Future regulatory approach to free speech

Esme Lea, Kayleigh Doherty and Reuben Bennett

Free speech team

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Why are we here today?



The Office for Students is the **independent regulator for universities** and colleges in England.



The OfS is **asking for views** (through a consultation) on introducing two new conditions.



Your **voice matters**. The consultation is a chance for students (and others) to say what they thinking before any new requirements are finalised.



Today's session is to **explain the context, outline our proposals and explain how you can contribute**.

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Freedom of speech and academic freedom

‘My starting point when it comes to the consideration of any issue relating to free speech is my very passionate belief that the second most precious thing in life is the right to express yourself freely. The most precious thing in life I think is food in your mouth and the third most precious is a roof over your head but a fixture in the Number 2 slot for me is free expression, just below the need to sustain life itself.’

Rowan Atkinson

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Student insight report

- Student insight report [LINK]

General awareness of their free speech rights as students

89 per cent

Aware of their rights but knew little about them

49 per cent

Received any communication about their rights directly from their university or college

52 per cent



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Student insight report

> Without it we could easily fall into an authoritarian dictatorship where anyone who has a different opinion to the people in power can be arrested or worse

Male, 18, white, UK student [9]

> It also means other individuals are free to disagree with you. It's challenging to get right because free speech is important, but so are the rights of vulnerable groups of people, and sometimes the two can conflict.

Female, 24, white, UK student

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Higher Education (Freedom of Speech) Act 2023

Since August 2025 universities and colleges have **three duties** that aim to protect freedom of speech and academic freedom.

1. The duty to take reasonably practicable steps to **secure** freedom of speech and academic freedom
2. The duty to maintain of freedom of speech **code of practice**
3. The duty to **promote** the importance of freedom of speech and academic freedom

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Why are we doing this?

Legal requirement

Accountability

Protecting rights

Student experience



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Proposals

Our consultation includes **three proposals** about the changes we are making to our regulatory approach to free speech

1

Condition E11

- Focus on **management and governance** of universities and colleges
- Institutional systems and structures

2

Condition E12

- Focus on making sure universities and colleges *actually* **comply with their duties**
- Outcomes and accountability

3

Amendments to RA24

- Focus on providing **advice** to universities and colleges about how they can comply with their duties in practice
- Advice, best practice and what works

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Respond to consultation or get in touch…



- Respond to the consultation on our website: Consultation on new conditions of registration for free speech - Office for Students
- If you'd like to get in touch with us, please email us at regulation@officeforstudents.org.uk

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Q&A – We want to hear from you



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Thank you for listening

Image on slide 3: Jacques Louis David's "The Death of Socrates," 1787 (non-copyrighted digital image from the Met, NY)

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