

19. CODE OF PRACTICE RELATING TO MEETINGS ON UNIVERSITY PREMISES AND FREEDOM OF SPEECH

This Code of Practice is included in the Regulations booklet to ensure its wide dissemination; it applies to students and staff of the University alike.

PREAMBLE

The Council of the University believes that the tradition of free speech within the law has been well maintained in the University. However, in pursuance of its duties as laid down in Section 43 of the Education (No 2) Act 1986, the Council of the University at its meeting on 10 July 1987 hereby enacted the following Code with a view of promulgating steps which are reasonably practicable to ensure that freedom of speech within the law is secured for members, students and employees of the University and for visiting speakers.

In addition to the long standing tradition of tolerance and respect for the views of others which characterises higher education, breaches of the provisions of this Code of Practice constitute

misconduct under Regulation 7.4. This Regulation is incorporated into the contract between the student and the University at registration. The Council takes the view that academic and non-academic staff are under an implied duty of a similar character by virtue of their contracts of employment.

I PRINCIPLES

1. So far as is reasonably practicable, no premises of the University shall be denied to any individual or body of persons on any grounds connected with:

- (a) the beliefs or views of that individual or of that body; or
- (b) the policy or objectives of that body.

The University must also take account of other legal obligations which may require it to have regard to what is said on its premises. (A speaker, for example, who incites an audience to violence or to breach of the peace or to racial hatred transgresses the bounds of lawful speech. Equally, assemblies of persons, even if directed to lawful purposes, cease to be lawful if they cause serious public disorder or breaches of the peace.)

II PROCEDURES

2. (a) By the authority of the Council of the University the following procedures must in future be followed by members, students and employees of the University in respect of:

- (i) meetings or any other activities which are to be held on premises of the University falling within the class of meetings specified in paragraph 3 below; and
- (ii) the conduct required of all persons in connection with any such defined meetings or activities; and
- (iii) any other related or ancillary matters which the Council of the University from time to time declares to fall within this Code. (See paragraphs 4(v) and 5 below.)

(b) Infringements of, or departures from, these procedures in whatever respect will render those responsible subject to disciplinary proceedings as laid down by the University authorities.

(c) Additionally, if any such actions involve breaches of the law the University authorities will be ready to assist the prosecuting authorities to implement the processes of law and if charges are preferred, will stay disciplinary proceedings pending the outcome of any such proceedings.

(d) The Council of the University, in laying down the following, appoints the Registrar of the University ('the appointed officer'), who shall act on its behalf to ensure as far as is reasonably practicable that all members, students and employees of the University, and visiting speakers, comply with the provisions of this Code.

3. Meetings or other activities to which this Code applies

Any meetings or other activities where the appointed officer has reasonable grounds for believing that there is a real likelihood that the speaker may not be able to enter or leave the building safely

and/or deliver his or her speech will be deemed to fall within the requirements of this Code.

4. Preparation for and conduct of meetings etc. on University premises

- (i) This section applies to any meetings or activities falling within the meaning of paragraph 3 above.
- (ii) The organisers of any such event shall ensure that a single person is appointed as principal organiser of the event.
- (iii) The principal organiser of such an event shall ensure that at least two weeks before the date proposed for the event notice of the proposal is given to the appointed officer. Such notice shall contain a written statement of the name of the speaker, the subject of the address and the precise timing of arrival and departure of the speaker.
- (iv) Within two days (not including a Saturday or a Sunday) of receiving such notice the appointed officer shall issue a statement which shall either grant or withhold permission for the use of University premises as proposed for the conduct of the event and which will state the reasons for the decision (see paragraph 6 below).
- (v) Permission so granted may be granted subject to such conditions as the appointed officer considers reasonably necessary to secure fulfilment of the University's statutory responsibilities concerning the protection of the speech within the law (see paragraph 5 below).
- (vi) The principal organiser and every other person concerned with the organisation of an event for which permission has been granted shall be required to comply with any and every condition laid down by the appointed officer under the provisions of this Code. Such conditions may include a requirement that tickets must be issued for public meetings, that attendance be confined to members and staff of the University and that an adequate number of stewards should be available, as to whose suitability the appointed officer must be satisfied, in addition to any security staff that the appointed officer may feel should be present to maintain order (see paragraph 5 below).
- (vii) The University will normally supply and pay the cost of a public address system and/or relay system to an additional hall if there is reasonable cause to consider either of these necessary to enable a meeting to take place within adequate hearing for the speaker.
- (viii) Organisers have a duty to see that nothing in the preparations for or conduct of a meeting or activity infringes the law, e.g. by conduct likely to cause a breach of the peace or incitement to illegal acts.
- (ix) The person chairing the meeting has a duty so far as possible to secure that both the audience and the speaker act in accordance with the law during the meeting. In case of unlawful conduct the chair is required to give appropriate warnings and, in case of continuing unlawfulness, to require the withdrawal or removal of persons concerned by the stewards or security staff. The chair of the meeting has a discretion to adjourn the meeting and to require all persons present to leave the lecture room.
- (x) No article or objects likely to lead to injury or damage may be taken inside the building where the meeting is taking place, or taken or used elsewhere on University premises
- (xi) Premises used for meetings or activities must be left in clean and tidy conditions in default of which the organisers may be charged for any additional cleaning and repairs that are subsequently required. Payment in advance or evidence of ability to pay towards these costs may be required.

(xii) The conditions prescribed by the appointed officer under subsection (v) above and paragraph 5 below may include conditions concerning the admission or exclusion of external press, television or broadcasting personnel.

5. In addition to the conditions set out in paragraph 4 above the appointed officer has discretion to lay down further conditions, if appropriate, after consultation with the police. Thus the appointed officer may, for example, require the designated meeting or activity to be declared public (which would permit a police presence); may arrange for University staff to be responsible for all security arrangements connected with the meeting or activity and appoint a member of staff as 'controlling officer' for the occasion. If not satisfied that adequate arrangements can be made to maintain good order the appointing officer may refuse or withdraw permission for the meeting or activity. Such a step would normally only be taken on the advice of the police.

6. Appeals against the rulings of the appointed officer in relation to the withholding of consent for a meeting or the imposition of conditions under which a meeting may be held may be made to the Vice-Chancellor whose decision shall be reported to the next meeting of the Council of the University.

1st August 2006