sasha was saying. Universities being explicit about their role and about the centrality of academic freedom of speech and freedom of speech within the law is really important. We need to make sure that policies and procedures are right, and at Essex we have done a lot of work in that respect—indeed, I mentioned that we have changed our royal charter to make absolutely clear what our obligations are—but it is the practice bit that is really challenging. It is a societal problem that, by and large, people seem less willing to engage with others who have views different from their own. We are going to have to work at that and recognise that we are operating in that particular context. We are using training, we are working very closely with the Essex students union, and we have a disciplinary set of procedures that we will use if necessary.

I also want to just highlight that in my mind this is not a problem to be fixed but a challenge to be lived. In an educational institution this is also about educating people and trying to learn from particular incidents and events and activities where we have fallen short of our obligations and educating people. For me, that is an important component of our approach to making sure we are living up to the expectations that we carry.

Q133 Dr Caroline Johnson: The other part of that, of course, the behaviour of staff in the university. What work do you do with your staff to ensure that they are aware of the obligations? I remember speaking to a politics student from a major Russell Group university whose politics were personally more right of centre, but he felt that in order to get a good mark he would need to provide a left-of-centre essay. What are you



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doing to make sure that your university professors and other staff are acting in a way that exemplifies the cultures you both described?

Professor Roseneil: I would say all the things both Anthony and I have talked about are part of that. Repeatedly emphasising academic freedom, freedom of speech and freedom of expression within the law is fundamental to our work. If academics are doing anything other than marking their students work fairly, then that is a problem. I do not have any evidence of that, but it is deeply worrying if a student is saying that they feel they have to take a particular line in order to do well on a module. They certainly have to read the texts.

Chair: I have quite a few examples of this that have been sent to me. I did not quote them because of time, but I have plenty of examples in my notes of this kind of thing going on.

Professor Roseneil: Yes, and if students are saying it, we have to take it seriously and look into it. It is about recognising that there are diversities of opinions among academic staff as much as there are among students, and that is valid and valuable.

Q134 **Dr Caroline Johnson:** I have one final question for both of you. In the earlier part of this session we heard from the vice-chancellor of a different university about a particularly revolting piece of research that had been going on. He told us he would not expect a departmental head to be aware of the research going on within their department, and they clearly did not do the levels of background checks before the research. Are you confident that that kind of research is not going on at your university and that your department heads know what is going on in their departments?

Chair: If you can both answer very concisely, because I have a couple of questions before we finish.

Professor Roseneil: I have been at Sussex for nearly six weeks, but I can say that I think it is highly unlikely that that work is going on in any British university under the auspices of the university. As the colleague from Manchester said, it is a deeply shocking story. We have rigorous research ethics and research integrity processes that all our research has to go through.

Professor Forster: I would just agree with that and say that we have mechanisms in place to ensure that that does not happen. I will be checking to make sure that that is the case. The question of whether it is the head of department who needs to know or some other senior officer in the university is, I think, a separate point. The university needs to have oversight site of all research that is being undertaken in the university and being conducted on behalf of and in its name. That is important.

Q135 **Chair:** To just finish off, this indirectly relates to some of Caroline Johnson's questions. Both Essex and Sussex University student unions



have passed motions backing the boycott of Israel—BDS which, as you know, stands for boycott divestment and sanctions. The group calls for the boycott of Israeli businesses and academics, for investors in Israeli firms to divest their holdings and for sanctions to be imposed on Israel itself. You are aware of a lot of feeling about antisemitism across our universities; since both your student unions signed up to BDS, how many speakers from Israel have been invited to speak at your universities? Given the stance of your respective student unions in favour of boycotting Israeli academics, how will you ensure that your respective student unions protect speakers from Israel or who express a pro-Israel point of view? I will start with you, please, Sasha.

Professor Roseneil: I have no knowledge of any speakers being no-platformed or uninvited by our students' union but, as I have said, I am new to the university. I would be very surprised if that happened, but I will look into it. We are very proud at Sussex of the Sussex Weidenfeld centre for Jewish studies. We have a professor of Israeli Studies at Sussex. I am deeply committed to Sussex being a place where the Israel-Palestine conflict can be openly discussed and where Israeli members of staff and students and visitors are welcome alongside Palestinian members of staff, students and visitors. We have to be a place that is open to debate and discussion.

Q136 **Chair:** Thank you. Anthony?

Professor Forster: I do not have any details on that, Chairman, so I will go away and make some enquiries and then send you a note on that, but I hope that nobody is in any doubt that, as Sasha has said, we have to be absolutely open to all views that are lawful, and to make sure that we are living that in terms of the range of different voices and views that are expressed on our campuses. I will make an inquiry and produce a note for you.

Chair: Okay, thank you. I thank you all for your time and evidence today. I wish you and your organisations every possible success. Thank you.