

Code of Practice to ensure Freedom of Speech



Preamble

Under the Education (No.2) Act 1986, although there is no legal obligation on the University to permit meetings, the University is now legally required to take such steps as are reasonably practicable to ensure that freedom of speech within the law is secured for members, students and employees of the establishment and for visiting speakers.

Furthermore, the use of any University premises is not to be denied to any individual or body of persons on any ground connected with their beliefs or views or their policy or objectives. The University on the other hand is under no legal obligation to hold meetings on the campus which are open to the outside public, and is required to operate within the terms of its Charter and Statutes.

An atmosphere of free and open discussion which is so essential to the life and work of the University is only possible if everyone involved behaves in a tolerant manner and avoids actions and language which are needlessly offensive and provocative. It is an offence to disrupt any meeting properly authorised to take place within the University (see General Regulations for students V(2)).

The maintenance of order to allow the proper conduct of lectures and seminars is also covered by the same Regulation and is covered by existing disciplinary procedures. (Research Seminars and Staff/Students Postgraduate seminars are included in this category).

This Code of Practice has been issued by the University Council pursuant to S.43 of the Education (No.2) Act 1986, to set out the procedures to be followed by members, students and employees in connection with any meetings where issues relating to the freedom of speech may arise. The Code of Practice is binding on all members, students and employees of the University, and the University may, through the Vice-Chancellor, a Pro-Vice-Chancellor or the Secretary of the Council in their discretion require any or all of the procedures set out in it to be applied to any meeting, whether or not designated as controversial.

Procedures

1. Any meeting at which it is anticipated by the University authorities that there may be difficulties regarding inter alia access to and exit from the premises, safety and orderly conduct, and proper delivery of speeches, by reason of the subject matter, the identity of speakers or related circumstances, may be designated for convenience or reference as a controversial meeting (referred to in this Code of Practice as a 'designated meeting').

2. Since the preparations which may be necessary or advisable to ensure the freedom of speech, safety, orderly conduct etc normally take some time to arrange, in the case

of designated meetings, and may do so in the case of some other meetings too, members, students and employees of the University wishing to arrange any meeting at which there are to be one or more principal speakers must give as much notice as possible, and in any case not less than 21 clear days' notice, of the date, time, identity of speaker(s) and any other relevant details to the University or College office through which room bookings are requested.

In the case of clubs or societies which have regular programmes of speakers, the University, through the Vice-Chancellor, a Pro-Vice-Chancellor or the Secretary of the Council may require the use of special procedures for notification, which will also require not less than 21 clear days' notice of all the details mentioned above.

Furthermore, requests to book rooms in College buildings for meetings of a political nature at which there will not be any principal speaker(s) must be received by the Master of the College concerned at least 14 clear days before the proposed date of the meeting.

3. It is the responsibility both of those who organise meetings and of those who accept room bookings to ensure that the question whether a meeting should be designated as controversial has been properly considered in good time by the appropriate University authorities. For this purpose:

- (a) the organisers of a meeting, if they have any reason to think that the description on paragraph 1 above may apply, should seek a ruling either direct from the Secretary of the Council or through a Pro-Vice-Chancellor as soon as possible, and in any case give at least 21 days' clear notice. Organisers may, if they wish, without consulting the Secretary of the Council concede that a meeting should be designated controversial. In this case they should clearly and prominently indicate this fact in writing to the office receiving the room booking.
- (b) Masters of Colleges should inform the Secretary of the Council of meetings which they think it may be desirable to designate as controversial (whether or not the Secretary of the Council has already been consulted by the organisers).
- (c) Members of staff who receive a room booking for a meeting involving outside speakers must ascertain immediately whether the Secretary of the Council will designate the meeting as controversial. If the organisers have conceded the designation without consulting the Secretary of the Council, the latter should be informed immediately by the office receiving the room booking.

Appeals against the Secretary of the Council's ruling may be made to a Committee appointed by Council to deal with these matters. This Committee may also hear appeals on other questions relating to freedom of speech, including decisions that particular meetings should not take place. The Committee's decision in all cases shall be final.

4. As soon as a meeting has been designated as controversial, a Controlling Officer for the meeting shall be nominated by the Vice-Chancellor or his deputy. In the case

of a meeting to be held in College premises, the Master of the College will normally be the Controlling Officer.

5. The organisation arranging the meeting must designate a named member of the University who will act as the channel of communication with the Controlling Officer and be responsible for ensuring compliance with requirements under this Code of Practice, the University's Charter, Statutes, Ordinances and Regulations, and the law.

6. The Controlling Officer shall have the absolute discretion to lay down conditions on the matters dealt with in this Code of Practice, and after discussing the arrangements with the nominated representative of the organisers, will communicate in writing the precise conditions to be observed.

Only when the organisers' written acceptance of these conditions has been received by the Controlling Officer may the meeting proceed. If the Controlling Officer is nevertheless not satisfied that the conditions will be met, he or she may cancel the meeting after consultation with the Vice-Chancellor. This will however be done only in exceptional circumstances, e.g. following advice from the local police.

7. A designated meeting shall not be advertised without the Controlling Officer's prior approval, and the wording of notices or leaflets advertising the meeting shall be subject to approval by the Controlling Officer, who may require their amendment or withdrawal.

8. Designated meetings that are held on University premises will only exceptionally be open to the public. The audience may include guests who are not members of the University, provided they have been individually invited by the organisers, or by members of the University who are members of the body organising the meeting. Anyone who invites such guests will be answerable to the University authorities for their behaviour at all times.

The Controlling Officer may require the organisers of meetings to admit to their meetings only those whose identity they know. Such admission may be controlled either by ticket, by identity card, or by both, as required by the Controlling Officer. This checking process may be extended under certain circumstances to access to the building where the meeting is taking place rather than the door or the meeting room itself. The access and departure route of the speaker shall be decided by the Controlling Officer.

9. Organisers must supply the names and addresses of their stewards (including the chief steward). The Controlling Officer may specify the number of stewards required and must be satisfied as to their suitability.

10. Organisers may make reasonable admission charges if necessary to cover the cost of stewards or liabilities to the University such as cleaning.

11. If the Controlling Officer considers that certain senior members of the University should be present at any meeting in order to help maintain order they must be admitted.

12. The University will normally supply and pay the cost of a public address system and/or a relay system to an additional hall if either of these is thought necessary. Organisers must provide stewards for overflow meeting rooms also.

13. Organisers have a duty to see that nothing in the preparations for or conduct of a meeting infringes the law e.g. by conduct likely to cause a breach of the peace or incitement to illegal acts.

13. If a speaker appears to infringe the law during the meeting, the Chairman of the meeting has a duty to warn him, if he persists, to close the meeting.

14. No food or drink, alcoholic or otherwise, or any receptacles, containers or other implements which could be used as missiles may be taken into a meeting. Stewards and Porters may remove any of these that they consider could be misused.

Banners or flags attached to poles must not be taken inside the building where the meeting is taking place, and must not be taken or used anywhere on University land in circumstances likely to lead to injury or damage. Rooms must be left in a clean and tidy condition after the meeting. Organisers may be charged for any additional cleaning that is necessary afterwards. Payments in advance or evidence of ability to pay may be required.

15. The admission of the press, radio and television to any meeting governed by this Code of Practice shall require the prior approval of the Controlling Officer.

16. The Chairman of the meeting is responsible (subject to the overall responsibility of the Responsible Person for the building under the University's Safety Policy) for ensuring that while the audience is assembling, meeting and dispersing, the Fire Regulations are observed. (Information on the Fire Policy may be obtained from the relevant Master for Colleges and for other buildings from the Safety Officer).

17. Under normal circumstances, the Chairman of the meeting shall decide whether conditions inside the meeting are such that its proceedings can continue or must be terminated. This decision can be overruled, however, by the Controlling Officer, or, if he or she is absent from the room, by his or her nominee if it is felt that there is risk to the safety of the speaker or members of the University or invited people from outside.

The Controlling Officer, and his or her nominee, shall also be authorised, if necessary, to summon assistance from the police. The Controlling Officer or his or her nominee inside the meeting is empowered to stop the meeting if illegal statements are being made.

18. All meetings in the University, whether or not designated as controversial, are governed by such University and College rules, regulations and booking procedures as may be in force from time to time. The provision of this Code of Practice shall, where applicable, prevail over such rules, regulations or procedures in the event of conflict.

19. The University reserves the right

- (a) to decide which room(s) shall be used for a particular meeting and to take any other decision which may be necessary to protect the safety of people, property or premises;
- (b) to waive requirements of this Code of Practice at its sole discretion in individual cases where it is considered that freedom of speech is not at risk;
- (c) to restrict designated meetings organised by an individual person or group if, in its opinion, their frequency or timing would put an unreasonable burden on the resources of the University.

20. Organisers of meetings are advised that room bookings and/or consultation with the Secretary of the Council should always take place at the earliest possible date. Bookings may have to be refused, even where the minimum times are complied with, if there is insufficient time in which to complete the necessary arrangements and procedures (including inter alia any appeal against designation as controversial).

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