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Is the curbing of free speech in universities most prevalent in those with inflated diversity grievance bureaucracies?

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Introduction

This briefing looks at the role diversity grievance bureaucracies play in limiting free speech on campus. Although the government has introduced the Higher Education (Freedom of Speech) Bill to help strengthen existing legislation on freedom of speech and academic freedom in higher education, the university sector is facing increasing demands from within to expand the diversity grievance bureaucracy which, in turn, is often found to be restrictive of a free speech culture within universities.

Our research finds a connection between universities with inflated diversity bureaucracies and those that limit speech more generally on campus:

- *Well over half (83) of all 140 universities were found to have some form of anonymous reporting service or tool (see Appendix).*
- *35 per cent (50) of all universities were found to explicitly use the corporate Report + Support anonymous reporting tool.*
- *Of all the 38 universities previously scoring an above average level of free speech controversies/episodes on campus[1], 71 per cent (27) have been found to currently implement a trio of policy instruments in an inflated diversity bureaucracy – including tools for the anonymous reporting of academics and students, a race equality charter & membership of an externally-sourced diversity training programme.*
- *In contrast, of those institutions who were recorded as falling below the median level of free speech controversies across all universities, less than a quarter (24 per cent) had such an unwieldy diversity bureaucracy.*
- *Over 60 per cent (88) of the institutions were found to belong to an externally-sourced diversity training programme.*

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[1] Based on our previous policy analysis of free speech in universities, 'Academic Freedom in Our Universities: the Best and the Worst', December 2020.

- ***Well over half (79) of all universities were also found to be Race Equality Charter members.***

Although it is not always a simple case of cause and effect, there is a strong relationship between everyday curbs to free speech on campus and the significant dedication some university administrations have for developing complex, unwieldy and highly-restrictive diversity bureaucracies. These findings follow from our previous policy analysis of free speech in universities, 'Academic Freedom in Our Universities: the Best and the Worst',[2] in which we assessed 22 variables, including extreme curbs on free speech listed in equalities policies through to the number of offensive 'speech acts' listed in student and staff Codes of Conduct. In that previous study, we observed that:

- 89 per cent of universities have a policy on bullying and harassment in which speech can be curbed, for example, by claims to personal offence, unwanted conduct, or conduct which is reported as 'insulting', even in cases where it would 'undermine' an individual or create an 'offensive environment'. Those policies in universities can stifle students in their discourse, including through the perceived 'intrusive questioning' of a person's life, insulting jokes, patronising language, unwanted conduct or perceived offensive environments.
- Overall, 68 universities (50 per cent) had harassment policies placing over 100 levels of practical restrictions on free speech.
- We found 81 per cent of universities adopt an 'Equal Opportunities policy' that limits individual expression.
- Overall, 93 per cent of universities list a series of restrictive speech acts in their student and staff Code of Conduct.
- Specifically, 83 of the then 137 UK universities (64 per cent) had Codes of Conduct placing over 30 levels of practical restrictions on free speech.[3]

The higher education landscape enables Vice-Chancellors, combined with diversity bureaucrats, to build up a team of administrators or professionals (inside or associated with their higher education institutions) who have the clear and designated purpose of pursuing progressive quotas and targets on equalities and diversity. Universities should primarily be institutions of knowledge and learning, not places to achieve social justice, which they do not have either the mandate for or ability to achieve. No comparable architecture exists for upholding free speech. Moreover, where many would consider their roles as central to encouraging students in the pursuit of knowledge, in fact what they tend to do is pursue vague targets beyond anyone's remit, in the fields of equality, inclusivity, diversity, and protecting other characteristics as defined in the Equality Act 2010.[4] The intended motive behind these targets in academia is to create a 'safe environment' but, in so many cases, this is to the detriment of free and open debate.

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[2] https://www.civitas.org.uk/publications/academic-freedom-in-our-universities/
[3] https://www.civitas.org.uk/publications/academic-freedom-in-our-universities/
[4] https://www.legislation.gov.uk/ukpga/2010/15/contents

We found three instruments that diversity bureaucracies are using at universities, including:

- Tools for the anonymous reporting of academics and students;
- A Race Equality Charter presupposing that 'racial inequalities are a significant issue within higher education.'
- A strong reliance on externally-sourced diversity training programmes.

By examining those tools, we can further understand the relationship between policy and practice, or the extent to which public assurances being made for free speech sit fairly alongside a mounting bureaucracy from the diversity industry at British universities.

Anonymous reporting

Our research finds that university students and staff at dozens of universities across the country are increasingly employing anonymous reporting tools when perceiving microaggressions. *The Telegraph* has reported on several universities in particular using the Report + Support tool, an online service which defines microaggressions as 'brief, everyday interactions that send denigrating messages to people, which are subtle and insidious, often leaving the victim confused, distressed and frustrated and the perpetrator oblivious to the offense they have caused.' Sociologist Frank Furedi argues the concept of 'microaggressions' has grown in Western academia since 2015. He found the term had been defined in the counselling psychology literature as 'the brief and commonplace daily verbal, behavioural, and environmental indignities, whether intentional or unintentional, that communicate hostile, derogatory, or negative racial, gender, and sexual orientation, and religious slights and insults to the target person or group.'[5]

But to address the growth and prevalence of anonymous reporting tools at universities, it is important to distinguish between in-house services and commercial tools. As the research in this briefing shows, many universities have anonymous reporting services but not all use the Report + Support (R&S) tool.

Anonymous reporting services are used by most universities for a variety of reasons. Most of these reasons generally come under an attempt to prevent or proactively monitor 'harassment' on university campuses, although others also use it simply to report minor incidents, such as when a bike has been stolen on campus. **Our findings suggest that well over half (83) of all 140 universities were found to have some form of anonymous reporting service or tool (see Appendix).**

In-house anonymous reporting services are used by most universities as digital tools to give students and staff the opportunity to record complaints or perceived harassment. The reports made to the service are anonymous, meaning the identity of those who submit their reports to the service are not known. These records are usually sent to the equality or diversity units at the university.

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[5] Frank Furedi, 'What's happened to the university? A sociological exploration of its infantilisation.' (p. 107.)

In contrast, the R&S tool is different to this, in so far as it has been more widely documented for its potentially illiberal application, such as students reporting their lecturers for perceived microaggressions. R&S is a service offered by the consultancy group, Culture Shift. Its product or service is used so staff and students can report issues of harassment anonymously. It is a portal essentially to help students report concerns over what they might deem unacceptable behaviour.

Looking at the universities who use anonymous reporting services, the main reason given for their use is to allow students or staff to record incidents of 'harassment' on campus. Harassment, in this context, has taken on a variety of meanings. For example, at Northampton University, its in-house anonymous reporting service gives complainants the opportunity to report intimidating or offensive behaviour or speech – perceived on the grounds of race, gender, sexual orientation or any other protected characteristics not known yet.[6] At King's College London, those who experience hate crimes are asked to report these incidents anonymously.[7] At Exeter University, its anonymous reporting service encourages victims of hate crimes to explain why these incidents may have occurred; complainants are asked if the perpetrator of the hate crime was motivated by the complainants race, gender, sex and so forth.[8] At the University of Cambridge, the reporting site – 'where dons could be flagged for raising an eyebrow' – was removed following a revolt on campus. At Durham University, a potential offence includes 'constantly criticising and never praising', and at the University of St Andrews, a potential transgression includes 'avoiding or turning one's back on certain people'.[9] There are many reasons why universities may employ anonymous reporting services, but they generally come under a specific understanding of what 'harassment' means.

Crucially, universities who use anonymous reporting services do not – or rather cannot – act on the complaints made anonymously. If a person has recorded a hate crime anonymously, that person is told from the start that their complaints cannot be acted upon and that they must make their concerns known confidentially if they wish to pursue a complaint.[10]

Why do students use anonymous reporting services? And how often do students use them? The evidence for this is not clear, and it could be a generational problem. Indeed, besides consultancy firms in the private sector who are hired for these diversity roles, schools in Britain have also seen a rise in the perception and awareness of microaggressions by young people.[11] According to Nicholas Hewlett, headmaster at a secondary school, teachers at his

[6] https://www.northampton.ac.uk/student-life/forms/harassment-reporting-form/
[7] https://podio.com/webforms/20358630/1390779
[8] https://www.exeter.ac.uk/speakout/report/anonymous/
[9] https://www.telegraph.co.uk/news/2021/06/06/woke-snitching-forums-used-report-lecturers-microaggressions/
[10] All universities who use anonymous reporting services generally say on their webpages something similar to this from the King's College London website: 'NOTE: This is NOT a reporting mechanism and we cannot begin a formal misconduct process for anonymous disclosures. By disclosing anonymously, the university will not be able to offer direct advice or begin a formal misconduct process.' See, https://podio.com/webforms/20358630/1390779
[11] https://www.thetimes.co.uk/article/teachers-terrified-of-committing-micro-aggressions-rw0pz6t00#Echobox=1624728205

school see 'a righteous generation of children looking for their teachers to trip up, [a generation] who are looking for the micro-aggressions'. He went further and said:

> *'We cannot have in schools everyone walking on eggshells terrified of using the wrong word… What I am seeing starting to emerge as part of the huge national backlash against wokeness… is young people entrenched in a culture of outrage. We have young people coming through the system who because of hateful rhetoric have decided they are going to dig into their positions of outrage.'*

In that *Sunday Times* article, evidence was also cited from Flair, a company that has conducted race audits of staff at schools, which showed that some students had reported microaggressions for incidents such as saying in a lesson that 'slavery was bad but the Holocaust was worse.' With schools and universities seen to be increasingly embedding these ultra-progressive techniques into their institutions, there is reason to suspect these issues perhaps reflect a wider malaise of public life rather than an issue isolated to simply our universities. If that is true, then policy must be focussed on the long-term causes.

Similar to the R&S tool, the main reason universities use anonymous reporting services is to monitor the prevalence of incidents that take place on and off campus. According to the many universities who use these services, such as at Plymouth, they are used in order to 'identify any trends for our proactive work in preventing bullying, harassment and discrimination'.[12] Yet there is no real guarantee that any evidence provided anonymously will not be used by universities in the future against a person who has been reported, or that the collection of such data will not produce a bias against a person in the event that, further down the road, a public complaint is made.

There remains a real risk that the collection of this data by universities will be used to enact larger, institutional reforms of universities which could potentially limit free speech. Universities will already understand that if they are monitoring hate incidents on campus they cannot simply sit on this evidence; equally, if universities accept the premise that microaggressions are a legitimate concern on campus, then they will inevitably be expected in the long run to respond to this 'evidence' and show that 'something is being done' about it. Universities should reject anonymous reporting tools or risk undermining free speech in the future. Indeed, as Furedi has argued, anonymous reporting tools tend to have a purpose when it comes to the ambitions of ultra-progressive activists:

> *'One reason why microaggressions has proved to be such a compelling concept to activists is because it offers on-going and escalating validation for the politics of cultural identity. In recent times, the crusade against microaggressions has played a unique role in the elaboration of western identity politics. The performance of outrage featured on microaggression websites plays an important role in transforming the 'micro' banal insults and misunderstandings of everyday life faced*

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[12] https://www.plymouth.ac.uk/forms/speak-up/report

by an individual into a major injustice facing groups of victims, with placards communicating the message that these are not simply individual issues.'[13]

The accumulation of anonymous reports citing microaggressions will inevitably lead to accusations further down the line that institutions are 'racist' and require top-down reform. Yet this accumulated evidence usually rests upon a small minority of people on campus reporting occasionally trivial incidents that in many cases would go unnoticed in everyday life. Universities must avoid using anonymous reporting tools or risk curbs to academic freedom and freedom of speech on campuses, and the government has to reconsider the role hate crime laws are playing in these developments.

What makes R&S different to in-house reporting services is that it is run by an external consultancy group, hired by universities for their services in producing a uniform and consistent anonymous reporting tool. **Our research finds that 35 per cent of universities are currently using this tool (see Appendix)**. R&S provides universities with a consistent anonymous reporting tool. All universities who use this external tool use the same URL with a similar website display for reporting and similar reasons to do so.

For example, Manchester University uses the R&S tool in order to 'understand the prevalence' of issues on campuses, such as microaggressions.[14] The University of York uses it to 'monitor trends and inform proactive and preventative work' on similar 'harassment' issues.[15] The University of Bristol uses it to report hate crimes, among other issues.[16] On the University of Salford's R&S webpage, it has a list of 'Ten things you can do to be an anti-racist', which includes how to counter white privilege: 'White privilege can make people defensive. Don't let it'.[17]

The idea that universities should be 'proactively' monitoring students' speech should raise alarm bells for the type of campus culture it will generate. R&S comes from the business Culture Shift.[18] It was originally developed by the University of Manchester's Equality, Diversity and Inclusion Team in collaboration with its Students' Union in 2014. Culture Shift says its vision is to create 'a world of work and study that is safe, happy and supportive for everyone, everywhere', and says its services builds products 'that empower organisations to tackle harassment and bullying.'[19]

Taken together, anonymous reporting services have rightly been criticised for the effect they are having on freedom of speech on university campuses. The prevailing message sent from universities is that 'microaggressions' – be it a slight of hand or 'raising an eyebrow' –

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[13] Frank Furedi, What's happened to the university, p. 109.
[14] https://www.reportandsupport.manchester.ac.uk/;
https://documents.manchester.ac.uk/display.aspx?DocID=51691;
https://studentnews.manchester.ac.uk/2021/05/26/supporting-your-mental-health-over-summer/
[15] https://reportandsupport.york.ac.uk/
[16] https://reportandsupport.bristol.ac.uk/
[17] https://reportandsupport.salford.ac.uk/support/ten-things-you-can-do-to-be-an-anti-racist
[18] https://www.culture-shift.co.uk/about/
[19] https://www.culture-shift.co.uk/about/; https://twitter.com/UKCultureShift

is worthy of being reported on if someone has perceived these expressions as a form of hate crime or offence.

Since these actions are not said but rather expressed in daily lives, it may become difficult to label this problem a freedom of speech issue per se, as in many cases people will not be aware of how their actions are offending someone, especially if they have not said something. But the more pernicious issue to be addressed is the extent to which this limits a student or academic's independence of mind. For if university students and professors are aware that they could be reported for something they have not said, or for something they have expressed without realising, then it will surely have an impact on their ability to express their ideas about a subject in the future for fear of giving offence. This is not so much self-censorship but a kind of prison of conscience and thought in which the academic or student is constantly reminded of the implications anything they say or do may have in a public or intellectual sphere.

The concept of microaggressions and alleging of structural racism curbs speech in other ways too. Freedom of speech could be defined by the rules or limits surrounding what an individual can, cannot and must[20] say in society. The problem with the concept of microaggressions is that they give legitimacy to the idea that racism in contemporary society is structural by assuming that people can be racist all the time via their unconscious acts. The inevitable implication of this worldview is to assume that people are racist unless they confirm they are not, or, in other words, to adopt the critical race theory (CRT) position of anti-racism. Individuals are then required to validate their position in the public sphere with 'correct' statements or otherwise risk allowing one's unconscious 'microaggressions' or bias to determine their personality. It is precisely this worldview which has led to calls from such groups to 'decolonise' the curriculum, forcing people to apologise for 'microaggressions' (or risk being labelled a racist), or intimidating people into promoting their causes by insisting 'silence is violence'. All of these examples on university campuses are evidence of the crisis of free speech on campus; if an individual is compelled to say something to get on in life, then their speech is not free.

More broadly, the growth in anonymous reporting services represents the wider malaise of public life. As Doug Stokes has noted, 'over the last decade, British universities have become more illiberal' in their tendency for 'top-down' control which has led to the 'bureaucratisation of human interaction'.[21] The anonymous reporting of everyday interactions shows how students and professional staff within university bureaucracies can appear to be more interested in private actions – like facial expressions or slights – rather than pursuing a genuine public conversation and debate on ideas. What matters in these scenarios is not what someone says in public, but what they have revealed tacitly in private and without knowing. According to Furedi, too, there is now a large group of professionals employed by universities to manage the risks facing students, to counsel them in the practicalities of harm reduction and to provide support that would secure students'

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[20] The 'right to silence' is a paradoxical but essential component of free speech.
[21] https://thecritic.co.uk/issues/september-2020/the-campus-grievance-industry/

wellbeing.[22] Universities should be encouraging students to be courageous and public spirited in their ideas and manners, not to be overly cautious of their actions and spoken words.

Anonymous reporting services are ultimately the end of the road for the process of the infantilisation of the university institution.[23] It is notable, for instance, that on the Leeds University webpage for anonymous reporting the user is reminded to use the emergency services when facing 'immediate danger, threat or serious risk'. It says: 'The Report Form should not be used for reporting emergency situations', and provides the emergency number ('999') in case students need to use it.[24] Students are nonetheless encouraged to perceive everyday interactions as instances where a hate crime or another grievous or annoying offence may take place, when in many cases most people would simply report an unpleasant situation in person, or otherwise resolve an issue through conversation. As Neil Thin, a professor recently acquitted after two students reported him for speaking out against political correctness, said: 'It is important to persuade students to approach lecturers, or fellow students, directly if they disagree with someone, using good old-fashioned conversation to sort out difference.' [25] The prevailing bureaucratisation of human interaction, and its problematic effects for free speech on university campuses, relates to their long-term transformation into social institutions – places where adolescence is extended for young people.

The reliance on External Diversity training programmes and the Race Equality Charter

The questions over external diversity training within universities has already been well reported after leading universities have begun to consider links to the LGBTQ+ charity Stonewall's Diversity Champions scheme due to concerns for academic freedom.[26] The charity is involved in a significant debate, after it was accused of allegedly misrepresenting the law in advice it gave to Essex University, which dropped speakers accused of transphobia. The CEO of Stonewall had said that freedom of speech did not extend to expressing what she called 'gender critical beliefs'.[27] *The Observer* has indicated that the approach to those who hold gender critical views – including the chief executive of Stonewall likening gender critical beliefs to antisemitism – has had 'the chilling result' of 'the frightening of women into silence because they fear the consequences of expressing their feminist beliefs'.[28] Stonewall run a Diversity Champions programme which they say 'is the leading employers' programme for ensuring all LGBTQ+ staff are free to be themselves in the workplace', working with more than 850 organisations, including universities, across the

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[22] Furedi. What's happened to the university, p. 37.
[23] Furedi, What's happened to the university
[24] https://www.leeds.ac.uk/secretariat/reporting_hc_sa_oh.html
[25] https://www.thetimes.co.uk/article/student-software-stifling-free-speech-microaggressions-27mbbjmb8
[26] https://www.telegraph.co.uk/news/2021/06/07/exclusive-universities-begin-leaving-stonewall-diversity-scheme/
[27] https://www.walesonline.co.uk/news/wales-news/stonewall-diversity-champions-transgender-critical-20874224
[28] https://www.theguardian.com/commentisfree/2021/jun/27/the-observer-view-on-the-right-to-free-expression

UK.[29] There are causes for concern for the state of academic freedom and freedom of speech at universities. According to our analysis, **over 60 per cent (88) of university institutions are found to belong to such an externally-sourced diversity training programme.**

Separately, the Race Equality Charter (REC) is a project by the charity Advance HE to address the 'representation' and 'institutional' barriers minority people face in British universities.[30] It is reported that Advance HE has received over £11 million of taxpayer funding since 2016, according to Companies House records.[31] Universities can apply to become members of the REC if they commit to 'improving the representation, progression and success of Black, Asian and Minority ethnic staff and students within higher education', with the purpose being that the REC should provide 'a framework through which institutions work to identify and self-reflect on institutional and cultural barriers standing in the way of Asian and Minority Ethnic staff and students.' **Our research finds that well over half (79) of universities are members of the REC.** Member institutions are invited to 'apply for a Bronze or Silver REC award, depending on their level of progress.' Dr Arif Ahmed, a philosophy lecturer at Cambridge University, said the charter has created a 'virtue signalling contest' between institutions.[32]

The Race Equality Charter (REC)

The five guiding principles of the REC, as stated on their website, are:

"Racial inequalities are a significant issue within higher education. Racial inequalities are not necessarily overt, isolated incidents. Racism is an everyday facet of UK society and racial inequalities manifest themselves in everyday situations, processes and behaviours.

"UK higher education cannot reach its full potential unless it can benefit from the talents of the whole population and until individuals from all ethnic backgrounds can benefit equally from the opportunities it affords.

"In developing solutions to racial inequalities, it is important that they are aimed at achieving long-term institutional culture change, avoiding a deficit model where solutions are aimed at changing the individual.

"Black, Asian and Minority Ethnic staff and students are not a homogenous group. People from different ethnic backgrounds have different experiences of and outcomes from/within higher education, and that complexity needs to be considered in analysing data and developing actions

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[29] https://www.stonewall.org.uk/about-us/stonewall-statement-diversity-champions-programme
[30] https://www.advance-he.ac.uk/equality-charters/race-equality-charter
[31] https://www.telegraph.co.uk/news/2021/07/18/university-charity-advance-compromises-free-speech-say-mps-demand/
[32] https://www.telegraph.co.uk/news/2021/07/16/badge-decolonising-universities-threatens-academic-freedom-warn/

> *"All individuals have multiple identities, and the intersection of those different identities should be considered wherever possible."*

The idea of a race equality charter which presupposes that 'racial inequalities are a significant issue within higher education' reflects the trend of university bureaucracies affiliating with critical race theory (CRT). Doug Stokes (2020) argues CRT has gone from 'a marginal perspective in social science and the humanities' to being taken up by senior university administrators and academics across the country. Universities have enabled the 'decolonising' of their curriculums which touches upon any teaching or readings found to increase the psychosis that governs 'the thoughts and actions of Western society', as well as 'deepening their commitment to rooting out microaggressions amongst staff and students.' Stokes also examines how Advance HE 'is promoting its Race Equality Charter (REC) to address alleged structural racism'; and that, by meeting the Charter's targets, UK universities gradually earn incremental bronze, silver or gold stars.[33]

Stokes finds that whilst the foundational principle of the REC is that 'racial inequalities are a significant issue within higher education', the data does not suggest this. For instance, based on an interpretation of the Equalities and Human Rights Commission's (EHRC) report, we can observe:

- In a three-and-a-half-year period, only 0.006 per cent of students and 0.05 per cent of staff in UK higher-education institutions reported incidents of racial harassment to their university.[34]
- 'When ethnic minority students were asked how worried they were about being personally subjected to racial harassment at their place of study, 87 per cent responded from neutrality through to not at all worried, with the latter the largest group at 43 per cent of the total.'
- 'In a total of almost four years, universities across the whole of the UK had dealt with on average one complaint of racial harassment a year, with only 3 per cent of those students who did report racial harassment feeling unhappy with the ways in which their universities had handled their complaints.'[35]
- 'between '2003/04 and 2017/18, the proportion of all staff who were UK White steadily decreased (from 83.1 per cent to 72.2 per cent), while all other groups increased, most notably those from non-UK White backgrounds (from 8.3 per cent to 14.1 per cent)'' an Advance HE statistical survey concluded.
- 'UK university staff are more than twice as likely to be senior management if they are from a BAME background than if they are white.'

That interpretation by Stokes found multiple reasons for why the reality and the dominant narrative are so out of sync, most of which emerge from the grievance industrial complex. There is a strong element of 'ideological groupthink, with British academia overwhelmingly

[33] https://thecritic.co.uk/issues/september-2020/the-campus-grievance-industry/
[34] https://thecritic.co.uk/issues/september-2020/the-campus-grievance-industry/
[35] https://thecritic.co.uk/issues/september-2020/the-campus-grievance-industry/

left-wing'. In that context, academics can end up avoiding the corrosive anxiety and damaging careers prospects by simply not challenging groupthink, given that so many university leaders have actively endorsed the worldview of the activists. We are also faced with the feature of 'woke capitalism' and the extent to which university-integrated businesses now pursue social justice. Stokes also expresses concern that 'the raison d'être of the UK's multi-billion pound inequalities industry is to evidence inequality', and this is all despite one of the largest European opinion surveys in history finding that the UK is one of the least racist societies.[36]

Like many features associated with 'woke' culture, it is important to make a distinction between the language of inclusivity and the policies or implications of such demands. The example of the Race Equality Charter is no different. Looking at the guiding principles of the REC – and the steps universities are taking to achieve recognition on this work – there are two things found: an acceptance of the definition that universities perpetuate 'institutional racism', and a remodelling or decolonisation of university curriculums.[37]

The principles of the REC need to be expanded in order to understand their implications for universities. The idea that 'racism is an everyday facet of UK society' has been brought into question by the authors of the government-commissioned report from the Commission on Race and Ethnic Disparities (CRED), who argue that this notion of an 'everyday' experience of racism is untrue and only serves to reinforces distrust between ethnic groups.

Likewise, the idea that universities need to achieve 'long-term institutional culture change' is also reflective of a path many other institutions seem to be taking – and rests upon the assumption that Britain institutions must loathe their status and ignore the centuries of positive goods they have brought to British society.

Finally, the idea that people from all ethnic backgrounds should benefit 'equally' from the opportunities university affords amounts to a kind of preferential advantage: there is considerably less emphasis in the REC that all people should benefit from university education – only certain kind of people who appear from this perspective to be more benefitting of such an education than other people.

Even beyond the R&S tool or the REC, some universities are offering 'self-help' guides for students and staff to address racism. At Edinburgh University, for example, students are directed towards online learning resources such as Unconscious Bias Training[38] to counter their 'microaggressions'. The University says microaggressions can take many forms, such as: microinsults ('avoidant behaviour' such as students 'being left out of group discussions'); 'microinsults' (such as saying to someone from a UKME background 'your English is really good'); and 'microinvalidations' (saying 'anyone can succeed if they work hard enough').[39]

[36] https://www.thelondoneconomic.com/news/britain-one-of-least-racist-countries-in-europe-121830/
[37] See, for example, https://www.universitiesuk.ac.uk/policy-and-analysis/reports/Documents/2020/tackling-racial-harassment-in-higher-education.pdf
[38] https://www.ed.ac.uk/equality-diversity/students/what-can-i-do
[39] https://www.ed.ac.uk/equality-diversity/students/microaggressions/racial-microaggressions/common-racial-micro-agressions

University College London, UCL, also provides guidance for staff for 'self-education' for staff to understand racism and 'white privilege'. [40]

This view of white privilege is extremely difficult to accept given the evidence showing the opposite.[41] Indeed, a recent report by the House of Commons' Education Select Committee showed how terms such as 'white privilege', or the notion that some groups in society are more deserving than others of special treatment based upon their race, runs against the facts around inequality in Britain. The report showed how 'white working class underachievement in education is real and persistent' and why it is important to develop 'new and constructive ways to talk about racial disparities' given how the 'discourse around White privilege can be divisive'.

The Select Committee report also highlights an 'industry which has emerged to support those other groups in a form that isn't available for disadvantaged white pupils.' The evidence shows how the persistent focus of some groups on ethnicity and race is at the detriment to genuine inequalities, as evidenced in this report and the CRED report earlier this year. Furthermore, the report concluded with a recommendation on how schools and the Department for Education should approach consultancy groups and new narratives around race:

> 'Schools should consider whether the promotion of politically controversial terminology, including White Privilege, is consistent with their duties under the Equality Act 2010. The Department should take steps to ensure that young people are not inadvertently being inducted into political movements when what is required is balanced, age-appropriate discussion and a curriculum that equips young people to thrive in diverse and multi-cultural communities throughout their lives and work. The Department should issue clear guidance for schools and other Department-affiliated organisations receiving grants from the Department on how to deliver teaching on these complex issues in a balanced, impartial and age-appropriate way.'[42]

The guiding principles of the REC conform with the idea that the university as an institution must be defined by its commitment to racial or social justice rather than a place of knowledge and learning for students. Moreover, its growing underlying notion of justice is highly questionable and has obvious implications for university campuses in the UK and their attitude to free speech. Discussing the REC, Professor Charles Egbu, Vice-Chancellor at Leeds Trinity University, said that the end goal for universities should be an inclusive culture in which 'everyone has the opportunity to speak up'.[43] But when one looks at the policies universities are pursuing to achieve this inclusive culture – and in particular their attitudes

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[40] https://www.ucl.ac.uk/equality-diversity-inclusion/equality-areas/race-equality/guidance-managers-supporting-black-staff-work

[41] https://committees.parliament.uk/publications/6364/documents/69838/default/

[42] (pp. 56-57.) https://committees.parliament.uk/publications/6364/documents/69838/default/; The term has also been criticised by the Government's Equalities minister Kemi Badendoch: https://www.telegraph.co.uk/news/2021/06/26/teaching-white-privilege-dividing-society-warns-equalities-minister/

[43] https://www.theguardian.com/future-ready-leadership/2021/may/19/there-is-denial-that-racism-exists-why-is-there-such-a-lack-of-diversity-at-the-top-of-higher-education

to free speech on campus – it increasingly looks like the desire to 'speak up' is only for some people and not for all.

When we looked back at our data from across UK universities, we found that **of all the 38 universities previously scoring an above average level of free speech controversies/ episodes on campus[44], 71 per cent (27) have been found to currently implement the trio of diversity policy instruments in an inflated diversity bureaucracy** – including tools for the anonymous reporting of academics and students, a race equality charter combined with membership of an externally-sourced diversity training programme (see Appendix). In contrast, **of those institutions who were recorded as falling below the average level of free speech controversies across all universities, less than a quarter (24%) had such an unwieldy diversity bureaucracy**.

Bradford University – a member of the REC – announced earlier this year that it is 'committed to building an anti-racist university'.[45] This implies creating an 'inclusive' culture which recognises that 'being non-racist is not enough'. In its Equality and Diversity section of their anti-racism strategy they argue what an inclusive culture should look like. It says:

> *'You can play your part by being sensitive to the views of others, which may frequently differ from your own, and trying to create an environment where your own behaviour, language or conduct does not create any offence or misunderstanding.'[46]*

Any strategy which includes a commitment to 'anti-racism', as expressed by critical race theorists, and a commitment to not causing offence should ring alarm bells to those committed to upholding freedom of speech on university campuses.

Imperial College London became a member of the REC in 2018 'to improve the representation, progression and success of Black, Asian and Minority Ethnic (BAME) staff and students.'[47] It describes the REC as 'a framework for universities to self-assess and identify institutional and cultural barriers for BAME and staff students.' In 2019, it published a report to show the steps it was taking to address the principles of the Charter. The Report's recommendations include: 'Implementing one-day face-to-face race equality training covering language, terminology, white privilege and allyship'; 'Create a bank of case studies… to highlight the lived experience of minoritized staff and students'; and to 'conduct an imagery audit of the College, including physical imagery on campuses, the College's website, publications and the prospectus.'[48] In 2020 – in light of the Black Lives Matter protests in the UK – it made progress on its promise of an 'imagery audit' of the College by reviewing its name, removing a bust of Henry De La Beche from display in a science

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[44] Based on our previous policy analysis of free speech in universities, 'Academic Freedom in Our Universities: the Best and the Worst', December 2020.

[45] https://www.bradford.ac.uk/news/archive/2021/university-of-bradford-marks-united-nations-international-day-for-the-elimination-of-racial-discrimination.php

[46] https://www.bradford.ac.uk/equality-and-diversity/dignity-and-respect/

[47] https://www.imperial.ac.uk/news/200974/race-equality-charter-imperial-launches-initial/

[48] https://www.imperial.ac.uk/news/200974/race-equality-charter-imperial-launches-initial/

department, and removing the college's Latin motto from its emblem.[49] Despite these changes, Imperial has still not been awarded a Bronze award from the REC or Advance HE.

Birmingham University was recognised this time last year with a Bronze Award for its commitment to the REC.[50] To apply for a Charter Mark, institutions have to submit their analysis and action plan to an independent panel convened by Advance HE. The Bronze Race Equality Charter Award recognises that institutions have undertaken an assessment of racial equality and have developed an action plan to address these principles as defined in the REC. Birmingham University's action plan includes: 'micro-aggressions', 'Black history month', 'decolonising the curriculum', BAME targets for recruitment in senior management positions, unconscious bias training, 'nurturing BAME learning communities', 'supporting BAME student-led equality initiatives' and to develop resources to allow students to 'explore themes of whiteness and privilege'. Birmingham University was recognised by Advance HE with a Bronze award for these reforms and plans – two short of the highest possible achievement it offers.

In all these cases, one is left increasingly with the feeling that universities involved with the REC are becoming social justice institutions for students *and* staff. The emphasis throughout is to highlight the 'lived experiences' of staff and students on campus by either creating quotas for recruitment in senior managerial positions at universities or encouraging both to 'speak out' on issues they face – with no regard for protecting students from 'cancel culture'. On the issue of free speech, it is also apparent that what an 'inclusive' environment really means for these proponents for institutional reform is to silence dissenting views that do not accept their understood notion of justice.

Whether it be new rules on 'micro-aggressions' or creating a utopian culture in which no one is ever offended, the situation is clear: the people who want to curb speech on campus are the same people who make these rules and the same ones who execute or administer these rules on campus. It is not just students who are enforcing a chilling climate to free speech on campus via 'cancel culture' from 'below', but a multiplying number of diversity bureaucrats from 'above' who are seeking and administering these changes. It remains difficult for those who believe in the importance academic integrity and freedom that British institutions are upholding an environment or attitude to free speech which is more beneficial to the staff at universities than to often-marginalised conservative students who risk their reputation and livelihoods on campus for saying something that is perceived to be wrong.

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[49] https://www.imperial.ac.uk/news/198435/imperial-review-history-legacy/
[50] https://www.birmingham.ac.uk/news/latest/2020/06/race-equality-charter-bronze-award.aspx

Appendix

Those 83 universities with some kind of anonymous reporting tool

1. University of Liverpool
2. The University of Sheffield
3. Coventry University
4. Queen Mary University of London
5. University College London
6. Leeds Beckett University
7. University of Exeter
8. Imperial College London
9. Brunel University London
10. Keele University
11. De Montfort University
12. Goldsmiths, University of London
13. Heriot-Watt University
14. Oxford Brookes University
15. The Royal Veterinary College
16. University of Brighton
17. University of Central Lancashire
18. University of Chichester
19. University of Dundee
20. University of East Anglia
21. University of Glasgow
22. University of Huddersfield
23. University of Plymouth
24. University of Portsmouth
25. University of Roehampton
26. University of Southampton
27. University of St Andrews
28. University of Stirling
29. University of Sunderland
30. University of Surrey
31. University of the West of England, Bristol
32. University of Westminster
33. University of Wolverhampton
34. York St John University
35. University of Cambridge
36. The University of Manchester
37. University of Leicester
38. Royal Holloway, University of London
39. Staffordshire University
40. University of Warwick
41. Durham University
42. Queen's University Belfast
43. King's College London
44. Loughborough University
45. The University of Nottingham

46. University of Edinburgh
47. University of Birmingham
48. University of Reading
49. University of Leeds
50. Canterbury Christ Church University
51. Bath Spa University
52. University of Bath
53. Sheffield Hallam University
54. Newcastle University
55. University of Essex
56. London School of Hygiene and Tropical Medicine
57. The London School of Economics and Political Science
58. Anglia Ruskin University
59. City, University of London
60. Queen Margaret University
61. Birmingham City University
62. Edinburgh Napier University
63. Liverpool Hope University
64. London South Bank University
65. Middlesex University London
66. Plymouth Marjon University
67. Robert Gordon University
68. SOAS, University of London
69. University of Aberdeen
70. University of Bristol
71. University of East London
72. University of Hertfordshire
73. University of Kent
74. University of Salford
75. University of Strathclyde
76. University of the Arts London
77. Aberystwyth University
78. University of York
79. Falmouth University
80. London Business School
81. Manchester Metropolitan University
82. The Glasgow School of Art
83. University of Northampton

Those 50 universities with a Report + Support tool

1. University of Liverpool
2. The University of Sheffield
3. Queen Mary University of London
4. University College London
5. Imperial College London
6. Brunel University London
7. Goldsmiths, University of London

8. Oxford Brookes University
9. The Royal Veterinary College
10. University of Central Lancashire
11. University of East Anglia
12. University of Glasgow
13. University of Huddersfield
14. University of Portsmouth
15. University of Roehampton
16. University of Southampton
17. University of St Andrews
18. University of Stirling
19. University of Surrey
20. University of the West of England, Bristol
21. University of Westminster
22. York St John University
23. The University of Manchester
24. University of Leicester
25. Staffordshire University
26. University of Warwick
27. Durham University
28. Queen's University Belfast
29. The University of Nottingham
30. University of Edinburgh
31. Canterbury Christ Church University
32. Bath Spa University
33. University of Bath
34. Sheffield Hallam University
35. Newcastle University
36. University of Essex
37. London School of Hygiene and Tropical Medicine
38. Birmingham City University
39. Edinburgh Napier University
40. London South Bank University
41. Plymouth Marjon University
42. Robert Gordon University
43. SOAS, University of London
44. University of Bristol
45. University of East London
46. University of Hertfordshire
47. University of Salford
48. University of Strathclyde
49. University of York
50. Manchester Metropolitan University

Those 27 universities with above average level of free speech episodes and which uphold the trio of instruments in the diversity bureaucracy:

1. University of Liverpool
2. Coventry University
3. Queen Mary University of London
4. University College London
5. University of Exeter
6. Goldsmiths, University of London
7. University of Central Lancashire
8. University of East Anglia
9. University of Huddersfield
10. University of Southampton
11. University of the West of England, Bristol
12. University of Cambridge
13. The University of Manchester
14. University of Leicester
15. Royal Holloway, University of London
16. University of Warwick
17. Durham University
18. King's College London
19. University of Edinburgh
20. University of Birmingham
21. Sheffield Hallam University
22. Newcastle University
23. The London School of Economics and Political Science
24. City, University of London
25. University of Aberdeen
26. University of Bristol
27. University of Kent