



UNIVERSITY OF
PORTSMOUTH
CENTRE FOR
ACADEMIC AND
DIGITAL INNOVATION

FREEDOM OF SPEECH SCENARIOS





A QUICK FACILITATION FRAMEWORK: INTRODUCTION AND PURPOSE

This resource is intended as practical facilitation guidance for staff and is not a substitute for formal legal advice, University policy, or professional judgement in specific cases. As a general principle, we protect freedom of expression in the classroom and in our University, within the law. This means that colleagues and students can use evidence to argue robustly, but can't target individuals or groups with harassment, threats or incitement. We challenge ideas with evidence. We don't attack or victimise people. If things escalate, the discussion should be paused and the ground rules reset.

HOW MIGHT STAFF USE THESE SCENARIOS?

- As a guide to manage discussion and debate in the classroom;
- As a guide to stimulate debate among groups of students. You might give them a scenario and ask them to debate the various aspects while noting behaviours, challenges and positive outcomes. This could help your class prepare for future debates when they arise;
- As an exercise during team, module or course away days or meetings;
- As part of an exercise to support 'new-to-teaching' colleagues within faculties or schools.





SCENARIOS

SCENARIO 1: “PRONOUNS, GENDER IDENTITY AND COMPELLED SPEECH”

THE MOMENT

In a seminar on professional ethics, a student says:



“I refuse to use ‘they/them’. It’s ideological. It’s woke. I’ll only use biological sex terms.”

Another student responds:



“That’s transphobic. You’re making this unsafe.”

The room polarises; someone starts filming.

ANALYSIS

This scenario sits at the intersection of lawful expression that may offend and pose a harassment risk if it becomes targeted, repeated or humiliating. Universities must secure free speech within the law. At the same time, institutions must prevent harassment (including related to gender reassignment as a protected characteristic).

THE BOUNDARIES

- **Allowed:** debating concepts, policy, definitions; expressing gender-critical views without targeting individuals.
- **Not allowed:** conduct that crosses into harassment (i.e., unwanted conduct related to a protected characteristic that violates dignity or creates an intimidating or hostile environment).
- **Risk:** filming can freeze or hinder participation. You may need a “no recording without consent” agreement consistent with lawful policy.

THREE WAYS TO HANDLE IT

Option A: Facilitate and reframe

Say:

- “We can debate ideas and policy robustly. We don’t adjudicate anyone’s identity in this room.”
- “Let’s move from ‘you are...’ statements to ‘the argument is...’ statements, with evidence.” Then structure it: 2 minutes each side, then evidence check, then reflect.

Option B: Set a boundary about addressing classmates

Say:

- “You can discuss pronoun practice as a policy issue. You may not direct language at an individual that undermines their dignity.”

Option C: Pause and move to a safer format

Say:

- “I’m pausing this discussion. We’re moving to written anonymous questions and/or small groups with a facilitator in each.”
- “No recording. Phones away.”

FOLLOW UP

- Check in privately with students most affected; signpost support routes.
- Make a short note of what happened, what you did, and why (proportionality).
- If behaviour looked targeted/repeated, use the relevant reporting pathway for conduct/harassment (don’t “handle it alone”).



SCENARIO 2: "ISRAEL-PALESTINE, WAR AND ALLEGED HATE SPEECH"

THE MOMENT

A lecture turns to the war in Gaza/Israel.
A student says:



"All [in group X] are terrorists. All [in group Y] are colonisers. They deserve what they get."

Another student looks distressed and leaves; a third shouts :

"That's racist!"



ANALYSIS

War and politics are protected discussion spaces, but statements can tip into threatening or abusive public order territory or into stirring up hatred if they become threatening or intended to incite hatred (especially around religion). Institutions must protect robust debate but not unlawful speech.

THE BOUNDARIES

- **Allowed:** evidence-based critique of states, governments, ideologies; analysing propaganda; strong moral arguments.
- **Not allowed:** threatening or abusive expressions likely to cause harassment, alarm or distress in context; conduct amounting to harassment related to race or religion; threatening material intended to stir up religious hatred.

THREE WAYS TO HANDLE IT

→ Option A: 'Translate' to an analysable claim

Say:

- "That's a very broad claim. We try not to talk about entire nations, ethnicities, cultures, religions, or other groups as though every member is fundamentally the same".
- Can you restate it as a specific, evidenced argument about actors, policies or events?"

→ Option B: Name the boundary and redirect

Say:

- "We do not make blanket claims about whole ethnic or religious groups here. That risks harassment and creates a hostile environment." Then redirect to: "Let's focus on the effects or consequences that particular narratives, ideas, policies or behaviours can have on people".

→ Option C: Stop the line of speech

Say:

- "I'm stopping that. Threatening or abusive language is not acceptable in this classroom." Move to a break, then reset ground rules and offer support to those affected.

FOLLOW UP

- Email the cohort a short, neutral recap: what the intended learning outcome was, what ground rules apply, how to raise concerns.



SCENARIO 3: “DISABILITY DISCLOSURE, ‘REASONABLE ADJUSTMENTS’, AND STIGMA”

THE MOMENT

During a discussion on assessment fairness, a student says:



“I get extra time because of ADHD.”

Another responds:



“That’s cheating. People fake it. It’s blatantly unfair on everyone else. Any excuse seems to require an ‘adjustment’, but most adjustments are actually unreasonable and provide unfair advantage. Why should the University accommodate that? If you get extra time, so should the rest of us”.

The student who disclosed looks shaken.

ANALYSIS

This isn’t ‘just opinion’: it can quickly become harassment related to disability and can deter students from seeking support. A single incident can count as harassment, even if it never happens again.

THE BOUNDARIES

- **Allowed:** debating fairness models, what adjustments are for, what ‘reasonable’ means, how assessment design affects validity.
- **Not allowed:** comments that undermine dignity or create a hostile environment linked to disability.
- **Also:** you have a duty of care, so avoid turning an individual’s disclosure into a public ‘case study’.

THREE WAYS TO HANDLE IT

→ Option A: Protect the disclosing student, shift to principle

Say:

- “We won’t discuss any individual’s circumstances. Let’s stay at the level of principles and evidence.” Then give a micro-explanation: adjustments aim to remove barriers, not give advantage.

→ Option B: Use it as a teachable moment about stigma

Say:

- “Notice the assumption in ‘people fake it’. What evidence would we need? What harm can stigma cause?” Then set a boundary: “No questioning a peer’s legitimacy.”

→ Option C: Pause and repair

Say:

- “We need to pause. That comment risks creating a hostile environment.”
- Offer a short break, then return with a structured prompt and a reminder of respectful discourse.

FOLLOW UP

- Check in privately with the student who disclosed; signpost support.
- If a student persists in derogatory comments after boundaries are set, treat as conduct or harassment concern, not ‘debate style’.



SCENARIO 4: “EXTREMES: FAR-RIGHT AND FAR-LEFT, AND THE PREVENT TIGHTROPE”

THE MOMENT

In a seminar, a student says:



“Violence is the only way. People should be attacked and property should be destroyed to send a message.”



Another student counters with inflammatory rhetoric about ‘race replacement’ and ‘traitors’.

ANALYSIS

Universities are arenas for challenging extremist ideas, but you must also have due regard to preventing people being drawn into terrorism (Prevent). Free speech duties still require a presumption for lawful speech, but incitement, threats or encouragement of violence changes the legal calculus.

THE BOUNDARIES

- **Allowed:** discussing extremist ideologies, analysing radicalisation pathways, debating legality/ethics of civil disobedience.
- **Not allowed:** speech that becomes threatening or abusive in a way likely to cause harassment, alarm, distress or encouragement of violence in ways that cross legal lines (seek advice if unsure).
- **Prevent:** you balance duties; you don’t become an investigator in class. Prevent is intended to operate as a safeguarding and early support duty based on proportionality and professional judgement, rather than surveillance or the suppression of lawful debate.

THREE WAYS TO HANDLE IT

Option A: Distinguish analysis from advocacy

Say:

- “We can analyse arguments for and against political violence. We do not advocate harm. Frame your point as an analysis, not a call to action.”

Option B: Stop and reset when violence is promoted

Say:

- “I’m stopping this. Calls to harm people are not acceptable here.” Move to a break + structured task (‘map the legal and ethical arguments’ instead).

Option C: Escalate via safeguarding or the Prevent process

Say:

- After class (not performatively in front of students), document what was said and seek advice through the proper internal route for Prevent and safeguarding. The Prevent duty is about **due regard** and proportionate action, not surveillance.

FOLLOW UP

- Check in privately with the students who used the inappropriate language and engage in discussion with them about why calls to action are not permitted in our classrooms.
- If they persist in derogatory comments, or express additional support for violence or hate speech, even after boundaries are set, treat as conduct concern, not a classroom debate.
- Point these students to the relevant policies.



SCENARIO 5: “RELIGION, SEXUALITY, AND ‘I’M OFFENDED’ VS ‘YOU’RE SILENCING ME’”

THE MOMENT

In class, a student says:



“My faith says homosexuality is wrong.”

Another student responds:

“Your faith is backward, harmful and hateful. You are inciting hatred and you’re being discriminatory. You shouldn’t be allowed to say that here, or even be here.”



ANALYSIS

This is a classic collision: religion or belief and sexual orientation are both protected characteristics. Harassment law focuses on conduct and effect, not just whether someone is offended. Universities have to secure free speech within the law and ensure restrictions are lawful and proportionate.

THE BOUNDARIES

- **Allowed:** stating a belief, discussing doctrine, ethical debate, if expressed in ways that don’t target or demean classmates.
- **Not allowed:** hostile, degrading, humiliating conduct related to sexual orientation or religion that meets harassment threshold.
- **Classroom norm:** critique ideas; avoid labelling peers as ‘hateful’ or ‘bigots’.

THREE WAYS TO HANDLE IT

→ Option A: Convert to an academic question

Say:

- “Let’s separate: (1) the right to hold and express beliefs; (2) how we treat people in professional settings.” Then prompt: “What are professional duties of respect and non-discrimination, regardless of belief?”

→ Option B: Set a speech boundary without banning the viewpoint

Say:

- “You may discuss your belief. You may not direct it at individuals in a way that undermines dignity.”
- “You may disagree strongly. You may not tell others they ‘shouldn’t be allowed’ to speak if the speech is lawful.”

→ Option C: Pause for wellbeing and safety

Say:

- “We’re taking five minutes. If you need to step out, please do. I’ll check in after.” Return with structured debate rules and a reflective writing task.

FOLLOW UP

- Offer students a way to raise concerns confidentially.
- If anyone experienced targeted treatment, handle as a conduct concern, not ‘just robust debate’.



SCENARIO 6: “UNIVERSITIES ONLY WELCOME LEFT-WING VIEWS!”

THE MOMENT

In a tutor-SSA meeting, a student states that they feel out of place and ostracised because of their political beliefs. They are supporters of Reform and have read that universities tend to be dominated by left-wing academics. They feel their tutors are judging them when they express those views and they are worried they will be marked down on their assignments if they express those views. As a PAT or SSA, how do you support this student?



ANALYSIS

It is not uncommon for our students to have such concerns. Our NSS survey results tell us that around 10% of our students do not feel free to express their views and beliefs. This student must be, and feel, free to express their political views. They cannot be subject to discrimination for their beliefs.

THE BOUNDARIES

- **Allowed:** holding and stating lawful beliefs; criticising other beliefs and ideologies. Protection extends to beliefs and views that may be offensive to some or considered extreme.
- **Not allowed:** political beliefs that advocate violence or destruction of the rights of others; political beliefs that advocate racial supremacy, especially where beliefs cross over into behaviours or activities that are violent or violate the rights of others.
- **Meeting norm:** listen, understand, do not judge and be mindful of professional boundaries. Do not share your own views.

THREE WAYS TO HANDLE IT

Option A: Help the student understand their rights and the University's position on freedom of expression and free speech

Say:

- “We support freedom of expression and you have the right to express lawful views and question ideas, even where opinions may be controversial or unpopular. We want to create an environment where students can explore different perspectives safely, thoughtfully, and with respect for the rights and dignity of others”. Point to the policies that help them understand their rights: [Code of Practice on Freedom of Speech and expression](#).

Option B: Ask the student how they have been affected and direct them to support

Say:

- “It’s understandable to feel concerned if you think you may be judged unfairly, so it would be useful to talk through any specific experiences you’ve had. Universities are places where students encounter a range of perspectives, and academic discussion often involves challenge and disagreement, but that should remain respectful and evidence-based. If you would like, we can also discuss ways to approach political topics confidently within academic assignments or I can direct you Academic Skills support to talk about how to develop, and evidence, your arguments.”

Option C: Support but don’t engage in a debate

Say:

- Don’t debate the legitimacy of the student’s political beliefs or confirm sweeping claims about universities being ideologically uniform. Don’t become defensive about academia. Focus on reassurance, building confidence and ensuring the student is engaged or re-engaged with learning.

FOLLOW UP

- Check in with the student regularly and offer continued support, if needed;
- Ensure that the student is aware that the SU advocates for students, supports their freedom of expression and could be a place where the student might connect with like-minded individuals;
- If needed, ensure that the student is aware of the University’s complaints policy.



A 'TRAFFIC LIGHT' DECISION PROMPT FOR STAFF

GREEN (FACILITATE):

controversial but idea-focused, not targeting individuals; evidence-based disagreement.

Presumption: allow lawful speech.



AMBER (STRUCTURE):

sweeping generalisations, rising hostility, and personalisation beginning.

Action: reframe, structured turn-taking, remind ground rules.



RED (STOP AND ESCALATE):

threats, encouragement of violence, targeted degradation, repeated intimidation, credible safeguarding or Prevent concern.

Action: stop, document, seek advice through proper routes.



A SUMMARY OF TOOLS AVAILABLE FOR SUPPORTING FREEDOM OF EXPRESSION IN THE CLASSROOM

- Set expectations at the start of the module. You may want to consider a 'contract' for students if your module regularly touches on controversial, triggering or challenging subjects.
- Slow the discussion down if it gets heated. Pause, take a moment to restate the debated points and clarify the purpose of the discussion.
- Don't be hesitant about 'resetting'. It's ok to suggest a five-minute break or to stop a discussion and restate expectations or reset boundaries.
- Actively notice behaviour in the classroom: are some people looking uncomfortable or upset; are students hesitating about speaking up? These silent behaviours can help you ensure all voices are heard in a debate and decide when a break or reset might be needed. Remember the aim here is not to end the discussion or suppress speech but rather to ensure balance and vibrant debate.
- Consider your authority and position in the classroom. Think about when and how to contribute your own views to a debate. Remember that students can often think that the tutor's view is the one they are 'expected' to hold or that they may be marked down in an assignment for expressing views that run counter to those stated by their tutor.
- Help students to understand how evidence can support an argument and ask them to consider the evidence for their views.
- Emphasise the importance of critical thinking throughout your module.
- Signpost support when and where needed.



USEFUL POLICIES AND RESOURCES

- [Student Complaints Procedures](#)
- [Code of Practice on Freedom of Speech and Expression](#)
- [OfS Guidance on Freedom of Speech](#)