

9 November 2020

Gavin Williamson
Secretary of State
Department for Education
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Email: sec-of-state.ps@education.gov.uk

Dear Mr Williamson

Adoption of IHRA definition of anti-Semitism by UK universities

I am writing in relation to your recent statement about the adoption of the International Holocaust Remembrance Alliance (IHRA) definition of anti-Semitism by universities, and the threat of sanctions against institutions who fail to formally adopt the definition by the end of this calendar year.

I would like to begin by saying that I absolutely share your commitment to tackling all forms of anti-Semitism in higher education and working to ensure that UK universities are safe and inclusive places for Jewish staff and students. The University and College Union (UCU) opposes all forms of prejudice, harassment and oppression, and is fully committed to challenging behaviour that seeks to divide people on the grounds of race, gender, religion, sexual orientation, disability or other personal characteristic.

I am, however, concerned about the nature of your recent intervention on this matter. The statement in your letter to vice chancellors that you are considering "directing the OfS to impose a new regulatory condition of registration and suspending funding streams for universities at which anti-Semitic incidents occur and which have not signed up to the definition" appears to contradict your repeated assertions about the importance of university autonomy and the need for stronger protections for both freedom of speech and academic freedom.

It is vitally important in a democratic society that higher education providers have freedom within the law to question and test received wisdom, and express controversial or unpopular opinions. The IHRA definition is widely used but it, along with the examples which accompany it, is not uncontested. Effectively imposing its formal adoption on providers, rather than encouraging institutions to make independent assessments about how to reference it in a way that is appropriate for

them, poses a real threat to the ability of institutions to exercise the principles of academic freedom effectively and risks setting a damaging precedent.

Furthermore, I am concerned that this action will not, in fact, achieve the aims it is designed to accomplish. Adoption of the IHRA definition will not in and of itself address the problem of anti-Semitic behaviour. A number of institutions have stated that they do not believe that the adoption of the IHRA definition is a necessary step because they already have robust processes in place to address anti-Semitic incidents. The need for a zero-tolerance approach to anti-Semitism within higher education is not in question, but the idea that this hinges upon the formal adoption of this specific definition is.

UCU will continue to challenge institutions to ensure that they have robust procedures in place to deal with anti-Semitism. As you say in your letter, it is incumbent upon providers to show that they take this issue seriously. We do, however, believe that there are more constructive ways of achieving this shared objective than the threatened imposition of sanctions on institutions.

I would welcome the opportunity to discuss this issue with you further.

Notes

Section 77 of the 2017 Higher Education and Research Act clearly states that in giving directions to the Office for Students, the Secretary of State must have regard to the need to protect institutional autonomy. Furthermore, Section 36 of the Act states that the Office for Students must have due regard to academic freedom when considering access and participation.

Section 5(5) of the 2017 Act requires that the OfS undertakes appropriate consultation on any proposed new registration condition with relevant sector representative groups

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jo Grady'. The signature is written in a cursive, slightly slanted style.

Dr Jo Grady
General Secretary