

*These notes refer to the Counter-Terrorism and Security Act 2015 (c.6) which received Royal Assent on 12 February 2015*

# **COUNTER-TERRORISM AND SECURITY ACT 2015**

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## **EXPLANATORY NOTES**

### **PART 5: RISK OF BEING DRAWN INTO TERRORISM ETC**

#### *Commentary on Sections*

#### *Chapter 1: Preventing people being drawn into terrorism*

#### *Section 31: Freedom of expression in universities etc*

198. *Subsection (2)(a)* requires any specified authority which is the proprietor or governing body of a higher and further education institution referred to in *subsection (1)* to have particular regard to the duty to secure freedom of speech imposed by section 43(1) of the Education (No. 2) Act 1986 (if they are subject to that duty), when carrying out the Prevent duty. *Subsection (2)(b)* requires institutions to have particular regard to the importance of academic freedom as described in section 202(2)(a) of the Education Reform Act 1988 (if they are “qualifying institutions” within the meaning of section 202(3) of the 1988 Act) when carrying out the Prevent duty. This section also places a duty on the Secretary of State to have particular regard to the freedom of speech duty and the importance of academic freedom when issuing guidance or when giving directions to these educational bodies.