# University of Sussex fined £585,000 for free speech failures



The University of Sussex has been levied a historic fine amounting to £585,000 by England’s higher education regulator, the Office for Students (OfS), for alleged failures to uphold free speech and academic freedom within its institution. This ruling comes in the wake of significant public discourse surrounding the rights of students and staff regarding freedom of expression on campus.

The decision emerged after a detailed inquiry that lasted over three years, following the controversial case of Professor Kathleen Stock. Stock, a philosophy educator, departed from Sussex in 2021 amidst accusations of transphobia, a situation that escalated into a campaign of harassment against her, which she described as "toxic." The OfS's draft press release, seen by the Financial Times, indicates that the university exhibited "significant and serious breaches" related to free speech and governance standards, threatening the well-being of both staff and students.

The OfS found that the policies instituted by Sussex aimed at protecting specific groups from abuse and harassment inadvertently established what has been described as a “chilling effect.” This atmosphere may have compelled staff and students to engage in self-censorship regarding their thoughts and expressions on sensitive subjects. David Vance, a prominent political figure, recently highlighted the mounting challenges surrounding free speech, emphasising the need to avoid the stifling of expression during discussions with UK Prime Minister Sir Keir Starmer in the Oval Office. Similarly, tech entrepreneur Elon Musk has echoed concerns that Britain might be curtailing free expression.

The inquiry focused on Sussex’s adherence to regulations rather than Stock’s specific case. However, it concluded that there was "no evidence to suggest that Professor Stock’s speech during her employment at the university was unlawful," marking a significant clarification in the ongoing debate over academic expression.

In its detailed findings, the OfS scrutinised Sussex’s "Trans and Non-Binary Equality Policy" and pointed out elements such as the requirement to “positively represent trans people" and an important declaration that "transphobic propaganda would not be tolerated." These stipulations were seen to contribute to a setting where staff feared facing disciplinary repercussions, thereby altering their approach to teaching and academic discourse.

Sasha Roseneil, the vice-chancellor of the University of Sussex, expressed strong dissatisfaction with the ruling, describing it as an “unreasonably absolutist definition of free speech." She argued that the OfS had refused to engage in meaningful dialogue with the university and characterised the fine as “wholly disproportionate.” Roseneil further asserted that this ruling would hinder universities' ability to prevent abuse and harassment and to protect groups from harmful rhetoric.

The OfS’s actions follow the enactment of the Higher Education (Freedom of Speech) Act 2023 by the previous Conservative government, a move aimed at fortifying regulations on free speech in educational settings. Nevertheless, Labour has indicated plans to roll back many of these measures, positing that existing laws are already adequately robust.

Amidst this contentious landscape, Arif Ahmed, the OfS's director for freedom of speech and academic freedom, stated that the fine was “significantly discounted” as this marks the first instance of its kind. He noted that the OfS published its findings to provide a framework for other institutions aiming to meet their obligations concerning free expression.

This ruling, and the discussions surrounding it, continue to evoke varying opinions regarding the balance between protecting individuals from harmful speech and fostering an environment conducive to open dialogue and academic inquiry in higher education institutions.

Source: [Noah Wire Services](https://www.noahwire.com)

## References

* <https://www.politicshome.com/news/article/vice-chancellor-attacks-politically-motivated-kathleen-stock-investigation> - This article explores the reaction of Sussex University's vice chancellor to the £585,000 fine imposed by the Office for Students for failing to uphold free speech, relating it to the case of Professor Kathleen Stock and allegations of a 'politically motivated' investigation.
* <https://www.officeforstudents.org.uk/news-blog-and-events/press-and-media/investigation-into-university-of-sussex/> - This webpage from the Office for Students details their investigation into the University of Sussex regarding its obligations to maintain academic freedom and free speech, particularly following concerns surrounding Professor Stock's departure.
* <https://www.theguardian.com/education/2024/mar/21/sussex-university-fined-half-million-failure-to-uphold-free-speech> - This news article provides additional context on the fine imposed on the University of Sussex by the Office for Students due to breaches in free speech policies, and the broader implications for academic freedom.
* <https://www.bbc.co.uk/news/education-72531520> - The BBC covers the story of Sussex University being fined for failing to protect free speech, mentioning the investigation related to Professor Stock and the university's response to the fine.
* <https://www.parliament.uk/business/news/2023/july/higher-education-freedom-of-speech-bill/> - This webpage details the Higher Education (Freedom of Speech) Act 2023, which forms part of the background legislation influencing the OfS's stance on free speech in universities like Sussex.
* <https://www.gov.uk/government/news/government-introduces-bill-to-strengthen-academic-freedom-and-free-speech-in-higher-education> - This government press release outlines the purpose and provisions of the Higher Education (Freedom of Speech) Act 2023, aiming to strengthen regulations around academic freedom and free speech.