

Cardiff University expectations regarding legal protest and securing free speech

Introduction

This document sets out our expectations of staff and students in relation to legal protest and freedom of speech. It draws together guidance from multiple existing policies and should be read in conjunction with the [Code of Practice on Freedom of Speech](#), [Student Conduct Regulations](#), [Dignity at Work and Study Policy](#), HR [grievance/disciplinary policies](#) and the further resources found at the end of this document.

This guidance has been developed with input from multiple teams across the University and the Students' Union. It is consistent with approaches taken by other UK universities and is intended to be both helpful and transparent. By drawing together key principles from existing policies, it aims to support staff and students in understanding their rights and responsibilities around legal protest and freedom of speech. The document also reflects our commitment to wellbeing and safety - not only by setting clear expectations, but also by helping those who choose to protest to do so safely and with awareness of any potential risks.

For the avoidance of doubt, the scope of this document does not include lawful picketing on days of strike action by University staff that has been arranged in support of official industrial action by the recognised trade unions.

Content

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1. Freedom of Speech

Summary

- The University has responsibilities to uphold freedom of speech when it is exercised within the law – this means we cannot restrict speech that may be divisive or offensive. However, speech that is unlawful, such as hate speech, incitement to violence, harassment, defamation, or the promotion of terrorism, is not permitted.
- We also have a responsibility to ensure that our environment is a safe environment for our entire University community.
- For protests, this document sets out expectations for those taking part and the process by which the University considers and approves protests on its premises.
- For all other events – including those inviting guest speakers- event organisers must complete event booking forms for the [University](#) and where relevant the [Students' Union](#) to get approval for the event to go ahead.
- The University ultimately wishes to assess if a protest or event is likely to be lawful, any risks to the community are sufficiently mitigated, and therefore it is suitable to be held on University premises. This is to keep everyone safe and uphold our multiple responsibilities, including protecting freedom of speech within the law.
- People invited onto campus who are not part of the University community (e.g. they are not Cardiff University Students or Staff) are the responsibility of those inviting them onto campus.

1.1. Freedom of speech within the law is an important right and a cornerstone of a democratic society. We support our University community to discuss, debate and challenge different subjects and present different positions however, this must always be expressed within the law.

1.2. The University's responsibilities to support freedom of speech may at times include allowing individuals or groups to host events or speakers that others don't agree with, find offensive or may wish to demonstrate against.

1.3. We also have a responsibility to ensure that our environment is a safe environment for our entire University community. We extend this to include helping those protesting (or considering protest) understand when they may be putting themselves at risk.

1.4. To support these rights and responsibilities, the University has several policies and procedures in place that apply when issues of [freedom of speech](#) arise. This is particularly important in the context of supporting legal protest activities. While it is not always possible to reach an immediate resolution to highly sensitive and complex issues that give rise to protest without any tension, the University's

procedures for managing issues puts prevention of harm to the University community at the centre of our approach, along with upholding the rights to academic freedom and lawful freedom of speech.

2. How to protest

2.1. We all have the right to protest and have our voices heard, as long as the way we do this is 'within the law'. This means, for example, ensuring that you are not breaking the law with behaviours that cause harm or damage to people (e.g. unlawful discrimination or harassment) or property (e.g. criminal damage) or preventing continued operation of University functions (e.g. preventing safe access and egress).

Example of acceptable protest (based on an actual event):

The University is holding an event on campus that has a speaker who is known to hold specific beliefs and have expressed their views online, in the press and at other events in a way that some will find offensive.

A group of students create a petition asking the University to refuse to allow the speaker to talk on campus. Several students sign the petition.

The University meets with the students to explain that there are no legal grounds to prevent the speaker from attending as we must uphold freedom of speech within the law, however the University and students agree the following:

- That the University will provide the speaker with clear guidance about not going beyond lawful speech (e.g. by harassment or hate speech)
- That the University will appoint a Chair to attend the event and ensure compliance with the above requirement
- That the University will provide a safe space immediately outside the building that the speaker is due to talk for students to protest
- That any request for counter-protest events such as hosting speakers representing alternative views/beliefs will be supported by the University (within the same parameters)

The event goes ahead, with students and staff protesting outside the building. There is some shouting and insults directed at the individual as they go into the building and leave the building, however there is no physical violence, criminal damage or an attempt to prevent the speaker or event attendees from accessing or exiting the buildings. There is use of potentially derogatory and offensive language aimed at the individual.

Students and staff write about their protest and express their anger on social media – at times using derogatory and potentially offensive (but not unlawful) language aimed at both the individual and the University for hosting the individual.

2.2. If you are protesting on campus, to best protect yourself and others you must not:

- Threaten violence or engage in conduct that a reasonable person would regard as intimidating, threatening, or likely to create a hostile environment for others.
- Deface or damage University buildings, land or property (temporary or permanent damage),
- Access spaces where access is typically restricted or prohibited for health and safety reasons (such as roofspace or laboratories).
- In any way seek to prevent the use of any areas of the campus, buildings, goods or services by other people who legitimately should have access to them (usually other students or staff, or suppliers)
- Attach protest materials e.g. banners to buildings or any object / feature on University land (e.g. railings, fences, gates, trees, street furniture)

3. Protesting on campus – an overview

3.1. The University recognises the legal rights of staff and students to protest on campus and is committed to protecting freedom of speech and assembly, within the law. Protests may criticise or contest views but must not obstruct others from expressing or hearing them.

3.2. The University and the University community has an obligation to ensure that protests do not unduly disrupt University operations or the lawful rights of other students, staff, or visitors.

3.3. Many spaces on campus are for students and staff only. Anyone else attending protests on University premises will be the responsibility of the staff or students who invited them.

3.4. The University's priority is the safety and wellbeing of its community. When protests occur, the Community Safety & Security Services Team will endeavour to ensure protest participants are entitled to be on campus. Individuals without legitimate reason to be on University premises, or those unable or unwilling to provide valid identification in line with the University's [Photographic Identification Code of Practice](#), will be considered trespassers and may also be asked to leave (or removed if necessary).

3.5. Clear expectations for protests provide staff and students with guidance on acceptable conduct. The University has set out some (non-exhaustive) expectations and guidance for protest organisers and protesters in this document. These are to help us all enable respectful freedom of expression, including freedom to protest.

- 3.6. The University maintains clear policies on student behaviour and dignity at work and study, and misconduct may result in disciplinary action. It is the responsibility of staff and students to read these policies. See sections 6 and 12 below.
- 3.7. If you decide to take part in a protest on campus and you become involved in promoting, justifying, inciting (encouraging) or committing violence, using unlawful speech (including unlawful intimidation and/or unlawful harassment), defacing / damaging property, or affecting the safety of others, you may be breaking the law and could face significant consequences e.g. disciplinary action by the University (which may prevent you completing your course) or legal proceedings. Where necessary, the Community Safety & Security Services Team and/or police will take action to protect the community and property.
- 3.8. Occupying of Cardiff University buildings or land in a way that goes against the agreed conditions for a protest or gathering is not allowed. The University reserves the right to take legal action to regain possession of any property or land that has been occupied by protestors, following a lawful and reasonable request to vacate.
- 3.9. The decision about whether a protest is to be permitted/allowed to continue will be informed by risk assessment and whether the steps necessary to enable it (including costs such as staff time) are judged to be 'reasonably practicable' and proportionate. The University will also consider if the protest is in the interests of promoting equality, diversity (including promoting good relations under the Public Sector Equality Duty) and has avoided use of potentially unlawful behaviours such as harassment/discrimination, inciting hatred, violence and damage to property.
- 3.10. If a protest goes ahead without booking or without prior approval this will be considered as an unauthorised protest/event. This does not necessarily mean that disciplinary action will be taken against those organising the event/participating in the event, as the University will respond as appropriate. Factors to consider may include Health and Safety concerns, complaints received, damage to property, disruption for other campus users and concerns relating to other relevant policies.
- 3.11. All protest activity must follow the University's own rules and procedures [which this document is a summary of]. These are based on the powers given to the University in its Charter and Statutes, which allow it to set internal policies for the University community.

4. Planning a protest on campus

- 4.1. The University requires organisers of planned protests (see below) to notify the University of the protest in advance = to allow it to understand the nature of any planned protest or event so that it can assess legal, safety and operational considerations, identify any risks to members of the University community, and ensure that appropriate mitigations are in place. This helps the University fulfil its

responsibilities, including protecting freedom of speech within the law while maintaining a safe environment for staff, students and visitors.

4.2. Where notification is not provided for a planned protest, this may limit the University's ability to support the activity and manage any associated risks, and this may be taken into account when considering how best to respond. We recognise that not all protests are planned in advance, and that some arise spontaneously. We will work as quickly and effectively as we can in such circumstances to identify and manage risks.

Notification Requirements

4.3. Send written notification 10 (ten) days in advance to:

- controlroom@cardiff.ac.uk
- societies@cardiff.ac.uk (or the relevant Students' Union contact point if you are part of an SU-affiliated group, such as a sports club or student media organisation)

Include:

- Name of a principal organiser (who will attend on the day)
- Time, date, and location of the planned protest
- A completed risk assessment (examples available: [Risk Assessments](#)) Failure by organisers to consider risks to protesters and others will be taken into account when determining whether the protest can be held.

4.4. The University requires the 10 working days to:

- Carry out an appropriate risk assessment of its own, informed by that provided by organisers
- Engage with organisers to mitigate risks where necessary
- Give permission or refusal for a protest to take place on University premises, subject to the above and any conditions required.

Unplanned or Spontaneous Protests

4.5. The University recognises that some protests arise spontaneously in response to emerging events and may not be planned in advance. Where spontaneous protests occur:

- Notify the University and Student's Union via the addresses in 4.3 above, as soon as a protest occurs or is likely to occur at short notice, wherever possible.
- The University will carry out a real-time risk assessment to the best of its ability in the circumstances.
- If the protest location presents health and safety risks to protestors and/or the University community, inhibits others' freedom of expression, unreasonably disrupts the regular activity of the University, or becomes volatile:

- Protestors will be asked to relocate to an appropriate site or end the protest.
- If instructions are ignored, support may be requested by local law enforcement.

Expectations of protest organisers and protesters

4.6. The information below outlines some expectations around student protests on Cardiff University premises. Following this will help to ensure that protests can be best supported to be delivered safely for all members of the University community and the general public and reduce the likelihood of student and staff protesters breaching University policies and becoming subject to disciplinary action.

You Must
Remember that we all have a right to freedom of expression and freedom of assembly and that the right to exchange information, debate ideas and express diverse opinions is a core aspect of our individual freedom and our collective good.
Provide the University advance notice of the planned protest at the earliest opportunity
Give clear information to people taking part, including any relevant University policies and guidance
Use language, (including on leaflets) that avoids unlawful, harassing or intimidating language (e.g. discrimination, extremism, inciting violence or hatred).
Follow instructions given by University staff and any security/law enforcement in attendance; their primary objective is safety and wellbeing for everyone.
Follow the University's Photographic Identification Code of Practice to confirm your identity when requested.
Make sure people taking part know what to do if emergency evacuation is required (e.g. fire)
Keep the space in a good condition and leave the area as you found it (including clearing any litter)

You Must Not
Provide last-minute and/or insufficient details about planned protests, which may prevent proper health and safety risk assessment.
Target individuals with personalised attacks that cause distress, fear, or amount to unlawful harassment or use bullying, intimidating, abusive, or threatening language—whether online or in person, with placards, banners, posters, or other means.
Deny others the freedom to assemble and express differing opinions or beliefs.
Prevent speakers from talking, people from attending, or disrupt University events or activities. Please be aware that some individuals or groups may be particularly sensitive to noise or have specific access needs relating to disability.
Disrupt teaching, examinations, research, or other University activities; this refers to any behaviour that significantly interferes with the delivery of these activities or impedes students' ability to learn.
Use noise-making devices on University premises in a way that disrupts operations.

Do anything that endangers health and safety, breaks UK law, or could be a criminal offence—for example, accessing roofspace/prohibited areas, using discriminatory or harassing language, or promoting terrorist organisations
Cause temporary or permanent damage or defacement to property or the environment—including flyposting, stickering, smoke canisters, chalking, or paint.
Put your own or other’s safety at risk by blocking access or egress to events and buildings, forcing entry to buildings, fire exits or pathways, or access or attempt to access restricted areas or assist others in doing so.

4.7. The principal organiser should be aware and make participants in the protest aware that other groups and individuals may attempt to hijack the protest for their own causes and have a plan to extract themselves from the situation should it become unlawful. If a protest gets out of hand, call the emergency number for our Community Safety and Security Services team on: (0)29 2087 4444.

5. Alternative ways of protesting

5.1. Other ways to protest:

- creating and signing petitions
- working with the Students’ Union to raise issues
- writing to your MP or to us (you can use our complaints procedures)

6. Student Conduct Procedures

6.1. Our [Student Conduct Procedures](#) set out actions that we would consider as misconduct and which could potentially cover unlawful or inappropriate protest activity.

6.2. Where actions or behaviours have breached University policies and/or have resulted in complaints the University will investigate these matters and take appropriate action. Our policies and procedures are regularly reviewed to ensure that they are fit for purpose. Our People, Cynefin and Governance Committee of the University’s Council (the supreme governing body of the University) receives an assurance paper outlining the University’s framework relating to freedom of speech on an annual basis to ensure they are satisfied that the University has appropriate policies and procedures in place. We ask everyone to familiarise themselves with relevant [policies and procedures](#) and to ensure that these are implemented.

7. Protesting off campus

7.1. Any protests must be lawful. If you are involved in a non-peaceful demonstration (protest) off campus, that risks damage to property and public safety, you will be breaking the law and it may become a police matter.

7.2. This also breaks our student agreement, risking your safety and impacting our reputation. If you are subject to a police investigation or prosecution, you must inform us. Failure to do so may be treated as misconduct and will be dealt with according to [Student Conduct Procedures](#) / [Staff Disciplinary Procedures](#).

8. Social media

8.1. All uses of social media need to follow the same standards that students and staff must follow as highlighted in the [Dignity at Work and Study Policy](#) and the [IT regulations](#). Further guidance can be found here: [Guidance on personal social media use](#). Staff and students will need to ensure that they do not publish comments or images on websites or social media that might cause distress or offence to other persons/groups in line with the policies indicated (and relevant legislation e.g. [Malicious Communications Act 1988](#), [Communications Act 2003](#) and [Online Safety Act 2023](#)).

8.2. When accessing and/or sharing information/posts it is important to note that not all content on social media is factually correct. Think carefully and if possible, fact check content before you share anything to avoid spreading false information.

8.3. If you are using social media as a form of protest, be aware that your posts can be taken out of context by others and if your account settings are not set to private, could be picked up by the media. Even where settings are set to 'private' anyone with access can take a screen shot of information and share it with a wider/public audience.

8.4. Be aware that participating in a protest may result in your image being shared in the media or on social platforms.

9. Cyber security

9.1. Be aware that times of global crisis can provide opportunities for scams, such as fake charitable appeals and phishing. Never provide your personal and bank details to an unknown source. Keep up to date with [guidance on information security and scams](#).

10. Be aware of radicalisation

10.1. Radicalisation can happen when a person develops extreme views or beliefs that support terrorist groups or activities. We recognise that most student debate, activism and protest activity is lawful and a positive part of university life, and is not connected to radicalisation. If you are concerned about radicalisation on campus, or worried about your friends or contacts, talk to us via our [Health and Wellbeing Service](#), so we can provide the right support. Further information for staff can be found [here](#).

11. What if I choose not to follow the protest expectations?

11.1. Failure to follow the expectations above during a protest, which support lawful, safe and peaceful protest for all, may constitute misconduct under the Student Conduct Procedures (in the case of students) or the Disciplinary Policy (in the case of staff), and the discipline procedures under those policies could be initiated. Where staff or students invite third-party groups or individuals to join a protest on University premises, those staff or students will be responsible for ensuring compliance by those groups or individuals with these guidelines.

11.2. Any allegation of a criminal offence having been committed by a student or staff member may be reported by the University to the police or, if the police are in attendance to ensure public safety, the police may take direct action in the event of a suspected criminal offence. In some situations, the University may seek a legal resolution.

12. Useful resources

[Code of Practice on Freedom of Speech](#)

[Dignity at work and study policy](#)

[Student Conduct Regulations](#)

[Staff disciplinary procedures](#)

[Photographic Identification Code of Practice](#)

[IT regulations](#)

[Guidance on information security and scams](#)

[Health and Wellbeing Service](#)

[Report + Support - Cardiff University](#)