



HOUSES OF PARLIAMENT

Joint Committee on Human Rights

Oral Evidence: [Freedom of Speech in Universities](#), HC 589

Wednesday 13 December 2017

3.15 pm

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Members present: Ms Harriet Harman (Chair); Fiona Bruce; Ms Karen Buck; Joanna Cherry; Baroness Hamwee; Baroness Lawrence of Clarendon; Baroness O’Cathain; Lord Woolf.

Questions 30–35

Witnesses

Linda Bellos OBE; Alexandra Tate, President, Reproductive and Sexual Health Society, King’s College; **Jane Fae; Helen Belcher**, Director, Trans Media Watch; **Peter Tatchell**.

Examination of witnesses

Q30 **Chair:** Thank you so much for coming to help us with our inquiry. I am Harriet Harman. I am a Member of Parliament and Chair of the Joint Committee on Human Rights, which is half House of Lords and half House of Commons. We are interested in all human rights. We are inquiring into free speech in universities, which engages a number of rights issues: the right to freedom of speech and expression; the right to have freedom of expression of religious views; the right not to be subjected to discrimination, misogyny, homophobia, transphobia, racism, anti-Semitism or Islamophobia; the right to be able to study in a free climate; and the right to hear different ranges of views. That is the ambit of what we are looking at in what we regard as a very important inquiry. We are very grateful to you for coming to help us.

Linda Bellos: May I make a pedantic point? Within the category of anti-racism is anti-Semitism. It exists; it is separate and inclusive. There is nothing specific in the Equality Act about anti-Semitism or other forms of racism. Racism has a legal definition. It has had the same definition since 1965.

Chair: We float free and above legal definitions sometimes.



HOUSES OF PARLIAMENT

Linda Bellos: That is a pity.

Chair: Obviously, we are cognisant of such definitions. If we trip up by saying something that is not actually how the Equality Act goes—

Linda Bellos: Or previous Equality Acts.

Chair: Okay. Would you like very briefly to introduce yourselves to the Committee? I and other members of the Committee will then ask questions. We will start with Jane.

Jane Fae: I am a writer, journalist and occasional troublemaker. I have spent a lot of my life writing about speech pros and cons. I have a suspicion that, from the way in which this is set up, I may be here to be on one side. I have to say right now that I am totally confused. My view of this issue is that it is complicated. There are rights and wrongs on both sides, and you will get me coming at this from both sides.

Helen Belcher: I was one of the founders of a charity called Trans Media Watch. I gave evidence to the Leveson inquiry on press standards about the representation of trans people and intersex people in the British press. I am also currently Chair of an infrastructure body called the LGBT Consortium. I sit on Stonewall's trans advisory group, and I was the Liberal Democrat candidate in Chippenham in June.

Alexandra Tate: I am a fourth-year medical student at King's College London. I am also the president of our Reproductive and Sexual Health Society. I attracted a fair amount of media attention recently for our decision to cancel an event, and I will talk about our experiences of that.

Peter Tatchell: I am the director of the Peter Tatchell Foundation, a very small, niche human rights lobby group. I have been interested in campaigning on free speech issues for the best part of half a century, so I am very pleased to have the opportunity to be here today.

Linda Bellos: I do not think that I am in any organisation currently, but I was previously Chair of the Institute of Equality and Diversity Practitioners, which cares quite a lot about equality law. I have some specialism in the word and the spirits of the law. I have been an activist for a long time, including nearly being thrown out of the Labour Party for wanting black representation back in the 1980s. Who would have thought it?

Q31 **Chair:** I have a question about terminology. Quite often, people talk about no-platforming, but they all mean different things. If you are talking about a decision not to invite certain people or organisations, or refusing to share a platform, or trying to stop other people inviting someone you disagree with, can you differentiate between those things? No-platforming seems to have become an all-embracing term that covers quite a spectrum. We need to know what we are talking about on the spectrum, so it would help us if you would do that.

Could I ask each of you to say very briefly to what extent it is acceptable or necessary for people to explore their thinking and to discuss views



HOUSES OF PARLIAMENT

openly on topics that are sensitive for others or where they may cause offence or a difficult climate for other people? Let us start with Linda. We will go back up the table from the other direction.

Linda Bellos: A number of decades ago, I coined the slogan, "Being offended is the price we pay for living in a free society". I continue to hold that view. I have shared platforms with a number of people, including fascists and anti-Semites—I also happen to be Jewish—in order to disagree with them. I continue to think that that is a wise thing, although my primary purpose in being invited and accepting invitations to speak is to share a view with the commonality and to propose, or even to promote—to use the word that the Tories used—equality, including LGBT politics.

Chair: You do not take the view, for example, that organisations such as the National Front, as was, should be banned from speaking. You would want to be on the platform, arguing why they are wrong.

Linda Bellos: Yes, and I have been. It is a different matter if Parliament, the sovereign body to decide these things, bans them. If they have been banned by a democratic organisation, I am inclined to comply with the law.

Chair: That is helpful.

Peter Tatchell: It might be helpful to remember that the no-platform policy was introduced by the National Union of Students back in the 1970s. It was specifically targeted at far-right organisations, primarily the National Front, which in that period was terrorising immigrant and ethnic communities. It was a clear response to the physical, violent threat that these extremists posed to those communities. It was designed to say that this organisation should not have a platform to spout its views, because we stood in solidarity with those targeted black and ethnic minority communities.

Even today, the National Union of Students' no-platform policy applies to only six organisations. They are organisations that most people would regard as very extreme and whose members have at times advocated violence against vulnerable members of society, whether they be Jewish or Muslim people, LGBT people, or others who do not share their political or ideological point of view.

Given that free speech is a very precious human right that, in past centuries, people gave their lives and liberty to defend, my own view is that there have to be really compelling reasons to restrict it. I agree with a no-platform policy in four areas. I think there are four instances in which someone can be legitimately no-platformed and denied the right to speak. The first is when they make false and damaging allegations, such as claiming that someone is a child sex abuser, a rapist, a tax fraudster or a war criminal. When that is false, clearly the damage that can be done to the person concerned, not only reputationally but through potential violent retribution, makes it a red line. The second is where someone engages in harassment, threats and menaces against others. The third is incitement to violence. The fourth is when someone demands segregation based on race, gender or other factors.

In those four instances, it is legitimate to no-platform a person. Otherwise, I agree with Linda that the best way to challenge bad ideas is with good ideas. If



HOUSES OF PARLIAMENT

you simply ban someone, the ideas do not go away, and their supporters are not disabused of those ideas. However, if you challenge them in open debate, and give the evidence and counterarguments that will discredit them, you can lower their public estimation and standing. You may also persuade some of their followers that they were wrong to adhere to those ideas. That is the most likely way in which to change opinion and to defeat such bigoted views.

Alexandra Tate: The society that I am here to represent did not use the term “no-platforming” to refer to our decision to cancel the event. It was introduced—

Chair: Do you want to give us the background, so that we know what you are talking about?

Alexandra Tate: We had invited a speaker to come and talk about her views on pornography and the sexualisation of women. We are a professional interest group for medical students who would like to work in sexual health, or something related to it, in the future. In the lead-up to the event, we received some complaints from another student organisation related to our speaker’s work.

Chair: Do you want to name everybody? If you refer to “another organisation” or “our speaker” without saying who they are, we are none the wiser.

Alexandra Tate: The speaker was Dr Heather Brunskell-Evans. I am not prepared to talk about the other societies, because they have received a number of threatening emails and there have been other consequences of naming them.

The complaints were raised on a Friday evening. The event was the following Tuesday. As it was such a small event—only 12 people were going to attend, according to the Facebook page—we thought—

Chair: Do you want to say what the nature of the complaints was, so that we know what is going on here?

Alexandra Tate: The nature of the complaints was that Heather as a person violated safe-space policy and that by having her speak we would be perceived as endorsing her, so it was the right decision according to—

Chair: How was she violating safe-space policy?

Alexandra Tate: In the previous week, she had appeared on a Radio 4 programme, “The Moral Maze”. When talking about trans health, she had voiced some of her opinions, which have resulted in inquiries. She is a member of the Women’s Equality Party, which has been investigating whether those opinions have been perceived as anti-trans. That was an unrelated topic, but because of that media attention she was drawn to the attention of the other committee as someone who might have anti-trans views.

We decided to cancel the event, which is not something that we will not do in future, because the complaints were raised at the last minute and we thought that was the wisest thing to do. The whole affair was forwarded on to the media. From the Tuesday on which the event was supposed to happen, we received a



HOUSES OF PARLIAMENT

lot of coverage and hype from press organisations using the word “no-platforming”. Heather is an internal member of staff at King’s, so we did not have to do any checks and she could be booked at the last minute. It was quite a rapid turnover of events.

Chair: Why did you decide to cancel her? Was it because you did not want to argue with the other societies, or because you did not want to hear what she had to say, or because you thought that other people would not want to hear what she had to say? Give us some insight into why you took that decision.

Alexandra Tate: It was a complex decision. We have a lot of views on our committee. We do not have any particular agendas; we are there just to hear a range of views. That is reflected in the members of our committee. We took the decision mainly because the complaints were raised rather late on a Friday night and we thought that there was not enough time to address them adequately before the event. We have been running for only four months. It was such a small event that when we thought about the consequences of going ahead with the event when we knew that other societies were discussing it, cancelling it or maybe postponing it, it seemed like the wise option at the time. It was based merely on that decision.

Baroness O’Cathain: You say that it seemed like the wise option at the time. Did you discuss the decision again among yourselves and continue to hold that it was right, or would you do it differently now?

Alexandra Tate: I think it was the right decision, given the context. If the complaints had been raised in a different manner, we would have gone ahead with the event. The ideal situation for us would have been to have been able to go ahead with the event. However, I stand by the decision.

Helen Belcher: Chair, your original question was: what is no-platforming? My view on no-platforming is that it is simply to deny a platform to someone, but a lot of the reporting of no-platforming does not fit that definition. You have to have someone else to debate with, so if they withdraw, that is not no-platforming you.

There has to be space to discuss all sorts of views. That is the basis of free speech. It is worth stating that free speech is not unlimited; the Committee has already heard evidence on that. Free speech can come with consequences. There is such a thing as unlawful speech. We have the concept of hate crimes. You received evidence last week from Helen Mountfield QC, who talked about what types of speech were protected under law and what types were not. She said very clearly that if you set out to destroy the rights of other people to speak or exist, that free speech is not protected under law. There is a lot of discussion about free speech, but what people are actually complaining about is that they do not necessarily want to face the consequences of free speech.

I go back to your second question, which was about whether people should be able to explore and discuss ideas. Yes, they should, but there is the concept of respect. If you can do that respectfully, and sensitively to the audience, that is fine, but if you are simply going to turn around and demand that certain people



HOUSES OF PARLIAMENT

should not exist, that they should not be permitted certain rights, or that rights should be taken away, it becomes slightly harder.

I will talk from the perspective of trans people, because I suspect that Jane and I are here on that basis. Trans people are a very marginalised, poorly represented group. We are poorly represented across the media. It then becomes very difficult to exist, in many ways. When your identity is being challenged at a very fundamental level and you are being told that you should not have certain rights, that in itself becomes quite threatening. Those environments become unsafe; they become a threat. In the context of universities, we know that there is evidence that creating stressful environments diminishes people's ability to learn effectively. I can see that there is a conflict straightaway within the university context between allowing freedom of expression of ideas and creating or maintaining environments where people can learn effectively.

Jane Fae: Part of what I wanted to talk about was how free speech gets weaponised and the idea that it is about dominating a space, rather than speech. Are we coming back to that?

Chair: Yes.

Jane Fae: Okay. I will cut that and come back to it in a moment.

I will give a personal view. To begin with, I do not have an issue with offence. It is almost tedious; every time I get involved in one of these debates, a journalist will ring me up and say, "Were you offended by so-and-so?" Yes, I do get offended by things, but that is never a reason not to hear something. There are many things that offend you in your life. I have noticed that, if anything, the people who mostly get offended by stuff tend to be what I call the conservative elements; I was going to call them the somewhat more right-wing snowflakes, but this is a cross-party Committee.

I have written a submission. Everybody has something that they want not to hear or not to hear spoken about. Free speech seems to mean, "My speech should be protected, but yours shouldn't be quite so much". Just over a week ago, not this House but the other place expressed the ultimate no-platforming desire, which was a desire to no-platform the President of the United States.

I will get on to concerns around weaponising of speech. I have concerns about falsehood—about what happens when one side of an argument is clearly based in falsehood or when one side of an argument is told something false time and again. Helen and I are fairly involved in talking to people about the possible reform of the Gender Recognition Act. Certain things keep being circulated that simply are not true. Those are said to be not true, but some of the same speakers come up again and again and repeat them. I think, "Should I have a right to hit the buzzer and say, 'Not true—out'?" In America, they have more of a fact-checking culture, which kicks out the untruths, but then you get into a Trumpian debate about fake news.

I was very indebted to another journalist, Suzanne Moore, who talked about false balance. We have seen the BBC saying, "Well, 99 scientists say that climate



HOUSES OF PARLIAMENT

change is a thing, but there's a history professor here who says that it's not, so we've got to have balance". That is also problematic.

My conclusion is, "Don't worry about offence", because I do not want to worry about offence. In principle, I want to debate with people, but an awful lot of the people crying about losing platforms do not want to debate with me; they want to stage events to talk to their own friends. That is not debate.

Everybody has something that they do not want, but I probably take a much narrower view of what no-platforming is than other people here. I do not think that it is when somebody refuses to speak next to you. We may get on to that later. If you say that somebody refusing to speak next to you should be told that they should, what are we going to do? Are we going to force them to do it? Are we going to fine them if they do not get up on the platform and speak? As far as I am concerned, no-platforming is a state-imposed thing. A university can no-platform. I am not convinced that a student body can no-platform.

Linda Bellos: I was no-platformed by a body at Cambridge University. I was invited to speak. I was then uninvited.

Chair: By whom were you invited?

Linda Bellos: By the college. Frankly, I do not think that it was the college as the college. It was a student body within the college. A group of students took the view that, because I had—

Chair: What were you going to speak about? We need to get our heads around what was going on.

Linda Bellos: I had been invited to speak about equality, of which I have some knowledge and experience over nearly 60 years. The racism happened to me when I was very little, you understand. Unfortunately, my memory goes back that far. I indicated that I might speak, as there was some sensitivity within the trans community and I did not wish to hijack matters. Some words had already been expressed about a sensitivity, and it was not my intention or desire to upset that group. I had hoped that we might have a conversation, with me as one person among a group of students. Frankly, I have done this before. I have spoken to groups of students over the last 30 or 40 years. However, I was disinvited; I was invited, and then I was told that I was not invited. It would be fair to say that I let it be known that that had happened.

Chair: Did they tell you why you were disinvited?

Linda Bellos: Yes. I have not brought the letter with me. In some senses, it is a bit confidential. It is about the sensitivity that this group of students felt. I do not wish to ridicule them. I am only expressing what was indicated to me, which was that they no longer wished me to be present. They had invited me, and they were uninviting me.

I was surprised. If, over my political career of the last 40 years, I had chosen to take a similar view, I would have got out of this country, as many people have told me to do. People have said to me, "If you don't like it, get out". I did not want to replicate that. Despite the fact that I am a raving socialist, I am a bit



HOUSES OF PARLIAMENT

liberal when it comes to freedom of speech. I believe that a whole range of people should speak and agree or disagree with one another. For me, we are not talking theoretically about being uninvited. It was real.

Chair: Okay. You are keeping confidential the letter that explains that.

Linda Bellos: Yes. I probably could find it on my telephone, if it goes back that far and I can remember how to operate it.

Chair: We would like to see it, if you could find your way to giving it to us, as part of our consideration. We will go back down the table before we get to Karen's question.

Peter Tatchell: There have been several attempts to no-platform me, but none of them has come to anything in the end. The most famous example was not strictly a no-platforming. It was in February 2016, when I was due to speak at an LGBT panel event at Canterbury Christ Church University. The panel had been set up to include the National Union of Students LGBT+ officer, Fran Cowling. She emailed the university organisers to say that she was not prepared to speak if I was on the platform and made accusations that I was a racist and a transphobe.

When asked to produce the evidence, she could not, but some people in the university interpreted it as subtle pressure—"It's either me or him"—as a sort of leverage for me to be dropped in favour of her. I do not know whether or not that is true. The upshot was that she did not speak, but I did. I spoke alongside LGBT+ campaigners, including trans people, and everything went off fine. So I have not yet personally been a victim of a no-platform policy, despite some attempts and variations.

Alexandra Tate: I want to add something about the concept of a platform in general. We have had the word "no-platform" used with reference to our decision to cancel an event that had perhaps 12 attendees and was going to be incredibly small. We did not anticipate it attracting any media attention, but because of the decision to cancel the event, the platform that the speaker has been able to get herself for discussion of her views and various works has been amplified. Where we define the ends of the platform being is a very interesting concept. We have got rid of a very small platform, but arguably the attention has been huge. We may have platformed her; I do not know.

Helen Belcher: In my view, this is not a freedom of speech issue. These people tend to be demanding a right to be heard. There is no such right, because then you end up in absurd positions. Do you force people to open their front doors and be harangued in their living rooms?

Chair: It sounds like canvassing.

Helen Belcher: That cannot possibly be the case. There is also an issue of ownership of spaces. Who owns the space largely controls who can speak in it. That is my main problem. As Alexandra says, when these issues arise, however they arise, and regardless of whether they are no-platforming or not, you tend to get an awful lot of media attention, on some of the biggest platforms in the



HOUSES OF PARLIAMENT

country, on the individual who is complaining that they have been no-platformed.

Chair: Do you think there is a right to choose not to hear from somebody, in the same way as there is a right to choose to hear from them?

Helen Belcher: Yes. There has to be. You have a positive and a negative outcome from exercising that right to choose. You can say either, "Yes, I'm going to listen", or, "I'm not going to listen".

Jane Fae: This is shading into the space argument. Not quite like Peter, I was no-platformed a couple of years back, according to the media. I was valiantly saying to the press, "No, I've not been no-platformed. I don't regard it as no-platforming". It was a sort of discussion with an organisation, at the end of which I withdrew, because I felt that it was more courteous to withdraw. The media insisted on calling it no-platforming, which gives you some measure. Even when somebody says that they are not no-platformed, the media will come back—

Chair: Do you want to give us a bit of the background to why you ended up withdrawing?

Jane Fae: A lot of this debate is pitched as evil trans people no-platforming radical feminists. I was due to speak at Feminism in London, but some people on the other side—the radical fem side—agitated. They accused me of all sorts of things, including supporting prostitution and being a pimp. I have the book that I wrote here; I will let the Committee have a copy of it.

In the end, I spoke to the organisers, who said, "If you want to speak, we'll back you". I said, "The topic I want to speak on is about people being heard and respected—actually, about communities being respected—and while I think the majority are happy for me to be on the platform, there's enough controversy that I'll be doing you no good as an event, and I've got other platforms". So in that sense, I just said, "I will withdraw". You could call that no-platforming. Personally, I do not.

This also goes to what Helen was saying about people getting bigger platforms. There are a few instances that I think are genuine no-platforming. Germaine Greer in Cardiff was one. There was a suggestion that Germaine would be no-platformed in Cardiff. She then gets on to "Newsnight", and her words get echoed around millions of people. Then Cardiff has her anyway. If that is no-platforming, I would like a bit of that, please.

I will say one thing, if you will hear me out. You may even want Linda to respond on this. I regard no-platforming as something done by official bodies, not by student bodies. When a student body does it, I see it as to do with respecting a community. In my written submission, I talk about how three years ago the Government put through public space protection orders, which seemed to say that, if a community is likely to be outraged or affected by the actions or speech of somebody in the community, it should have a right to say no to that. This Government appear to be going in two directions at once on this.



HOUSES OF PARLIAMENT

Linda has been reported as making comments that on the surface appear to advocate violence against trans people. You know the comments, Linda. I will let you come back at the end, because clearly I cannot just say this. You have made comments that on the surface appear to advocate violence against trans people. I know that you have said that it was in respect of self-defence, although the *Daily Mail* presented it as “just joking”. Saying that thumping people is just joking is often the defence used by abusers. I have looked at some of the web pages behind the tour to debate trans issues and the GRA. One charming person said, “Men in the gents, women in the ladies, transgenderists in the mortuary”. That was left up for weeks.

If a trans community in a university is seeing that and hearing that Linda has said something, whether it is about self-defence or just about thumping people, I back the right of that community to say, “You’re probably a lovely person, but we don’t know. We know about some of the hangers-on. We don’t know who to trust”. There are stories in the press even today of somebody going around and, very definitely, taking abusive pictures of somebody. If, as a community, we say, “We’d rather you didn’t come through our doors”, I think that should be respected.

Chair: Linda, do you want to come back on that?

Linda Bellos: I do.

Jane Fae: I thought that you might.

Linda Bellos: Two weeks before I went to York to speak at a feminist event, which was about some aspects of trans, a woman called Maria Mac had been hit. I do not think there is any doubt about that. I was referring to those people. Nothing gives me any reason to believe that trans people—trans women, in particular—were responsible for that violence. I was saying that, if a similar group of people sought to attack me, I would defend myself.

Chair: What was this group? Give us the background.

Linda Bellos: It was in Hyde Park. It was on the news. You must have seen the attack.

Chair: Could you tell us for the record, so that we know what you are talking about?

Linda Bellos: For the record, several weeks beforehand—I cannot remember the date—a group of feminists were speaking at Hyde Park corner. One woman, who I later discovered was Maria Mac, was the subject of violence. I saw the video of her being attacked. I was referring to that. There was every reason why I should refer to it.

Chair: You did not know who she was being attacked by.

Linda Bellos: The commentary from the media and others was that the attack was by those supporting the trans community. There was nothing to indicate that they were trans men or trans women. There are a number of heterosexual men or women who support the trans community. There is absolutely nothing



HOUSES OF PARLIAMENT

wrong with that, but violence is a problem. I indicated, on the basis of the racism that I have experienced, that if I was attacked by similar people I would defend myself. Maria did not; it is very clear from the images that she did not defend herself. I would, as I have had to against racists for the last 60 years. I am 67 today.

Chair: What happened at York?

Linda Bellos: What happened at York is that I did not name trans. I have seen a transcript where “trans” has been written in parentheses. I did not say it; they assumed that I said it. Other people have sent me, and others, commentary that I said the word “trans”—that I attacked or threatened trans women, in particular. I did not then, and I have not since. I do not think that I shall in the future.

Q32 **Ms Karen Buck:** May I pull us back a little to the definitions that Harriet set out? Helen and Jane in particular referred to them, but others did not. Do you feel that no-platforming and the language of no-platforming has been whipped up by the media, to some extent? Jane, you said that fairly explicitly, but I am interested in knowing what everybody on the panel thinks. If you think that that is the case, to what extent does it lie in the conflation of all the different possible definitions?

Peter, I was going to ask you about your own experience, which you have described. You do not think—I do not think I am putting words into your mouth—that that was no-platforming. To what extent do you think that this is more a media construct than a reality? If you think that, to what extent does it reflect the fact that there are all these different definitions, which get conflated? Perhaps Peter could start on that.

Peter Tatchell: The simple answer is that we do not know. There has never been any authoritative research to show whether, on average, the media reporting is accurate. We know anecdotally that some of it is totally accurate and some of it is quite sensationalist. None that I have seen is totally untrue, but things may be exaggerated and inflated somewhat.

There is considerable sensitivity about reporting and discussing these issues, because of the kinds of intersexual conflict between different groups to which it can sometimes lead. That is very sad. It is damaging for our democracy when even sections of the media do not feel able to report an issue freely because they think that they are bound to upset some constituent audience that may be among their readers.

Some proper, independent, authoritative research would be very helpful. We know that there has been some research on no-platforming and safe-space policies in universities. There was the Spiked Online report earlier this year, for example. It came out with the extraordinary figure of 90%-plus for the proportion of universities involved in some degree of free speech restriction. Although it cited some really strong examples, there were lots of quite weak and ambiguous ones as well, so I would not go with that figure.

On the whole, most universities and student societies do not abuse the no-platform and safe-space policies. Most operate within them. Sometimes small,



HOUSES OF PARLIAMENT

individual subsets of students seek to push it, but usually they are not successful. The number of successful no-platform policies that are implemented and enforced is actually quite small, but I think there is a censorious atmosphere—perhaps more so than in years past. Again, we will not know for sure until the proper research has been done.

Alexandra Tate: I will talk about my experiences. The term “no-platforming” was used initially by a journalist. We never used that in discussion, but contacts were made that asked us about our opinions on our decision to no-platform. That was not a term that we used.

We have found that the media coverage has been overwhelming. It has been incredibly personal and has included personal details of mine being circulated among journalists. We have found that it has been largely inaccurate. We released a large statement to the press, one sentence of which has been used repeatedly and has lost the nuances of what we think was quite a complex debate. Hopefully, that will be brought forward in future discussions with the university.

I am incredibly proud of the way in which my committee has conducted itself. Every member of it is studying for a medical degree at the moment, and this is the first time that anyone has had any interaction with the press. It would have been very easy for people to say that they did not want anything else to do with the society, because it is very overwhelming to have your name written in the media. We occupy quite an interesting space in that we are a society that talks about issues that are politicised and moralised, maybe incorrectly, from a health point of view. The coverage has left us thinking that we are going to carry on, but I would not blame anyone who decided that they did not want to continue pushing those boundaries. That is down to the media. The coverage has been quite scary.

Helen Belcher: I would start by trying to place this in context, from the Leveson inquiry and report. There has been a lot of defensiveness by the press to try to find reasons why certain pieces of legislation or policy should or should not be implemented. As part of that, I suspect there is a natural tendency to seek out groups that are seen as vulnerable, that do not have ready access to the press and that do not have a ready right of reply, in order to make scapegoats of those groups, to some extent.

In pieces representing trans people, we saw a clear direction of travel. Directly after the Leveson report was produced, in defiance of what was in it, the press outed a trans teacher. Sadly, she took her own life three months afterwards. That was the point at which the press stopped and started to change their approach to reporting trans issues. We then had silence for a year, pretty much. Then we had a whole series of supportive outings, which again you could read as in defiance of Leveson. Then you started to have this “special snowflake”-tarred, “not a real woman” debate. It has just become more and more heated.

I suspect that the Government’s intention to launch a consultation on the Gender Recognition Act has provided another hook for a lot of this heated coverage. It is interesting that pretty much all discussion of what the



HOUSES OF PARLIAMENT

Government may or may not propose is invariably mixed up with all sorts of other things that are nothing to do with the legislation that is being reviewed.

I think that there is an asymmetry of debate. It goes back to before this. Jane referenced Germaine Greer being ostensibly no-platformed and going on "Newsnight". The trans voices were raised on that where? In recent months, there have been frequent reports about how the trans lobby has forced reporting in the NHS, and so forth.

I would love to know who this powerful trans lobby is, because I can see no trans parliamentarians. There are no trans editors, no trans captains of industry and no trans judges. Where exactly is this powerful trans lobby? There is an asymmetry in how the media, not just the press, represent or misrepresent certain issues. No-platforming happens to be one of those. We are at the confluence of a debate around trans rights, and what it means to be trans in Britain in the 21st century, and their spirited defence of their view of freedom of speech.

Jane Fae: What Helen is doing is very important. It is an introduction to what I was going to say. If the press traduce an individual, there are now some quite strong ways, through IPSO for instance, in which you can get back. If they go after a minority community, virtually nothing can be done. That has been happening. As a journalist, I seem to pick up all the stories. I have casebooks of stuff, which I cannot print a lot of the time, because people are too scared. The much bigger picture that I see is an atmosphere in the country in which dozens of people are telling me that they are scared stiff. I have people dropping me emails saying that they are on their last legs and that they are not sure that they will get through this Christmas. I am not sure that everybody will.

Linda, please.

That is at the feet of the press in this country. Speech is being weaponised. This is the way in which it is being weaponised. What the press either do not see or prefer to pretend not—

Ms Karen Buck: These are important points that we will come back to. I want to press you on the extent to which you do or do not think that it is more a media construct than an actual no-platforming policy.

Jane Fae: It is a media construct. I go back to my point that it is about communities. A lot of stuff goes on behind the scenes, on Twitter and Facebook. There is the sort of comment that I quoted. People are threatened daily. I know that it happens a bit on both sides; there are idiots and headbangers on both sides. However, I would say that there is a sense of an onslaught.

Chair: You are talking not about the media overstating no-platforming, but about the media whipping up anti-trans sentiment, which makes the trans community feel very much on the defensive. You are talking about the context in which people speak.

Jane Fae: Yes. It feeds into this. They then go—

Chair: You are trying to explain the context to us. That is useful, but it is



HOUSES OF PARLIAMENT

different from the point that Karen is pursuing.

Jane Fae: I am trying to say that, because of that context, people are ultra-sensitive. My view is that a community should have the right to say no to people.

I will stretch this out, if I may, to one specific thing. There is a story today about an individual who went to a Labour Party event and was ejected from it because they made somebody feel unsafe. That was in the newspapers today. In fact, they took a selfie with that person in the background. I have been stalked several times in the last few years. The scariest thing is not somebody putting a threat on Twitter but when they tell you that they know where you live. I have come across this tactic of taking a selfie many times with trans campaigners. Somebody who is against them turns up and takes a selfie—in one instance, with their children in the background. Those trans people then say, “We don’t know who we can trust. Some of you are brilliant, some of you are safe, but some of you really are dangerous. If we don’t know who we can trust, why should we share platforms with them?”

Ms Karen Buck: Linda, can I ask you the same question, focusing particularly on the extent to which you think that this is more a media construct than something that genuinely reflects what is happening? If anybody else wants to respond, they may do so in a two-word answer. There was a survey of universities last year—in March 2016—that indicated that, at that time, none of the 50 major student unions had actually banned a speaker. Do you think that is a genuine reflection of reality or does it come back to the problem of defining what no-platforming actually means?

Linda Bellos: I have a real difficulty here. Forgive me. You do not know what is going on in my life. It is my birthday today.

Chair: It is probably best if all the witnesses speak to us rather than speak to each other.

Linda Bellos: One of the questions I have is about an impact assessment. I have not seen universities do them and they ought to; they are legally required to. I do not think it is just about the media; now there is a huge amount of stuff on the internet and I am getting a lot of very negative stuff. I also get a lot of very positive stuff, but the negative stuff is quite unpleasant, and it is happening to me as an individual because I have taken a stand as a feminist, and I am a lesbian feminist.

I do not hear a great deal of stuff from my friends who are trans men. There is a smaller number, but some of the same stuff is not happening. It is not happening because the proposals in the legislation are about things that are sensitive to all women, and lots of women have responded, so it is not just about the media. For the only time in my life I did an interview with the *Mail on Sunday*. I have never spoken to it before. I agreed to do it, subject to my being able to review what it had written before it was published, and I was reasonably satisfied with it.



HOUSES OF PARLIAMENT

I think that a lot of issues being brought up by the Government in seeking to improve the legislation ought to be the subject of wider consultation. The fact they have not been has been a problem. We would not be here now. In 2000, we created an LGBT advisory group to the Metropolitan Police. It was one of the first and I was chair of it. We were inclusive because there was nowhere else for the trans community to be. Some of us are thinking about not being in an LGBT community.

Ms Karen Buck: I want to press you once more on the actual question, which is about the extent to which you think media representation of no-platforming is greater than the actual experience of no-platforming according to the different definitions of it.

Linda Bellos: I do not know, but if my own experience is anything to go by, it is realistic. However, it is not all media. The newspaper to which I subscribe, the *Guardian*, is very pro trans; it does not seem to be trans critical. I still buy it and still believe in freedom of speech. I may not agree, but that is hardly the point. It matters that we have a free press and that a newspaper expresses what it wishes within the law. I am very much in favour of that.

The media have played a part, but I am not convinced that some of the hurt being felt by both sides of the community is whipped up by the media. Some conversations are going on within and across our communities that are hurtful, and I suspect they are both ways. I tend to observe the stuff that is anti my position, to put it that way, but the Facebook stuff I am seeing is mainly anti and pro, and some of it is unfortunately addressed to me.

Peter Tatchell: You said that none of the 50 university student unions surveyed had no-platformed anyone.

Ms Karen Buck: They had not banned anybody. Harriet pointed out that different definitions could be applied to no-platforming.

Peter Tatchell: I think that some of this banning, or attempting to ban, goes on via student societies, not by student unions. I know of examples in recent weeks where the student union has been adamantly against no-platforming, but particular student societies have nevertheless tried to no-platform speakers. That is one issue.

It also operates in different ways. It is probably not so bad now, but some years ago there was quite serious harassment of atheist, secularist and humanist societies in universities by members of Islamic student societies, with attempts to get their stalls banned at freshers' fairs and so on. There have also been a number of instances where the safe-space policy has been invoked. There was the very famous case involving Imogen Wilson at Edinburgh University. She merely raised her hand and shook her head in objection to someone who was, she said, falsely accusing her, and that provoked a debate and vote to have her ejected from the meeting. Thankfully, it was lost, but the fact there was even an attempt to do that merely because she raised her hand and shook her head shows how, outside the student union framework, sometimes there are quite excessive interpretations of what is basically a well-intentioned policy.



HOUSES OF PARLIAMENT

The safe-space policy, in principle, is not a bad idea. The idea is to give women, black and ethnic minority people, LGBTs, Jews, Muslims, and so on, a space where they can have their voice heard and not be subjected to threats, intimidation, abuse and insults. That is perfectly reasonable, but when it is interpreted in that way, as happened to Imogen Wilson, I think the policy is being excessively misapplied.

Baroness O'Cathain: One of the things I am struggling with in listening to all of this—some of it is pretty horrible—is that nobody has referred to the police. Do you not go there because it is just too awful and nothing will happen? Surely, they have a responsibility to keep the peace, and I would have thought that they would help in these circumstances.

I had a problem with the IRA. I got in touch with the police and I got protection for a while. Similarly, much later on I was offered a platform to speak, which I did not really want, and then I got a letter saying that I would not be acceptable because I had voted against gay adoption.

Chair: Detta, can you focus on the question that you were going to ask the panel?

Baroness O'Cathain: I am sorry, but that is the question I have tried to put.

Chair: It is a question for the panel.

Jane Fae: I am aware of some of these. I will not give out details, even if pressed, because Chair is aware of one of them. The police have been asked to be involved in some of these. I am honestly not sure that the police involvement is terribly helpful or happy, first, because at the first line of reporting the police are used to people stealing things, nicking phones and antisocial behaviour. Debate about whether somebody said something that happened to breach a particular right and did not use the right language is very difficult; it has to go to specific things. The instance I was just giving of somebody who may indirectly threaten another by taking a selfie in a certain space and putting it up on Twitter is way beyond most policing. Therefore, if we are going to do anything about this, it seems as if it is too big a thing for the police. That is basically my feedback.

Q33 **Lord Woolf:** I wonder whether in evidence before us we will get much more help if people identify in which sense they are using “no-platforming”. I think you would all accept, would you not, that there are circumstances where it is appropriate for a particular person not to be given a platform to express views that could cause damage to audiences?

Linda Bellos: I disagree. That idiot boy who was a representative of a political party was given the platform of a BBC discussion programme. After it, the party folded because he was so awful and subject to critical scrutiny. That I have forgotten his name is almost deliberate, but others will know.

Chair: Nigel Farage.

Linda Bellos: No, not that idiot—another idiot.



HOUSES OF PARLIAMENT

Ms Karen Buck: Tommy Robinson.

Linda Bellos: No, the English one. It was not Tommy Robinson.

Chair: David Cameron.

Linda Bellos: You are being frivolous. It was not the English Defence League but the National Front. It was Nick Griffin. It was a real case of "enough rope". As I keep arguing, if you question them and challenge them, they cannot blasted well give you a coherent argument, so let us not spend public money trying to silence them. Expose them and challenge them.

Lord Woolf: You have certainly forcefully indicated that there are situations where, even though you know someone is going to say things that are objectionable, it is a good idea for them to be allowed to express them.

Linda Bellos: And challenged.

Lord Woolf: I accept that.

Linda Bellos: That is my view; it is not necessarily everyone's view.

Lord Woolf: That would not be your position if they are going to cause damage to other individuals who could be affected by what they have to say, surely.

Linda Bellos: If you are talking about incitement to violence, we still have to use the law here. If we are just going to stop somebody speaking because they might say something that we do not agree with, then we have no blasted politics. What on earth would this place be for? People disagree with each other from time to time and we even get some politics out of it. We cannot just ban somebody because we do not agree with them.

Lord Woolf: I do not think I was suggesting that, Linda.

Peter Tatchell: Can you give an example of what you might mean?

Lord Woolf: I was going to give the example of a person who would be encouraging people to commit terrorist acts.

Linda Bellos: That is unlawful; it is against the law.

Lord Woolf: But sometimes the law does not cover all the circumstances that can arise, because it is very specific.

Linda Bellos: Then we have to come to this place and ask for a law to be created if the law does not cover it, and if sufficient Members of Parliament agree with it we might be stuck with that law.

Lord Woolf: Thank you very much.

Peter Tatchell: This does raise an interesting point about free speech when it comes to the application of the Prevent programme in universities and the way



HOUSES OF PARLIAMENT

in which sometimes the Prevent remit and obligations have in my view been misinterpreted.

Lord Woolf: Or misapplied.

Peter Tatchell: Yes. I can remember the case of Hicham Yezza some years ago, who was doing an MA or something on terrorism. I think he downloaded the al-Qaeda manual, which was on the website of the US Department of Justice, or a legitimate website, and ended up being arrested and detained for several days under suspicion that he was aiding and abetting, or planning to commit, acts of terrorism. That is one perhaps extreme example, but there are quite a few others where people have found that expressing views that are unpalatable and disagreeable, but are not incitements to violence or glorification of terrorism, fall within the remit of the Prevent programme. Universities have reported them to the police. Certain people have not been able to speak at universities because they have argued and presented ideas critiquing Prevent, and, more particularly, critiquing aspects of government foreign policy. That is another dimension of the issue of free speech in universities that we have not really addressed so far today.

Alexandra Tate: In the scenario I was concerned with, it was another student organisation, not the student union itself, that was involved in the complaints raised, but the policy used to substantiate the claim that it was going to raise was the safe-space policy. I have brought a copy of it. It is quite interesting because it says that students should be free from intimidation. The other parts are about harassment and violence, which understandably come under the remit of the police, but we found the use of the word "intimidation" an interesting and vague statement. That policy is not the university's but the student union's. That is not a neutral body within the university; it has its own policies and messages that it supports or is against.

When one is talking about sexual health, there are student societies at King's that would teach no sex before marriage. Let us not talk about sex at all. We as a society do challenge people's opinions, and it could be argued that the word "intimidation" would fall outside the remit of the police. Presumably, there are no laws against intellectual intimidation, but we think that, with that wording, it has gone a bit above and beyond the prevention of violence and hate speech. We found that that wording changed things.

Q34 **Baroness Lawrence of Clarendon:** My question is about the debate on who controls the space and free speech. Perhaps you could say a bit more about who controls the space and free speech.

Helen Belcher: First, can I address Lord Woolf's point quickly? I was going to roll it back even further. I am afraid I have a habit of doing this. We were talking about the definition of "no-platforming". Equally, there is a question about what one defines as harm. If you are saying that free speech should be limited if there is harm, does that have to be physical, given that there is increasing attention paid to mental health? What about mental effects and so on?

There is also the point that Linda was making that we should be able to argue out all these points. That rather assumes a level playing field, with different



HOUSES OF PARLIAMENT

abilities and experiences of dealing with debates or the media. You can have some well-trained individuals in the media who can present a very compelling case, which is very distasteful, and they are up against somebody who has no experience of the media, or no real experience of participating in debates, and who—history might show—would be on the right side. Playing fields are rarely level.

Turning to Baroness Lawrence's question about who defines what free speech is, it depends on who owns the space in which that is happening. As for the press, editors will receive numerous unsolicited pieces and letters every day. That is freedom of speech by people exercising their rights to write those things and send them in, but the editor has to make a decision on what pieces are going to be published and what letters will be printed. Therefore, the editor of the paper controls the space for that debate. If you are in an open forum, the space for the debate is governed largely by the people who have arranged that debate by nature of the people they invite. Therefore, having this kind of blanket free speech is good. Yes, it is, but there are limits and it has very fuzzy edges, as the Committee heard last week in its evidence.

Lord Woolf: That operates both ways. On the one hand, there must be some good reason for suppressing a person's right to express their views so as to protect free speech. On the other hand, would you agree that the fact other people are saying what the person was prevented from saying does not justify interfering with what somebody else has to say? In other words, the fact that something is well exposed or widely published in the media cannot itself be a justification for inhibiting freedom of speech.

Jane Fae: In my written submission I refer to "metacommunication", which is probably a little academic for this. The point of metacontent and metacommunication is that it is not just the content of the speech that matters but the fact of the speech. In a way, that is what we are getting to here with the space and speech argument. In the past, we have seen that far-right groups have used the right to march almost as a speech argument. If you are stopped from marching in an area, that inhibits your speech, but the purpose of that march is not about speech; it is about exerting and showing dominance over an area. This is the real problem for me.

I look at this from a slightly psychological and sociological background. I see a lot of very privileged people who want to repeat remarks. This is not Galileo saying something that nobody has ever heard before; it is people rehashing arguments that everybody has heard time and time again, and they want to go into a space and repeat that argument.

I make two quick points on that. My take, therefore, is that the community in which that speech is going to happen should be the deciding factor. That is slightly problematic. In other words, I say that no-platforming can come from an official body; it cannot come from a student union, but within a student union you get the secessionist-type argument that, as Helen said, you are not going to force an individual to sit and listen. What if there are three individuals? Do you force them? What happens if a sub-body of a student union does not want somebody to come but the student union does, or vice versa? That is problematic.



HOUSES OF PARLIAMENT

The other thing I throw in, because this cannot not interact with public space issues, is demonstration, which is also a sort of free speech. If somebody comes to my university to speak, I might wish to demonstrate against them. I have seen counterdemonstration being weaponised in two ways: first, "Oh, I might not feel safe", but, secondly, increasingly in this day and age, the university body says, "We can't afford the insurance for the event". Therefore, the fact you have said you will demonstrate against the speaker means that effectively that speaker is no-platformed by our insurance company.

I think that is the conclusion, but I am not too sure. For me, most of these speech issues are about people coming into a community, and, if the community rejects them, it is presumptuous to say that I should have a right to go and talk to that community, or whatever.

Helen Belcher: There is a distinction between private and public spaces. For example, a group has to have the right to decide who it invites to speak. In my constituency, as far as the Liberal Democrat party is concerned, Nigel Farage would not necessarily have an automatic right to address us, but that is a very different thing from saying that Nigel Farage should not speak in Chippenham town hall. That is where the boundary is.

Reference has been made to the distinction between student unions and student groups. You might have a Liberal Democrat student group that wants to invite or not invite certain people, but as long as that fits within the student union policy—as has already been pointed out, the NUS no-platforms only six specific groups of the far right, or extreme anti-religious or anti-race groups—you cannot force groups to invite certain people; it becomes meaningless.

Baroness Lawrence of Clarendon: You are basically saying that there is no control over space and there is no control over free speech.

Helen Belcher: The control is by the people who arrange the events, but, yes, ultimately there is no control. I assume—I do not know—that there might be groups of people who wish the country harm: terrorists who will meet together and discuss things. We would much rather that did not happen, but undoubtedly it does.

Q35 **Joanna Cherry:** Peter, I was very interested in what you had to say at the beginning. You gave four examples of situations in which you thought it would be appropriate to no-platform. I am interested in moving away from no-platforming and more into freedom of speech. I think those four examples touch on what we have been talking about. Can you remind me of what they are?

Peter Tatchell: I am saying that free speech should be defended in all circumstances except perhaps in these four examples. The first is where someone is making, or is likely to make, false and damaging allegations against another person; suggesting that they are a child sex abuser, a tax fraudster or a rapist. The second is where they engage in threats, menaces or harassment. The third is where they incite, glorify or encourage violence against other people. The fourth is where they demand segregation on the grounds of race, gender and so on.



HOUSES OF PARLIAMENT

I think those four examples inhibit free speech because they intimidate people from participating out of fear of the consequences, or, in the case of segregation, physically require them to conform to a particular seating arrangement. I do not think it is the place of a publicly funded body such as a university to facilitate speech that violates those four principles because it is against our equality principles, the law and so on.

Linda Bellos: That is a problem with women-only space. We have fought for it. Indeed, my understanding of the law is that we are allowed it, so you are saying we should not be.

Peter Tatchell: No. As the law currently stands, there are circumstances in which there may be all-women or all-black spaces in order to challenge and overcome historical prejudice, but I think those are the only exceptions.

Joanna Cherry: Would you distinguish people advocating segregation from women-only spaces?

Peter Tatchell: Yes. It is where the intended segregation is to disadvantage someone or a group of people, or to place them in a situation that is not intended to overcome discrimination or an exclusion.

Joanna Cherry: What do the other panellists think about Peter's categories? Would they like to make any comments?

Alexandra Tate: From our point of view, the wording of statements about harassment or what should and should not be allowed in their vagueness leave a lot to be discussed, and the debate and space to have those discussions does not currently exist, at least not in King's. We have not been able to find anywhere that has facilitated a positive and proactive discussion about what we mean when we talk about advocating harassment or violence.

Obviously, those are very set definitions, but the ability to talk about those and using phrases that are intentionally vague mean that those can be hijacked a little by certain organisations. That is quite tricky from a student point of view, because we do not have the position to talk about them until big fallouts such as the situation I am in have occurred. That is really damaging once someone has been flagged as violating a policy, or has had a label of being pro or anti a certain movement, because of the way the media and certain organisations orchestrate it.

Chair: We have a vote in the Lords and have to suspend.

The Committee suspended for a Division in the House of Lords.

Chair: We are now in a state of perfect quoration, our Lords having returned.

Joanna Cherry: I was laughing earlier. I think it was Jane or Linda who talked about privileged people constantly rehashing arguments. That is what goes on in this building the whole time, so welcome to our world. I was asking the panel about Peter's four categories. Alexandra, you were in the middle of commenting. When you are in the middle of a thought it



HOUSES OF PARLIAMENT

is difficult to continue.

Alexandra Tate: I am not sure where I was going with that thought.

Joanna Cherry: Maybe we will move on to Helen.

Helen Belcher: In terms of falsehoods, one has libel and slander law. Threats, harassment and incitement to violence are covered largely by hate crime and harassment Acts. I am not too sure about the fourth one: demanding segregation. I come back to the point I threw back at Lord Woolf: how do you define harm? There is fuzziness around an awful lot of these definitions and issues, and what is and is not appropriate at each point.

I come from the basis, being a true liberal, that there should be freedom of speech and any exemptions must be very clearly thought through, but society and Parliament have taken the view in the past that causing harm has arisen largely from a physical context, but we are more aware of mental health and the damage that oppressive speech can inflict on vulnerable groups of people.

Joanna Cherry: Scottish law—I think it is the same in England—would recognise that harm and injury clearly include mental illness, and has done in the law for many years, but there is a distinction between offence and hurt feelings. An actual mental injury would have to be a recognisable psychological reaction within DSM-IV or V, or whatever it is now, rather than just hurt feelings.

Helen Belcher: Absolutely. I never talk to media organisations on the basis that they have caused me offence; that is neither here nor there. For me, the issue is: what harm is this doing to people?

Jane Fae: I think you started out by talking about how far we agree with Peter. I am going to quote something that I just looked up on the internet, so it has to be true. It is not very parliamentary language. Am I allowed to do that?

Chair: Go on.

Jane Fae: I will get to it. I think this is where Peter and I diverge. I love Peter on loads of issues. He talks very much about the rights of the individual to speak and to be heard. I am coming at this from the rights of the community to determine what goes on inside its community boundaries. I mentioned public space protection orders and tried to get my head round the reason why the Government protect certain communities from speech and actions that they dislike and why they will not protect, say, a student community. This may be a little radical for this place. I think it comes down to privilege.

At base, I never stop hearing from Peter. He is on my Twitter; he is in my emails; he is on TV. Peter is wonderful and has a very big platform. I have a platform; I have privilege. I am published in many places and I was on TV yesterday with various people. Almost every one of the people we are talking about has privilege. That privilege works in such a way that if one platform for them is shut down another opens up. The media protect that privilege and sometimes that privilege is used to bully.



HOUSES OF PARLIAMENT

The quote I want to mention is from Germaine Greer. I think this was on "Newsnight". This is on the internet. She said, "Just because you lop off your dick and then wear a dress doesn't make you a fucking woman". That f-word is very important, because later the BBC re-reported that quote and left out the f-word. I thought that the context in which it left out the f-word was not one where it normally would have done so. It was sanitising her speech. If any little student had walked up to a policeman or a transport office and addressed somebody in that tone and language, they might have committed a public order offence.

I think we are saying that privileged people are allowed to speak, and we want to protect those privileged people and give them a right to continue to speak, so we are going to protect the speaker when it comes to this argument; but when it comes to public spaces we are probably protecting small "c" conservatives and Disgusted of Tunbridge Wells, who do not like the oiks mucking up their community. In other words, in both instances, the common theme running through what the Government are doing is protecting the privileged against the awkward minorities.

Chair: Are you really saying that somebody like Peter, who has fought against homophobia, is somehow the privileged? Is he not fighting on behalf of the underprivileged? Look at how recently we have been making very slow progress on gay rights. I have a different sense of where privilege is, and it is not Peter.

Jane Fae: I would talk about privilege as an intersectional quality. In other words, within any community I would absolutely accept that women are unprivileged relative to men, but the Queen occupies a very different position from a single mum on benefits, or whatever. I am talking about privilege as a speaker and access to public platforms. That does not mean that Peter has all sorts of other privileges but just in this one respect. I also am part of a community that very often finds itself subject to abuse, or whatever.

Joanna Cherry: I am puzzled slightly. You say: why protect certain communities but not the student community? The Equality Act talks about protected characteristics: age, disability, gender, reassignment, sexual orientation and race, to mention just a few of them. I think we could all say they are there because of recognised vulnerabilities in those groups, or histories of discrimination against them, but the student body is an amorphous body, full of some immensely privileged people who will have benefited from a public school education, or an education at a very good comprehensive school, and are bright and from wealthy backgrounds, all the way down to students from working-class backgrounds who might be the first ones in their families to go to university. I do not see how you can possibly say that students are a community that requires to be brought within a protected characteristic in the same way, for example, as the disabled or LGBT people.

Jane Fae: Absolutely not, but what about the inhabitants of Tunbridge Wells? The Government have effectively given them protection.

Joanna Cherry: I am not aware of that.



HOUSES OF PARLIAMENT

Jane Fae: I am referring to public space protection orders, which restrict conduct in an area.

Joanna Cherry: We are talking here about speech. We are a bit short of time. I want to explore who is best placed to decide what constitutes racist, anti-Semitic or transphobic views. We have been provided with a copy of a letter that Peter wrote defending the rights of individuals such as Germaine Greer to appear at universities. I have read this letter. I am not a trans person; I am a lesbian. I do not see anything in it that is transphobic, but Peter was accused of holding transphobic views, which I am sure is not the case, as a result of writing this letter. I do not know whether you have been favoured with a copy of it, but it raises in my mind the question of who is best placed to decide what constitutes transphobia or anti-Semitism. I know this is quite a topical question. I do not know the answer myself, but I am interested in what the panel thinks.

Linda Bellos: I have been the subject of allegations of being transphobic because of what people think I said. I was surprised at being the subject of that allegation. I was the only black person at the meeting. Maybe I did not say it in English; maybe I said it in Yoruba, which is my father's tongue, but in the language I thought I was speaking, which was English, I did not say that trans should be subject to violence; I said that if I were attacked I would defend myself. The transcript that has been sent to me—apparently it has gone to the Labour Party by way of whether I should be thrown out of the party—put “trans” in parenthesis because I did not say it. They thought I said it and circulated that I said it, but I did not, and they cannot find any evidence.

Alexandra Tate: I would like to talk about two issues. A number of the issues raised with our society talked about privilege. As an attendee of a university in London, irrespective of background, identity or any characteristics you may have, arguably you are incredibly privileged because you are able to go to university and study. That is amazing because it is such a leveller. You are able to hear the views of different people, and that is such a privilege.

I would also like to talk about the blurring of lines. We are discussing freedom of speech at universities in the traditional sense of sitting in a lecture theatre and a lecturer talking to you, but the main problem for us has been the involvement of other people, not attendees of King's but probably those who were not going to attend the talk itself and have been able to voice quite hurtful opinions and personal attacks via Twitter and Facebook. We have had post through our press box. The traditional view of freedom of speech in a lecture theatre where people listen to those views is interesting in a contemporary university environment where Facebook, Twitter and everything else is screenshotted, sent and used as evidence. That is really challenging because it is no longer about academics sharing their opinions; it is about anyone wanting to share a thought.

Helen Belcher: We are talking about privilege again as if it is a binary thing. There are many different degrees and types of privilege. For example, Peter is an absolutely brilliant champion for gay rights and LGBT rights in general. He is also at the moment campaigning largely on freedom of speech issues as well. I do not have a problem with any of that. He has much more privilege than I do in



HOUSES OF PARLIAMENT

his access to the media because of his history. I may have slightly more privilege than he does in my access to media in the West Country because of the political position I sought. Talking about privilege as if it is one scale in a black-and-white thing is oversimplifying it.

Jane Fae: Is Peter transphobic? No, absolutely not; I do not believe that for a moment, but in a metacontent and metacommunicative form, if you are taking a position that supports one group, you end up in the awkward situation of possibly aligning your position with people who are. That was what that was about. I do not think I signed the letter condemning Peter, and we can take that up further.

Privilege is relative. When it comes to speaking, almost everybody we are talking about here is not AN Other person; it is somebody who is already a name getting masses of access to public platforms; it is just that they do not have access to one particular platform.

Of course, students are privileged; it is a relative issue. I am not saying they should have special protections, beyond saying that if there is an identifiable community, which is a student community, it should have the right to decide democratically what goes on inside its walls. There seems to be a danger here of government saying, in the name of free speech, "We want to tell you students that things will happen in your precincts that you do not want to happen". That is my concern.

Joanna Cherry: Surely free speech cannot be determined by a vote of a majority; it is a right. So many rights could be lost if they were determined by the votes of majorities. That is why we have the European Charter of Fundamental Rights. Hopefully, we will hang on to it for a bit longer. There are fundamental rights that are protected. Even if there might be a majority of people downstairs who do not like a particular minority within society, that minority is protected because of anti-discrimination law. Therefore, no vote downstairs can trump their essential rights. I am troubled by the idea that students should be able to vote to not hear from certain people by way of a democratic vote. Surely that could be abused. I suspect most of us would not like to see it abused by the hard right to shut people up.

Jane Fae: But the hard right uses it the other way round; it calls on free speech almost to enable its right to march through non-white areas. I totally agree with you. If you try to pin me down right now, I accept totally that you are identifying a real issue.

Joanna Cherry: It is the nub of the issue, is it not?

Jane Fae: No, it is one of the issues. If it was the only issue, this Joint Committee would not be needed. The point is that there is a conflict of rights and interests here.

Chair: I am going to wrap it up. Peter is going to have the last word. Keep it brief.



HOUSES OF PARLIAMENT

Peter Tatchell: I accept entirely that, even within my four criteria, inevitably there is a degree of subjective interpretation. In some cases, it will be pretty clear. In other cases, it will be more grey. I accept that. Different people will have different points of view, but I would like to give some practical examples. Some universities or student societies have no-platforming for far-right speakers, who are saying very threatening and menacing things to black and Asian people, Jews, LGBTs and Muslims who do not conform to their particular interpretation of Islam. I think that in those circumstances they were right to no-platform them, because their incendiary, toxic language and menacing and threatening tone meant those people would be too afraid to attend and participate in the debates.

The other example is the far-right Islamists—the mirror of the BNP on the Islamic side. They are obviously a very small minority, but it is shocking to think that 10 or 15 years ago lots of universities round the country were hosting speakers from Islamic extremist groups who were saying that Muslims who turn away from their faith should be put to death; that all Jews were the enemy of Muslims and should be killed; that LGBT people should die, the only debate being about how to kill them; and that women who have sex outside marriage should be variously stoned or otherwise killed.

It was shocking that talks by these speakers were being hosted in British universities. Until I and others began a campaign—it began about 20 years ago—they had free licence to do it, because, sadly, many of the people on the liberal left side of student politics were too afraid to challenge it, because they thought it was racist or Islamophobic to tackle people who advocated murder of fellow British citizens. There you have some examples.

The final one is gender segregation. We have not had any examples of that in recent years that I am aware of, but just five or six years ago there were student societies trying to host events and insisting that all women must sit over there, the logic being—again, this was from Islamist extremists—that women are unclean; they contaminate men; they must sit separately. It was shocking, vile misogyny and was often given a free pass, but, thankfully, because of the campaigns, and only because of them, that has now stopped, as far as I know.

Chair: It just remains for me to thank you hugely for coming to talk to us. You are the very best panel that we could have had, because you are deeply steeped in it, care about it, have thought about it a huge amount and have been involved in and experienced it in different ways. All of that has really helped us in our inquiry, which will cut through to give a righteous and simple clarity to all of this. You have helped us on that path. Thank you very much indeed.