

## Handout 1: Sources for teaching controversial issues, and official guidance

### The legal context

In relation to 'freedom of expression', the Equality and Human Rights Commission (EHRC) provides the following advice:

- 1 Freedom of expression is a fundamental right protected under the [Human Rights Act](#) (1998) and under British common law.
- 2 This can extend to the expression of views that may shock, disturb or offend the deeply held beliefs of others.
- 3 Any restrictions must always be set out in law and be proportionate.
- 4 Freedom of expression can be limited and in particular does not protect statements that discriminate against or harass, or incite violence or hatred against, other persons and groups, particularly by reference to their race, religious belief, gender or sexual orientation. (The relevant legal acts in relation to this point are the [Public Order Act 1986](#) and the [Racial and Religious Hatred Act 2006](#).)
- 5 No one can rely on the human right to freedom of expression to limit or undermine the human rights of others.
- 6 It is not always easy to draw the boundary between freely expressing intolerant or offensive views and hate speech. In making the distinction, the speaker's intention, the context, the audience, the particular words used and form of communication will all be taken into account.
- 7 Freedom of expression is protected more strongly in some contexts than others. In particular, a wide degree of tolerance is accorded to political speech and debate during election campaigns.
- 8 It is nonetheless a criminal offence to stir up hatred on racial or religious grounds or on the ground of sexual orientation. Offensive or insulting language may also constitute harassment.
- 9 In addition to the criminal law, the law provides additional protection against offensive or harassing conduct, including employment, service delivery and education.
- 10 Public bodies are also subject to particular duties which require them to promote good relations between different communities protected by equality law. This may require them actively to prevent or challenge the use of offensive communication. (The relevant Act in this context is the [Equalities Act](#))

<https://www.equalityhumanrights.com/en/freedom-express/top-ten-things-you-need-know-about-freedom-expression-laws> (last updated May 2016)

Teachers are also constrained by the duty to comply with Sections 406 and 407 of the **Education Act 1996**, which forbids ‘the promotion of partisan political views’ and confers on schools a duty to ‘secure that where political issues are brought to the attention of pupils... they are offered a balanced presentation of opposing views.’

The **Prevent duty** from the Department for Education (2015) advises that ‘... schools should provide a safe space in which children, young people and staff can understand the risks associated with terrorism and develop the knowledge and skills to be able to challenge extremist arguments.’ (p. 5)

<https://www.gov.uk/government/publications/protecting-children-from-radicalisation-the-preventduty>

## Links to further guidance on teaching controversial issues

### Citizenship Foundation

[http://www.citizenshipfoundation.org.uk/lib\\_res\\_pdf/0118.pdf](http://www.citizenshipfoundation.org.uk/lib_res_pdf/0118.pdf)

**The Prevent Duty and Teaching Controversial Issues: creating a curriculum response through Citizenship**, published by the Association for Citizenship Teaching, 2015

<http://www.teachingcitizenship.org.uk/resource/prevent-duty-and-controversial-issues-creating-curriculum-response-through-citizenship>

### Teaching Controversial Issues – advice from Oxfam

<http://www.oxfam.org.uk/education/teacher-support/tools-and-guides/controversial-issues>

**Advice from the Geographical Association (GA) on teaching controversial issues:**

<http://www.geography.org.uk/gtip/mentoring/geography/teachinggeography/valuesandcontroversialissues/#top> (You will need to become a member to access some of this material.)

### Amnesty International – Teaching Controversial Issues

[https://www.amnesty.org.uk/sites/default/files/teaching\\_controversial\\_issues\\_2.pdf](https://www.amnesty.org.uk/sites/default/files/teaching_controversial_issues_2.pdf)

## Critical thinking tools and handbooks

### Support for critical thinking from the Geographical Association (GA) and SSAT

Website: <http://www.geography.org.uk/projects/critical-thinking-in-geography>

British Council CPD programme (with GA, HA, and SSAT): **FREE Connecting Classrooms training** on critical thinking, available course-based or located in your school or network, and the chance to share practice through a linked overseas school visit.

<http://www.geography.org.uk/projects/critical-thinking-in-geography/free-training-package-in-critical-thinking/>

**Tackling Controversial Issues in the Citizenship Classroom – produced in Ireland**

<http://www.ubuntu.ie/media/controversial-issues.pdf>

**Oxfam Global Citizenship Guides:** <http://www.oxfam.org.uk/education/global-citizenship/global-citizenship-guides>

**Teaching Controversial Issues at Key Stage 3, Council for the Curriculum, Examinations and Assessment (CCEA), Northern Ireland Curriculum, 2015**

[http://ccea.org.uk/sites/default/files/docs/curriculum/area\\_of\\_learning/CCEA\\_Controversial\\_Issues.pdf](http://ccea.org.uk/sites/default/files/docs/curriculum/area_of_learning/CCEA_Controversial_Issues.pdf)

**Teaching Controversial Issues Through Education for Democratic Citizenship and Human Rights (EDC/HRE) – Training Pack for Teachers Council of Europe 2015**

<http://pjp-eu.coe.int/en/web/charter-edc-hre-pilot-projects/teaching-controversial-issues-developing-effective-training-for-teachers-and-school-leaders>

**Facing History and Ourselves** [www.facinghistory.org/resource-library/teaching-strategies](http://www.facinghistory.org/resource-library/teaching-strategies) –

ideas and strategies that might be useful in helping young people process the attack in London, March 2017, to help them wrestle cognitively with what happened, perhaps beginning with a [K-W-L chart](#). Activities such as [save the last word for me](#) and [learn to listen, listen to learn](#) are particularly useful.

**Historical Association – The TEACH Report (Teaching Emotive and Controversial Issues)** [http://www.history.org.uk/resources/resource\\_780.html](http://www.history.org.uk/resources/resource_780.html)

## Further reading

Roberts, M. (2013) *Geography Through Enquiry: Approaches to teaching and learning in the secondary school*, chapter 12, Sheffield: The Geographical Association (available through the GA online shop [www.geography.org.uk/shop](http://www.geography.org.uk/shop))