



HOUSES OF PARLIAMENT

Joint Committee on Human Rights

Oral evidence: Freedom of Speech in Universities,
HC 589

Wednesday 17 January 2018

Written evidence from witnesses:

- Mr Amatey Doku, Vice-President, [National Union of Students](#)
- [Baroness Deech](#)
- Professor Alison Scott-Baumann, [School of Oriental and African Studies](#)

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Members present: Baroness Hamwee (Chair); Fiona Bruce; Ms Karen Buck; Alex Burghart; Baroness Lawrence of Clarendon; Jeremy Lefroy; Baroness O'Cathain; Baroness Prosser; Lord Trimble.

Questions 48 - 57

Witnesses

I: Mr Amatey Doku, Vice-President, National Union of Students; Mr Wes Streeting MP

II: Baroness Deech; Professor Jonathan Rosenhead, Emeritus Professor of Operational Research, London School of Economics; **Professor Alison Scott-Baumann**, School of Oriental and African Studies; **Professor Steven Greer**, Professor of Human Rights, University of Bristol.

Examination of witnesses

Mr Amatey Doku and Mr Wes Streeting MP.

Q48 Chair: Good afternoon, and thank you for coming to today's meeting. Harriet Harman has sent her apologies; she has had some heavy-duty dental work done which is pretty incapacitating, although I know that she would like to have been here. She frequently comes up with left-field questions, but you will have straight-down-the-line ones from most of us. We will come in with different questions. I apologise for the fact that both Houses of Parliament are anticipating a lot of votes this afternoon, and both panels will be affected. We are not quorate unless two Members are present from each House, so we will have to adjourn. I know that one of our Members, Lord Trimble, has to be out for an engagement that cuts into the middle of this. I am sorry that it will be a little chaotic. In response to the first question, as each of you speak for the first time, could you please introduce yourselves and say who you are so that it is on the record? I will start by asking you about codes of practice. The duty under the Education Act 1986 to secure freedom of speech requires a code of practice on the part of the universities setting out procedures. We would like to hear from you whether the statutory requirement for a code is helpful. Is it helpful to have parallel codes, one by the institution and one from the union? Could it be less bureaucratic, and are there different considerations around administration that we are not really interested in except where it affects policy, which we are interested in?

Mr Wes Streeting MP: Good afternoon. I am the MP for Ilford North. For the purposes of this afternoon, I am here particularly because of my experience addressing some of these issues during my time as president of the National Union of Students and as a student union activist at the University of Cambridge. One thing that struck me when I reviewed existing codes of practice was the diversity among different codes of practice at different institutions. While I think that institutional autonomy is an important principle for the higher education sector, there seems to be too great a variance between different institutions, particularly when you look at the depth and complexity of some of those codes of practice. I was surprised by the extent to which anyone inviting an external speaker on to campus has to go through a whole range of bureaucratic hoops that I certainly do not recall having to go through, even during my time as an undergraduate between 2001 and 2004. Whenever simplicity can be achieved, that is fundamentally a good thing. There is no point in having rules unless they are easily understood and easy to implement. The challenges come from understanding the problem that we are trying to solve with freedom of speech. To some degree, the challenge is overstated. I certainly do not see a higher education sector where freedom of speech on campuses is endangered and under attack. There are examples where freedom of speech has come under pressure in an unhelpful way. Ironically, given the Government's intentions with regard to freedom of speech and the policy statements both in terms of the OfS and the speech given at Limmud in December by Jo Johnson when he was Higher Education Minister, government policy around Prevent has had a greater impact on freedom of speech than anything else. I am sure that we will come on to that. By the way, this is not a party-political criticism; the Prevent duty has

existed under successive Governments, but there is a consequence for freedom of speech. I have been concerned by examples where freedom of speech has come under attack, particularly concerning debates on the Middle East. We know from our own parliamentary debates that this issue arouses passion and different perspectives and it is perfectly reasonable that people may wish to protest the policies of the Israeli Government or the actions of the Palestinian Authority. It is something else to see, as we did at University College London, protests that seek to prevent such meetings going ahead where people effectively attempt to use physical intimidation to stifle freedom of speech by Israeli speakers. That is wholly unacceptable, and the Government are right to be concerned, as universities should be concerned. But implicit in the codes of practice that we see in institutions—and, by the way, the Charity Commission's guidance to student unions as charities—is that there is always tension between preventing unlawful speech, as described by law, supporting the rights and freedoms of people from different backgrounds and different protected characteristics under the public sector equality duty and protecting freedom of speech. We wrestle with that, and it is unsurprising, given the nature of higher education, that it is something that the institutions and student unions have to wrestle with too.

Chair: Are you aware not just of tensions generally but tensions and conflicts between parallel codes for the university and the student union? Has that crossed your radar? Perhaps with your experience, it was not such an issue.

Mr Wes Streeting MP: I recall when Jean-Marie Le Pen was invited to speak at the University of Cambridge by the Cambridge Union Society, the anxiety of the university around some of the protests and the lively debate that we had within the student body about whether it should go ahead and in what circumstances and for what purpose. The university was anxious to ensure that freedom of speech went ahead. The Cambridge Union Society has its own premises within the precincts of the university, but it is not, as far as I am aware, a university building as such. That created a neat little grey area. The challenge comes where you have competing policies on the part of student unions and institutions, but I am not aware of specific examples of where this has led to institutions and student unions being at loggerheads. Most of the time, student unions have a good relationship with their institutions and through dialogue can come to a common-sense and consensual conclusion.

Mr Amatey Doku: I am vice-president for higher education at the National Union of Students. I am also deputy president. It is a really important and welcome opportunity that the committee is looking into this issue because it is clearly very topical and a lot of people have a lot of views about it. Certainly, in the public eye, there are lots of opinions around these debates.

On this specific issue, we would say that, undoubtedly, many of the requirements pertaining to freedom of speech and codes of practice are complicated. We know that, as Wes said, different institutions will have different policies. There will be huge variance across higher education institutions and the country based on their institutional context. But the question, in terms of when this issue gets into the public eye and the public sphere, is that a lot of the time

the charge that somehow universities today, due to oversensitive students, are clamping down on freedom of speech is simply overblown. Not only is it not based on solid evidence, if you look at the specific cases the issues are overblown. They certainly do not go anywhere into looking at issues to do with whether there is a conflict between a student union policy or university policy. If there is an issue with a university's or college's code of practice, as far as we are concerned, that needs to be based on evidence and not as a result of this other narrative, which is often not based on fact—that young people are somehow generation snowflake.

My concern is: what is the problem that we are trying to solve here? If the problem is that we are responding to this narrative, which is often misleading, I would urge caution. Certainly, we do not want to start standardising procedures across the country simply because we are responding to that narrative. I urge caution. We do not want to create more problems.

Chair: You say that we do not want to have standard procedures. Do you think that would be too restrictive to unions?

Mr Amatey Doku: In line with how the OfS has been set up to take a risk-based approach to regulating the sector, we do not want them coming up with rules and regulations—we may come on to this later—about specifically how union policy should work in terms of what the process should be to invite speakers and set that kind of thing. That would not respect the institution's autonomy and the specific context. The universities and student unions, who often have a constructive relationship and a good working relationship, are best placed to work out a system that works for them.

Ms Karen Buck: Wes, you mentioned the code of practice. We have heard questions about the extent to which the procedures around codes of practice can themselves have a potentially cautioning effect on the way that speakers are invited and so forth. I do not know whether you have seen the University of Southampton's procedure organogram, which looks like a horrendous board game that no one would ever want to play.

Chair: That is only a black and white version.

Ms Karen Buck: Do you have a feeling as to the extent to which the procedures around codes of practice need to be this complicated and whether this level of complexity is helpful?

Mr Wes Streeting MP: I struggle to understand how that degree of complexity can be helpful. We should remember that universities are still, largely, publicly funded institutions. Even with the current funding regime and the way that funding is directed through students who pay back as graduates, there is significant public subsidy for higher education. Put it this way: I have been a councillor for the past eight years. I leave the council this May. I struggle to see in light of the resource constraint on my local authority how we could possibly justify that level of bureaucracy and I struggle to understand how publicly funded institutions could justify

that kind of bureaucracy in the current climate. If they do have that kind of resource available, I am sure it could be better directed elsewhere.

Jeremy Lefroy: Thank you both very much for coming. Mr Doku, you made an important point about this being evidence-based. As we know, they say that hard cases make bad law. Do we have any evidence base on the number of controversies as against the presumably very large number of meetings and whatever that go ahead without any controversy, or controversy that is managed locally? Is there any evidence base for that because I am a great believer in seeing the numbers rather than relying on a few perhaps sensationalist reports?

Mr Amatey Doku: I am aware—correct me if I am wrong—that this Committee has sent out surveys to student unions, which we have promoted among our members. Part of my job is to go around the country talking to different student unions. When we speak to students on the ground, we ask them what the top issues are that are facing them as students, and issues to do with freedom of speech are barely on the agenda at all. It is important, as you said, that is evidence-based. Hopefully, some of the evidence that has been given by other student unions will shed light on that. When things go well, the media are not interested at all.

Jeremy Lefroy: Would the evidence that has been collected include examples or details of the wide range of speakers who go to various universities, so that we can see that there is a broad range of freedom of speech—or perhaps in some cases not?

Mr Amatey Doku: No doubt. We also need to understand how wide the range of speakers is. There is sometimes a misconception that we have to invite speakers who are controversial and who have something to say that will offend students because that is somehow helpful. A wide range of speakers includes people from a wide range of backgrounds and disciplines—people who would traditionally not necessarily be invited into universities. That is very important. I can tell you that if you go to any university today, you could spend all of your time going to listen to speakers or going to events where different topics are being debated. Often, when this issue hits the news, there is a tiny pool of exaggerated examples that are always recycled and picked up rather than us hearing about any new cases of this being an issue, given how many speakers are speaking at universities at the moment.

Jeremy Lefroy: I will talk about Keele University because it is in Staffordshire. I represent Stafford. The university is not in my constituency, but I have a lot to do with it. I should declare an interest that my wife is a lecturer at the medical school there. Keele University has a well-regarded world affairs programme. It is not run by the university or the students, but it is on the campus. It has incredibly well known and sometimes controversial but extremely good speakers across a wide range of subjects. So it is not just student unions that invite speakers into universities. Other societies may use the university's premises. Has this issue also come up, because I have never heard, despite the wide range of speakers on a huge range of controversial topics, of any problem from the

Keele World Affairs seminar? Perhaps other colleagues have spoken about Keele. Is it an issue that has come up in other student unions—have other organisations inviting speakers had problems?

Mr Amatey Doku: Perhaps I should have been clearer in my answer. For example, I was at a student union which did not invite any speakers at all because we did not have the capacity. It was not something that the student union was involved in. Also, we did not run clubs and societies. The university ran the clubs and societies. When we talk about speakers coming on to campus, yes, we are talking about where student unions have the capacity to host their own speakers. But we are also talking about the fact that academics, including visiting academics, professors and so on are coming through institutions all the time and holding speaking events, Q&As and debates, and students, if they want to, are going to them as well. It is not just events run by the student union.

Chair: One thing that has come up loud and clear from most of the students we have heard from is their concern about infringing Charity Commission guidance, which says things like student unions should not be talking about issues that do not affect the welfare of students, such as the treatment of political prisoners in a foreign country, which is something that some of us of a particular generation spent a lot of time talking about when we were at university. Is there some confusion—you may have come across this; it will be interesting one way or the other—between what the union can say is its view and sponsoring discussion about political prisoners or the killing of whales and so on? They are quite distinct as to whether the union is promoting a particular point of view or simply promoting discussion about it. Have you come across any discussion around this? This is current guidance.

Mr Amatey Doku: I do not know.

Mr Wes Streeting MP: All I would say about the Charity Commission's position is that it is very muddled. On the one hand, William Shawcross has exercised himself on a number of occasions about how much or how little student unions are doing, or are perceived to be doing, to tackle violent extremism and hate speech, or seeking to promote violent extremism. On the other hand, we see the sort of concerns, such as the ones you have expressed, Chair, around what students should or should not be discussing and what is or is not within the charitable ambit—which predates student unions as charities, by the way. Under the statutory duties, student unions are not supposed to spend their resources on issues that do not affect students in their capacity as students.

There have been similar expectations for charitable aims and objectives. It would be awful if that prevented students discussing current issues or issues that were of concern to the generality of students. Some of those debates, controversies and discussions are part and parcel of a rich and enriching student experience. If those concerns are coming forward, the Charity Commission ought to reflect on that. Otherwise, it has been clear that there may be instances where it is necessary for the trustees to curtail freedom of speech. They are put on notice that speakers at events within their control may infringe the rights of others or discriminate

against protected groups. The Charity Commission issued a range of guidance, some of which is possibly competing—

Chair: We are hoping to meet it.

Mr Wes Streeting MP: Good.

Mr Amatey Doku: Obviously student unions have become charities quite recently, so obviously one would expect some of these issues to be worked out. The fact that student unions are charities is a good thing. It shows that student unions have been professionalised and developed. They have been given much more authority, autonomy and power. But where these things need to be ironed out we welcome that. As I said, we also welcome an evidence-based approach. It is really important to make sure the Charity Commission has the capacity to respond to any concerns that student unions may have.

A lot of this is also about communication. That is normally where some of these issues lie. If the Charity Commission is ensuring that student unions are not violating charity law that is very important, but making sure it is very clear exactly how so that is communicated to the trustee boards and to the democratic structures where these debates are happening is very important for us. We do not believe that at this stage, or at least not that I have heard, there is too much of an infringement of freedom of speech.

Chair: Fiona has the next question. I am conscious of the time. I wanted to hear some general comments, but we need to be fairly focused on the specific questions if we can be.

Q49 **Fiona Bruce:** Thank you for coming. I have three questions which are all for Mr Streeting. Bear with me, because the first is a long question but I want to set it in context. You referred to Jo Johnson's recent speech when he was Universities Minister. I will quote a little from it to obtain your further comments. He said that student, "protests against events featuring prominent gay rights and feminist campaigners such as Peter Tatchell and Julie Bindel, and more recently the proposal by some students at Oxford's Balliol College to deny the Christian Union a space at Freshers' Fair are examples of the threat to legal free speech from those who would rather shut down debate altogether than to confront dissenting ideas or uncomfortable arguments". He went on, "However well-intentioned, the proliferation of ... safe spaces, the rise of no-platforming, the removal of 'offensive' books from libraries and the drawing up of ever more extensive lists of banned 'trigger' words are undermining the principle of free speech in our universities". My question is: what is your response to that, and how do you counter the impression that is being given that students today are becoming increasingly intolerant of views different from their own?

Mr Wes Streeting MP: First, I question how widespread these activities are. Frankly, I found absurd the suggestion that Peter Tatchell is prejudiced and someone with whom people should not share a platform. He has a lifelong record

of campaigning against discrimination in all its forms. It is absurd. Similarly, I remember that at freshers' fairs there were always tensions between student groups and societies. For example, at every single freshers' fair the university pro-life society inevitably ended up exchanging dirty looks and glances with the feminist society, the women's society, the pro-choice society or whatever might be on at that time. It is inevitable that people have different and competing points of view. It is important that those points of view are heard and engaged with in an open and democratic way. We should not be seeking to silence people.

What has been unhelpful is the general conflation of the individual actions of individual students or societies with student union and NUS no-platform policies. During my time as the president of the NUS, and I do not believe that anything has really changed since, the bar of no platform was set deliberately high. It was about not giving or sharing a platform with people who have views that would be described as fascist. For legal reasons, we extended the definition to racist and fascist. The proscribed organisations were very specific. During my time as president of the NUS—I do not think it has changed since—it included the British National Party, Al-Muhajiroun and Hizb ut-Tahrir. Some of the more modern fascist organisations have been added. That is about not providing a platform to those who would seek to deny freedom of speech and freedom of association to others. The bar was set deliberately high.

I believed it then and still believe now, and I have had flak for it during my short time as a Member of Parliament. I am prepared to debate and share a platform with anyone with different views because I think that is important in a democratic society. I would also defend student unions' rights as member-led, democratic organisations to decide for themselves their own approach to no-platform policies and who should be on those policies. I share Jo Johnson's concerns about the sort of incidents he referred to and I share his viewpoint, but I wonder how widespread they are and the extent to which we should be anxious about how widespread this is across the sector.

Fiona Bruce: You have given such a good reply to my first question that I do not need to ask my second and third.

Mr Wes Streeting MP: I will try to be more pithy next time.

Q50 **Ms Karen Buck:** Can we return to Prevent? In your written evidence you expressed some concern about the vagueness of the definition of extremism and the extent to which it might act as a means by which students might be reluctant to have Muslim speakers. Can you tell us a little about why you think that? Could both of you give us an idea whether there have been occasions when Muslim speakers were disinvited or evidence that they have not been invited because of it?

Mr Amatey Doku: As you rightly pointed out, one of our major concerns with the Prevent strategy is the loose definition of extremism, especially when it is justified on the grounds of vocal or active opposition to fundamental British values. That is in no way defined. It is not entirely clear what it means. We are obviously not alone in saying that; many civil society organisations have expressed concerns because of what this does and the implications it has for

students on our campuses, especially Muslim students, and their ability to feel safe in contributing actively on their campuses. I refer the Committee to the evidence submitted by Liberty, specifically on the Muslim student studying at Staffordshire University. A member of the security staff triggered the whole Prevent system because of the way they interpreted it. Cases such as that—there are other cases in the evidence—show the chilling effect that this can and does have on the freedom of speech of Muslim students. It creates an environment. Again, it comes back to the idea that it needs to be evidence-led. I encourage the Committee to investigate and look further into the Prevent strategy and look at some of the assumptions that have been made in the way it was set up, some of the language used and, importantly, what it is empowering practitioners and staff members on the ground to do and what sort of environment it creates for students.

Q51 Ms Karen Buck: That is very helpful. Before Wes responds, may I direct the question slightly differently? Part of the Government's thinking about Prevent is that having radical speakers on campus might promote or lead to radicalisation. To what extent do you see that as a risk, and how is that then cautioned against by what we have just heard from Amatey on the possibly restrictive impact it has on inviting speakers from a Muslim background more generally?

Mr Wes Streeting MP: We know from painful experience in this city and around the country that the threat from violent extremism in the name of Islam is one of the big security threats facing our country. We know that that threat is now tragically more home-grown than imported. It is right for successive Governments to be concerned about how to tackle that. My concern with the Prevent approach overall is that many people who are Muslim, are concerned and share our concerns about the threat of violent extremism in twisting and misrepresenting the name of their religion often feel that these initiatives are done to them rather than with them. There is a shared objective in tackling this problem

During my time as president of the NUS, I recall talking to students who had had very difficult conversations with their parents at home dissuading them from joining the university Islamic society because they had read in the newspapers that there was a government spotlight on Islamic societies and that Islamic societies were part of the problem. I do not think that any student should ever be dissuaded from joining a religious association at university.

On the wisdom of this approach, I also question whether we are not making things worse. If an event is held on campuses to publicly invited and open audiences, it is not very difficult for the security services and the authorities to be present, to know what is being said and to make an assessment of risk and risky individuals. We are increasingly seeing that the threat from radical extremism is online or in people's living rooms, so we have to be careful that we are not using a sledgehammer to crack a nut with Prevent.

It is also having a broader effect across the education sector, where staff who have quite serious statutory responsibilities for carrying out their Prevent duties often do not feel empowered, enabled or knowledgeable enough to work out what they are looking for and what to do in response. That is how you end up

with the absurdities of primary school teachers calling up the Prevent officer because a child has come into school wearing a “Free Palestine” badge, for example. We should take a more evidence-led approach to this. I would be very interested to know the extent to which the security services now believe that radical Islamic extremism is an issue on our campuses. We should not be complacent about it, but I am not sure whether the current approach is the right one.

Chair: Doreen, do you think we have covered the question about the Charity Commission?

Q52 Baroness Lawrence of Clarendon: I think we have touched on it, but not completely, so I will ask Amatey about the Charity Commission’s regulation and specific guidance. You are signed up to the Charity Commission’s rules. As an umbrella group for student unions across the UK, do you think the Charity Commission’s law and guidance practices cut across the duty to secure freedom of speech on university premises?

Mr Amatey Doku: As was touched on, it is clear from the conversation on no-platforming policies and certain rules that govern how we debate, which come in the form of safe-space policies, that freedom of speech is not absolute. There are things that govern our spaces even in this room. There are certain norms and practices that we cannot violate to ensure that as many people as possible can engage in conversations and debates.

On the Charity Commission specifically, I will have to go away and look at that, especially if our members have raised certain concerns. I think it is a case of communication and making it very clear. When I went to debates in my student union on lots of different issues I did not realise and understand the structure of the student union. I did not realise that there was a trustee board and that the Charity Commission regulated the student union. There are some very simple things that can be done to ensure that everything we do complies with the law that the Charity Commission has the power and oversight of in that area. If there are concerns, we really need to make sure that there is clear and constructive dialogue between the Charity Commission and student unions. Perhaps the Charity Commission could look at ensuring that there is some form of very clear student feedback and guidance that they are also receiving so that if they have concerns that is also fed back to them.

Baroness Lawrence of Clarendon: When did the student unions have to join up to the Charity Commission? Were the student unions aware of it at the time when they went out to invite speakers? How did the student unions become aware of the new guidance that the Charity Commission had introduced and the fact that they had joined up to it?

Mr Amatey Doku: This change has happened in the last couple of years. The decisions to become charities were obviously democratic. As charities, student unions preserve their democratic structure. As I said, student unions have become very professionalised. They have developed and become a lot bigger than they were. There are a whole host of aspects to do with staffing and lots of other things that the average student might not fully understand. If there are specific concerns about this specific area of freedom of speech—we are yet to

see that much—and if student unions have raised that concern there should be routes in the Charity Commission for that feedback to be given. There should be resources at the Charity Commission and a willingness to adapt or make clearer the guidance it gives to student unions. We want clarity to ensure that it is listening to students, and, where there is perceived to be too much overreach, that there are mechanisms for that to be sorted out.

Alex Burghart: One of the things that Harriet Harman wanted to ask you if she were here was about some evidence she had been given from a group of students who said that they felt that when they held meetings attended by representatives from the university people did not always feel free to speak exactly as they wanted to. They felt perhaps a little inhibited. Have you found that reflected among your members or would you say that that is quite unusual?

Mr Amatey Doku: I have not picked that up necessarily from speaking to student unions in this job, but certainly from my experience as a president of a student union, we made it very clear that when we wanted to come to policy decisions students had to be in the room and informing those conversations. That does not mean to say that we did not then subsequently have meetings with the university with lots of students, but certainly when we were coming to decisions about policy it was very clear in the student union's constitution and standing orders that it was a space for our members to debate.

Alex Burghart: When there were debates between speakers on a public platform being chaired by a member of the university, did you ever feel that people in the audience perhaps felt reluctant to ask certain questions or express certain points of view?

Mr Amatey Doku: There are two points to make. In my experience we never had that situation because we very rarely hosted events that were not about forming union policy. We did not have events that discussed general issues. You would have to look at it on a case-by-case basis. Perhaps there is a difference around whether this is a change to the way societies are normally run.

Chair: The last question is from Baroness Prosser. You may feel that you have already answered it. We have certainly touched on it, so you do not need to say it all again.

Q53 **Baroness Prosser:** I am not entirely sure how you would answer this question, to be honest. Do you think there are issues that deserve more scrutiny, by either the student union or the college authorities, than others might when determining whether to go ahead with debates around those issues? Wes, you have already talked about identifying speakers who, to encapsulate it, would probably be breaking the law in their comments, but are there any other areas that make you think more carefully?

Mr Wes Streeting MP: One issue that is a greater risk to students' freedoms is discrimination in institutions generally. I know that the Antisemitism Policy Trust has submitted written evidence with some of its concerns. I am vice-chair of the All-Party Parliamentary Group Against Antisemitism; it is our secretariat. There

is an issue in that student unions are not covered by the public sector equality duty. They might have some similar duties under Charity Commission law, but there is a responsibility to think about how to tackle some of the prejudices that we see on campuses—some of the reactions to the election of Jewish officers, for example, and racist graffiti last year at Birmingham University with an anti-Semitic tone. You will find similar concerns expressed by the Federation of Student Islamic Societies about prejudice against Muslims and Islamophobia. Those are greater threats to students' freedom of speech and freedom of expression on campuses, where we have those direct discriminatory and, I suspect, unlawful attacks taking place where universities ought to exercise a great deal more attention and care towards their students.

Broadly speaking, when it comes to freedom of speech and the sorts of issues that this Committee is considering I think the law is in the right place. This is just a contested ground. That is the nature of freedom of speech. You are not going to get everyone agreeing and you are going to have lively debate and discussion. It is perfectly legitimate to protest speakers. That is part of being a democracy. It is totally unacceptable, as we saw at UCL in the case of an Israeli speaker, where students try actively to block someone from speaking or disrupt a meeting to the extent that someone cannot speak. That is one of the issues. Maybe some of my prejudices are coming into your inquiry, having been asked to give evidence of being disabused, I was quite surprised and startled by the extent of bureaucracy that already exists around codes of practices and freedom of speech. I encourage the Committee and institutions to look to reduce that bureaucracy rather than add to it.

Mr Amatey Doku: As I have said time and again, this needs to be evidence-based. My concern would be that we do not want to communicate that this particular issue will be a problem in every institution, because that might end up being a self-fulfilling prophecy. This is what student unions do on a regular basis: they make sure that they follow the regulations and codes of practice where they are there and they have a good relationship with the university. The crucial thing is what it is that we respond to. We need to respond to the evidence, not to the strange narrative that students are snowflakes, which is very unhelpful and often not based on examples or real facts.

Chair: Thank you very much indeed. We will move on to our second panel. I am very grateful to the two of you.

Examination of witnesses

Baroness Deech, Professor Jonathan Rosenhead, Professor Alison Scott-Baumann and Professor Steven Greer.

Q54 **Chair:** Thank you for coming. I am sorry if we alarmed you with regard to the time. Both Houses are expecting quite a lot of votes today, so we are anxious that we might have to adjourn the Committee because we are not quorate unless we have two Members from each House, and that can sometimes cause problems. You have heard the format. As each of

you gives your first answer, I would be grateful if you could introduce yourself so that we have it recorded who you are and what position you hold. My first question—you can toss for who starts on this, but it is to all of you—is about monitoring freedom of speech and the Government's proposals to do so through the Office for Students. The basic question is: should it be monitored and, if so, is the OfS the right organisation to do it?

Professor Alison Scott-Baumann: I am professor of society and belief at the School for Oriental and African Studies. I research freedom of speech, funnily enough. I am fascinated by the ambiguity of language and the complexities of the world that we live in, and I hope that out of this excellent initiative we can work together.

On the question of monitoring, you will hear later on from some of the things that I say that I think "monitoring" is an unfortunate term in this context. Before this measure was proposed, until about five years ago I believe that on the whole universities were doing very well. Every day student officers have to struggle with opinionated students with extremely strong views. Sometimes it goes wrong, but on the whole universities and their student union officers are easily capable of managing that tightrope. There are issues that are complex and that need to be protected, and we can talk about them later, but in my mind the Office for Students could be a real facilitator for developing a proper understanding of free speech on campus—for example, the fact that free speech can never be totally free and there has to be some self-limiting aspect. In many senses, the young of today are overwhelmed by what is going on. The social media pressure is extreme and intense. They would probably like to discuss issues, such as Brexit, which are incredibly complicated. This is what we should be working towards—not monitoring in the sense of "checking up on" but, while retaining barriers of courtesy, civility and lack of prejudice, facilitating our moving forward as a whole sector because these are the citizens of tomorrow.

Professor Jonathan Rosenhead: I am emeritus professor at the London School of Economics. I am vice-chair of an organisation called Free Speech on Israel, which is almost entirely Jewish and consists of people who feel that, if you like, there is an Israel exception to free speech in many cases and that by the use of anti-Semitism claims, which are exaggerated, free speech gets precluded. I know that there will be questions on that later, so I do not want to talk about it now. The general picture is that limitations on free speech at university are already excessive. We do not want more regulation; we want less. It seems to me that in any case the Office for Students would not be an appropriate body. It is a regulatory body and has different functions.

Baroness Deech: I got involved in this issue because I was the first holder of the office of the Independent Adjudicator for Higher Education, which dealt with national student complaints. I was also a proctor at Oxford, dealing with students' complaints. I am now a member of UK Lawyers for Israel. Unfortunately, I would say that every two or three weeks we have to deal with a case of very unhappy students and lecturers who have been discriminated against. The answer overall to all the issues that you are putting to us is that free speech is within the law and we have a lot of laws in this country about freedom of speech and limiting it, maybe more than in other countries. For

example, no one would want to see race hatred running riot on campus. I was a bit surprised that you singled out the Prevent doctrine; one might just as well have asked whether the laws on racial and religious hatred inhibit freedom of speech. Of course they do, but rightly so. Even if you do not think that is right, it is the law of the land. Obviously I trained as a lawyer so I would see that as the answer, but there is no doubt that freedom of speech is within the law.

Chair: What about monitoring?

Baroness Deech: It should be monitored, not in the sense that someone is going to be sitting outside every door but in the same way that all universities are required to have procedures for settling complaints, to have codes of practice on racial equality and other sorts of equality and to police harassment, and they all have an obligation to tell student unions every year about the law. So it would be a question of ensuring that the universities have the right procedures in place.

Professor Steven Greer: I am professor of human rights of the University of Bristol Law School. My main contribution to these proceedings is on the Prevent duty, which we will come on to in a minute, and on which I have conducted some research with my colleague, Dr Lindsey Bell. On this question, I think that in universities there are issues of freedom of speech, and the limits and threats to it, from all sorts of different directions, and I am concerned about them. I endorse what people have said already, that freedom of speech is a vital component of a democratic society but it is not absolute. George Orwell quipped that there is no point in having freedom of speech unless you have the right to say things that people do not want to hear. The key is that they should be expressed respectfully and with tolerance. Universities are of course a key site where such debates should be conducted. There is a case for official monitoring because everything is monitored these days; we do not know what is happening in the world out there unless someone is observing it and telling us authoritatively what is happening, and providing us with some indications about what we should do about problems that are arising. However, it should be very light-touch and leave a lot of the discretion to the universities themselves. I also endorse what other people said earlier: most of the time, universities can be trusted to ensure that freedom of speech is properly managed.

Fiona Bruce: Baroness Deech, can I just take you back to a comment you made about universities having the duty to remind unions every year of the law? You have sent some very powerful written evidence to the Committee, and I wonder whether you could unpack a comment you made: "Unfortunately universities, in ignorance of the law, are both permitting unlawful speech and are complicit in blocking lawful speech". That is a very strong comment.

Baroness Deech: I have expanded on that before. Having looked at the situation, which I was drawn into over the last 10 years or more, I have come across very many instances where unlawful speech goes on and is not stopped: racial and religious hatred; anti-Semitism, often served up in the guise of criticism of Israel; discrimination against other people; and hundreds of extremist speakers arriving on campuses all over the country and not being stopped. At the other extreme, as I am sure you will all know and will have

heard, lawful speakers are being stopped—not just peaceful Israeli speakers, but anyone who trespasses on to forbidden territory, such as the lecturer at LSE who wanted to talk about welfare in a way that was unacceptable. Nigel Biggar, the Oxford professor, was not stopped but it is pretty scary to have 50 or 60 of your colleagues write to the newspapers about your lecture when you are a professor of theology and unlikely to deliberately upset people. Then of course there are other well-known examples, such as the Muslim lady who wanted to talk about reforming Islamic attitudes to sex—Maryam Nemazie—but was not allowed to speak. She was either disinvited or howled down. It seems to me that the universities are caught between, on the one hand, allowing things to happen which should not or finding out too late, and students blocking things that should be allowed. Again, it comes back to a question of knowing the law. If you know your law—there is a lot of it—you should be able to find a path through all of that. I was pleased to see that yesterday Sajid Javid announced a grant of, I think, £144,000 to help universities combat anti-Semitism in conjunction with the Holocaust Education Trust and the Union of Jewish Students. The Government have a grip on it. I thought Jo Johnson was really getting a hold of it, and the Government are going in the right direction I think.

Fiona Bruce: So you are saying that universities still have a lot more to do and need to give a lead to student unions?

Baroness Deech: Yes. First, student unions are not autonomous. I do not have time to go into that, but it is a mistake to believe that they are legally autonomous. They are not, and are subject to the public sector equality duty and charity law, thankfully. Universities are simply overwhelmed. There are hundreds of speeches going on every week, and it is very hard for them. Issues are brought to their attention quite often when it is too late, or else they focus on one society and not another. I feel very sorry for them, but they have to find a way to get a grip on it. If we were talking about an epidemic of race hatred across universities, I am sure they would have got their act together. Indeed, they did years ago over sexual harassment and equality. This is the next thing that they are going to have to get their heads round.

Q55 **Baroness Lawrence of Clarendon:** Do those of you on university campuses know of any events that have been cancelled due to the Prevent duty?

Professor Steven Greer: No. There is no evidence that any event has ever been cancelled in exercising the Prevent duty. This comes from HEFCE, as the Office for Students was formerly known. In fact, it tells me that the opposite is happening, that the Prevent duty has led universities to think more carefully about upholding free speech than they did before the Prevent duty was introduced. The Prevent duty is not about cancelling events at all, but about evaluating and managing risk and threats to health and safety. The OfS also reports that institutions are making significant efforts to ensure that events are not cancelled but proceed in a properly managed manner. The preference for most people is that controversial events should go ahead, but should be managed in a way that allows views to be properly articulated and controversial views to be contested.

Professor Alison Scott-Baumann: I support that. There has been some stuff. The University of Huddersfield had an Islamophobia conference cancelled. Generally speaking though, what is happening is that people are becoming more cautious. There is an aversion to risk, which is very difficult to measure. Some student groups, and some universities support them in this, are just not moving forward with things. I also ask you to consider that because of this risk-averse culture which is dominating us all, the cost of security can seem prohibitive. For example, at SOAS last year, because some Jewish students requested it, we hosted Mark Regev, the Israeli ambassador to Britain. I think that was an excellent manifestation of freedom of expression: he was able to speak and to take questions, and at the same time, the students who were concerned about his policies were able to protest. The reason I mention this in this context is that I believe it cost SOAS £6,000. It is a small school; SOAS is not a big university. If it becomes the norm that this has to be done in order to be sure of safety, then that alone will have a chilling effect.

Baroness Deech: Is it not sad that so much money has to be spent on security? The remedy must surely be that students should be told to speak in a balanced fashion and not to be violent. I do not know of anything stopped by the Prevent doctrine. In fact, what it says, as Professor Greer said, is that you should have a balanced panel and only in a very last resort should anything be banned. But there is no doubt that there is a need for it. I can name you half a dozen of our well-known terrorists, including the man who bombed the Manchester Arena, Jihadi John and others, who were at our universities just before they carried out those acts. It was thought that it was in the university, possibly in secluded societies, that they became more radicalised, when you put that together with visiting extremist speakers. Prevent is not as inhibiting as it is sometimes depicted to be. We really ought not to have to spend a lot on security. It is really very shocking that that is the case. Every Jewish event that takes place, on campus or not, and I am sorry to say every synagogue service, have to be surrounded by the Community Security Trust, privately paid for. It is tragic.

Professor Jonathan Rosenhead: The effect of Prevent is insidious rather than direct. You would very rarely, if ever, get an event positively stopped on Prevent grounds, but it creates a chilling atmosphere, and risk-averse university administrations find ways of making it more difficult for certain kinds of events to carry on. Sometimes they are stopped, but on grounds that they have not notified about the speakers 14 days ahead—not all students are equally efficient. That only happens to some societies and some organisations. They may say, "You must have extra security, and you, the student society, must pay for it". At hundreds of pounds, that is not going to work. They will say, "We are cancelling this not because we disagree with it but because of the security risk". What often happens on Palestine-related events is that organisations supporting Israel complain to the university and say, "This is an anti-Semitic event". The university believes there will be demonstrations and cancels it on those grounds. That happened to a whole international conference at the University of Southampton which was being run by two of the university's own professors. Because of complaints by I think more than one Zionist organisation, and by Cabinet Ministers saying this was going to be an anti-Semitic vipers' nest, the university cancelled it not on grounds of anti-Semitism but on the grounds that it

could not police it—although the police said they were quite able to handle it. It is about a chilling effect, which prevents things on the Palestinian side. I am surprised to hear about the Israeli side—we are more aware of the other side of the coin.

Chair: So the risk aversion applies to assessments of possible disorder?

Professor Jonathan Rosenhead: Yes. There is also an effect—

Chair: Disorder as distinct from controversy?

Professor Jonathan Rosenhead: They are concerned about bad publicity generally: donors not wanting to give to the university if they get into some headline situation with daily newspapers, and so on.

Baroness Deech: I believe that you have had evidence from King's College London to the effect that the Jewish society now has to report to the university if it is having a meeting involving an Israeli. As a result of Palestinian activists shouting down an earlier meeting, the restrictions have, oddly enough, come down on the Jewish society rather than the other side. I am afraid that the picture you are getting is true: general bitterness and warfare in society has moved on to campus. Campus now represents, in a way that it did not 50 years ago, every stratum of society. Those battles are being fought out on campus.

Q56 **Baroness Lawrence of Clarendon:** The Government maintain that the Prevent duty in universities is about protecting students from radicalisation. Are the Government right to consider that exposing students to certain views can lead to radicalisation? What evidence do you have for this and what is your view?

Professor Steven Greer: There is evidence. It is well recognised by all informed sources that there is no single route into terrorism, including the jihadi kind—let me begin with that observation. Jihadi terrorism is, of course, the principal terrorist threat that the UK faces. The typical jihadi is Muslim, male and under 30, but otherwise there are lots of differences in their background and origin. Some come from well-settled, integrated Muslim families, and others have led criminal lives before their conversion to the cause. They are all attracted by an ideology and brand, a need to belong and a quest for adventure. The ideology, the brand and the ideas are central. Because the threat of punishment is insufficient to deter people in an age of suicide bombing, counterradicalisation and deradicalisation, and engaging seriously with the ideas that motivate these people, are so important if you are serious about preventing this kind of terrorism. In other words, if you want to confront this kind of terrorism, you need to engage with the ideas that it expresses.

The problem, of course, is that while all jihadists embrace a radical form of Islam—that is to say, ultra-conservative—not all ultra-conservative forms of Islam lead to jihadi terrorism. That is the fundamental problem. How do you strike a balance between that? How should counterterrorism law and policy distinguish between those types of radical ideologies—of all kinds, Islam included—that lead to terrorism and those which do not? It is very difficult. There is no simple answer.

As far as universities are concerned, they have to be places where radical ideas of all kinds are publicly expressed, as I said before, provided that there are proper arrangements for them to be debated. They must not be expressed in secret or closed circles, or in student societies from which other people are excluded. There must also be vigilance about recruitment to terrorism, especially around vulnerable students. That is what the Prevent strategy is about. Our research shows that, typically, throughout the university sector management of the Prevent duty is entrusted to welfare services and not the security services. They regard the risk of being drawn into terrorism as a vulnerability akin to suicide and other vulnerabilities to which students these days are regrettably increasingly exposed.

The answer to your question is that there is evidence that exposure to ideologies can lead people into terrorism, but it is not a straightforward connection or journey.

Professor Alison Scott-Baumann: There is no reliable evidence to show that anyone has been radicalised on campus—no evidence at all. Our evidence shows that the Prevent guidance, however, does inhibit discussion of the ideologies that Professor Greer has referred to. Taking his argument one step further, if we must deal with extreme ideas, the university would be an excellent place in which to do it. In other words, if we were to enhance the exposure of students to Islamic issues—this would be one of my recommendations—then one could argue that that would educate them and inoculate them against the ideas about which society is concerned.

We have done a huge piece of research. May I talk about that briefly now?

Chair: Briefly, although it is not that we do not want to know.

Professor Alison Scott-Baumann: Maybe we can come back to it again later. However, I will say now that we have three months' worth of research evidence. We worked with four universities and two Muslim colleges; about 280 staff and students. Just over 50% of them were Muslim—it was about 55:45. About a quarter of our respondents expressed opposition to or criticised Prevent because they said it stifles dissent but also discussion, it deters students from activism and it targets Muslims. They believe that it is counterproductive. If we are considering the university campus as a place where it should be possible to look at difficult ideas and deal with radicalisation, whatever that means, then in the view of our nearly 300 respondents, 45% of whom are not Muslim, this is not happening and is an opportunity missed. This is relevant with regard to anti-Semitism as well as Islamophobia, and any belief system that is racist or discriminatory. We feel that the potential of the university to deal with these issues is definitely there but it is being chilled.

Chair: We have this in your written evidence. If you think there is more, please do write and add to it.

Baroness Lawrence of Clarendon: You need to have somebody with intellect to give students a balance when these discussions are happening. Would you say you need to have a particular person or a group of people to help support that?

Professor Alison Scott-Baumann: On the understanding of Islam, it is helpful to have practising Muslims to expand on the ideas. But there is across the country a whole cohort of very well educated non-Muslims who are expert in interfaith issues. It is another of my recommendations that that should be strengthened on campus. It does not have to be a Muslim, but we must not avoid the fact that these issues are being avoided. In previous evidence you heard from a young student whose all-white, non-Muslim class were not allowed to look at the works of Sayyid Qutb, who established the Muslim Brotherhood, because there was a fear that they might be radicalised. That is what the faculty office said. This is ridiculous. These students wanted to grapple with this so they could see the strengths, weaknesses and negative aspects of his work and understand another aspect of the modern society that we share.

Baroness Deech: It is hard to prove whether radicalisation happens on campus or off. Look at the internet and so on. I challenge anyone to start investigating Twitter or Facebook. Put in the relevant words and see what you get. As I said, there is no doubt that at least half a dozen of our well-known terrorists did their jobs just after they left university. If anything, university should have removed that sort of hatred from them. If discussions go on behind closed doors or with segregated audiences, we do not know what is happening.

It was mentioned that Ambassador Regev visited SOAS. By pure chance, some very distressing graffiti was painted at SOAS, all over the place. I only found this out today, and I do not want to tell you what it said because the language is so bad, but it was most upsetting for the Jewish students. This kind of attitude of hate should not be in our universities. They should be places of harmony. If students leave university having been subject to extremism and having seen hatred, what sort of members of society are they going to be once they graduate? Something has to be done.

Ms Karen Buck: You do accept that causation and correlation are not necessarily the same thing? Young people can be at university and may or may not have been radicalised.

Baroness Deech: But university should open your mind, so that you hopefully would not feel like an extremist once you graduated. It is very odd.

Professor Steven Greer: It is also clear that terrorist organisations target student societies, and target students because they are students. Many of them have technical expertise that they want to get their hands on. It is naive to suppose that students can be radicalised while they are students but not because they are students of the universities—

Fiona Bruce: I was just looking for evidence.

Professor Steven Greer: I endorse what Baroness Deech said. There is stacks of evidence that students have been radicalised while they are at university. Whether it was on campus or not is a very fine distinction to be made and one that we do not need to draw. It is naive to think that by being students, and by being around ideas that are being kicked around by other students, they would not be influenced by them in that negative direction.

Lord Trimble: On this point about when people are radicalised and how or why, I will go off on a slight tangent on that. It was very clear to me in my experience in Northern Ireland that terrorist or paramilitary groups actually deliberately went for comparatively young males to get them, in their mid or late teens, involved in their organisations so they could then use them. The people who ran these organisations had a way of looking at the various strands within society where they could influence people and get people turned towards behaviour that we would not want. I assume that similar activities will take place within the radical and violent elements of these people who attach themselves to Islam.

Professor Alison Scott-Baumann: Again, there is no evidence that this takes place on campus. I am not being naive—

Lord Trimble: I am not suggesting that.

Professor Alison Scott-Baumann: It is unreasonable to call this attitude naive. Of our 280 staff and students, as I say, only just over 50% are Muslim—there is a good distribution given that we are looking at Islam and other faiths. There is no evidence that this takes place. You are right that young men are targeted, and about 15 years ago there was a problem with Hizb ut-Tahrir, but what students are asking for now is that they should understand these world events and understand what motivates Daesh. They want to talk about it and work on it, but the restraints on them are such that if they choose this as a topic for their dissertation, they may be told that it is not an acceptable topic, in case they become radicalised. This is bonkers. It is completely the wrong way round. I am sure that you would agree that this should be opened up so that they can deal with ridiculous and unpleasant ideologies.

Lord Trimble: As a little appendix to what I said earlier, I was on the staff at Queen's University Belfast for 20 years. One was aware that these organisations penetrated the university.

Professor Alison Scott-Baumann: In Northern Ireland.

Lord Trimble: We had people murdered on the campus.

Chair: Our next question is about your research specifically.

Q57 **Alex Burghart:** Baroness Deech, your submission to the Committee stated that many campuses are no-go zones for Jewish students. Professor Rosenhead, you have expressed concern that free speech on Boycott, Divestment and Sanctions is being shut down in many universities. Perhaps it is optimistic to try to resolve these issues here and now, which clearly are very divisive, but how do you think we as a Committee and we as a society should be handling them?

Baroness Deech: There may be a misunderstanding. I never said that some universities were no-go areas. That was added by a sub-editor of the *Telegraph*. Those were not my words and I deeply regret that he used that phrase. That was not me. But it is true that Jewish students, according to the UJS, are now clustering in fewer universities, where they feel safe. That is a shame. Nationally, there are probably only 7,000 or 8,000 Jewish students, and it would

be a shame if they cluster. I agree with Professor Scott-Baumann that inquiry should be open. I regret to say that my organisation has just received a complaint that a lecturer was denied a sabbatical because he proposed to go to Israel, and a graduate who wanted to do research was not given any support because it involved Israel. These things work both ways. We simply have to impress on universities how important this is. We have to pursue the sort of educational projects which were announced yesterday. I hope it works—there is going to be a Holocaust education centre, as you know, right next door to here. It is controversial, but the education bit is obviously useful. We have to ensure that our equality laws prevail throughout universities. Equality of women, equality of races, equality of religions, and all the law against racial and religious hatred must be strongly impressed on students.

Professor Jonathan Rosenhead: Could I respond to that?

Chair: We are just doing a bit of planning because I can see a vote is about to happen.

Alex Burghart: We probably have about five minutes.

Professor Jonathan Rosenhead: It was a rogue sub-editor who put that headline in. In Baroness Deech's submission to this committee, she talked about Jewish students experiencing an anti-Semitic environment and she singled out SOAS. In your previous session, Valerie Amos said that she did not recognise that as a description of SOAS. I think there is an issue here about extending an almost anecdotal account of things that have happened. Bad things happen all over the place. We do not know whether they are systematic or typical. Indeed, the University of Jewish Students, which was just quoted, came out and refuted the claim, after the article in which you were quoted, saying that most Jewish students were very happy on their campuses, thank you very much. I have the statement with me.

Baroness Deech: I have to disagree with that, especially in relation to SOAS and the subsequent UJS and NUS report showing that many students were unhappy.

Professor Alison Scott-Baumann: This comes back to the way that I introduced myself, in that I am very interested in how free speech could be improved. I am not directly going to address those two issues, because they are massive, but given that they exist in the world, might the university sector be able to work with the Office for Students to consider what a model of free speech might look like that would work better than what we have at the moment? How do you get hot-headed students with opposing views together in one room, help them to talk to each other, help them to mount a debate and help them to invite speakers in? Since the beginning of civilisation we have had the ability to discuss, negotiate and draw conclusions about where the middle ground is. We tend to think in binaries, with extremes at one end and the other. But in the middle there is always something that both parties will agree on, which could lead to students getting to grips with the world they are inheriting from us.

I gave the example of Brexit. Who really understands what is going on with regard to Brexit? Students would like to know more, but then a Tory MP says, "Excuse me, I want to know that no anti-leave propaganda is taking place on campus", and that immediately put the lid on it. There is probably very little going on anyway, but we need to trust the universities to manage these more open debate situations. That would require close collaboration with the Office for Students.

Alex Burghart: Although it is an extremely interesting proposal, your previous remarks were that one event cost you £6,000. I worry that you will not have the resources to see through a whole new protocol on freedom of speech.

Professor Alison Scott-Baumann: The Mark Regev event was singularly important to us and singularly controversial. I am giving that as an example of what happens if you create a certain atmosphere in society. There is another issue for students that we should deal with, and that is to stop the press making things up. They said that Germaine Greer was banned from Cardiff. She was not banned from Cardiff. She spoke. That is another thing that the Office for Students could help us with. How do students deal with online media input? How do they deal with social media distortions? How do they deal with newspapers and the press constantly vilifying them? If we could loosen up the situation so that we know the difference between fact, fantasy and reality, it would also help the universities to create a more trusting environment. I am idealistic, but I am also very pragmatic. I know it can be done. I have achieved it myself in my philosophy classes.

Fiona Bruce: There seems to be consensus that universities need to do more to tackle this issue. I understand that, when Jo Johnson was Universities Minister, he requested that universities adopt the international definition of anti-Semitism in order to try to tackle some of the difficulties that Jewish students were experiencing. Why have the universities not looked at that and adopted it?

Chair: There is now a division in the Commons. Could you answer that very quickly?

Professor Jonathan Rosenhead: I will say one important thing very quickly, which is also in the evidence from my organisation. The International Holocaust Remembrance Alliance or IHRA definition was never passed by that organisation. It has been discovered recently that it was a misleading press release. It only adopted the 40 words, but the British Government have adopted the whole damn thing, including a whole lot of examples of criticisms of Israel that might be, depending on the circumstances, anti-Semitic. This has been the most single chilling factor. My organisation, with others, got a legal opinion that this has no legal effect. But it is having the practical effect that local authorities around the country are adopting the same fraudulent definition—if you do not mind me saying—which was never passed by the original organisation.

Chair: We do not mind you saying so, but we will have to ask you to say it in writing.

Professor Jonathan Rosenhead: I have said it in my evidence.

Chair: There are a couple of items that I will ask witnesses to respond to us on in writing. I will come and have a word with you afterwards. I think that we should end the meeting at this point. I am sorry about that.

Professor Alison Scott-Baumann: Thank you for inviting us.