

## CODE OF PRACTICE ON FREEDOM OF SPEECH

### 1. General

- 1.1 This Code of Practice is established in compliance with the provisions of Section 43 of the Education (No 2) Act 1986. Its purpose is to ensure, as far as reasonably practicable, that freedom of speech within the law is secured for members, students and employees of the University, and for visiting speakers.
- 1.2 The Code has general application to all members, students and employees, to visiting speakers and to organisers of and persons attending meetings, or activities taking place on University premises (including events held in the open air or on premises designated for use by the Students' Union) or on premises hired by the University. It is the duty of all such persons to act in conformity with this Code.
- 1.3 For the purposes of this Code, "meetings and activities" include lectures, seminars, tutorials, committees, boards and/or events arranged as part of the teaching programme and meetings and activities which involve the participation of visiting speakers and/or other persons who are not members, students or employees of the University.

### 2. Principles

- 2.1 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 view of that individual or of that body; **or**
  - b) the policy or objectives of that body save where there is reason to believe that such individual or body of persons will commit an offence against the civil or criminal law (for example by incitement to violence or to racial hatred), or where the presence of such individual or body at those premises is reasonably considered to be likely to lead commission of such an offence or to cause damage to those premises.
- 2.2 This Code is designed to ensure that all duly-authorized meetings and activities will proceed without disruption, without access or exit of speakers or audience being improperly impeded, without the safety of those attending being endangered, without intimidation and without breach of the peace.

- 2.3 Should there be a reasonable likelihood that the requirements of Paragraph 4 or 5 may not be met, or the Organiser of the meeting makes application under Paragraph 12 below, the Vice Chancellor or Deputy Vice Chancellors may designate a meeting or activity as "special", subject to the further conditions and control set out at Paragraphs 6 to 12 below.

### **3. Organisation of Events**

- 3.1 An individual person must be nominated to take responsibility as Organiser for all meetings and activities. The Organiser is responsible for making all arrangements for the events with the appropriate officers of the University.
- 3.2 In the case of events arranged as part of the teaching programme, the Organiser is deemed to be the academic member of staff responsible for that element of the programme or as determined by the Director of the School.
- 3.3 In the case of outside bodies, the Organiser is deemed to be the individual person by whom the Accommodation Application Form is signed. This individual is personally responsible for the observance and performance both of the Standard Terms and Conditions of Hire of Accommodation and/or Services, and of the particular provisions set out in this Code relating to events designated as "special".
- 3.4 Where events are arranged jointly by two or more bodies, a single Organiser shall be nominated who will accept responsibility on behalf of all organising bodies and who will sign the hiring application.

### **4. Conduct of Meetings and Activities**

- 4.1 At all meetings and activities:
- 4.1.1 The Organiser has a duty to see that nothing in the preparations for, or conduct of the event infringes the civil or criminal law or the principles of this Code of Practice. (The term "unlawful conduct" whenever it occurs in this Code of Practice shall be deemed to include conduct in breach of the civil law, the criminal law, or conduct which does not conform to the principles of the Code).
- 4.1.2 At the event itself, it is the duty of the person in charge (who may be the Organiser, the Chairperson or a person designated) to ensure that audience and speakers act in accordance with the law and the principles of this Code of Practice. In the event of unlawful conduct, the person in charge should give appropriate warnings and, if unlawful conduct continues, require the withdrawal of persons concerned or their removal by stewards or security staff as appropriate.
- 4.1.3 It is the duty of all persons attending to act in accordance with the law and to recognise and observe the rights of others to freedom of speech within the law.

- 4.1.4 In the event of a breach of this Code, every effort is to be made to identify offenders in order that appropriate action can be taken.
- 4.2 It is the responsibility of the Organiser of any meeting or activity to consider whether there are grounds for designation of the event as "special" in accordance with paragraph 6 above. If such grounds exist, the Organiser is required to apply in writing to the Vice Chancellor for permission to hold the meeting or activity under the rules relating to "special" events.
- 4.3 All applications in accordance with Paragraph 12 are to be received by the Vice Chancellor not less than two weeks prior to the proposed date of the event.
- 4.4 The application shall contain a statement of the intended purpose and nature of the proceedings and the name, subject of address and times of arrival and departure of any invited speaker(s), and if applicable, the reason why the meeting should be regarded as "special".
- 4.5 Without in any way reducing the responsibility of the Organiser to apply for permission to hold a meeting or activity under the rules of "special" events, the Vice Chancellor may:
- a) from time to time, issue directions that specific categories of meeting or activity are to be treated as "special" under these rules - for example, events to be attended by a minister of the Government of the day - and that Organisers are deemed to be making application for permission on that basis.
  - b) designate a particular meeting or activity as "special", even if such designation has not been sought by the Organiser.

## **5. Conditions and Controls for "Special" Meetings and Activities**

- 5.1 Permission for a "special" meeting or activity may be granted, subject to such conditions reasonably necessary to secure fulfilment of the University's statutory responsibilities concerning freedom of speech within the law.
- 5.2 The Organiser and every other person concerned with the organisation of an event for which permission is granted is required to comply with such conditions as may be laid down by the Vice Chancellor, in addition to complying with such conditions as apply to the generality of ordinary meetings and activities which take place on University premises.
- 5.3 By way of illustration, the special conditions might relate to such matters as restriction on attendance, control of entry, number and suitability of stewards, planning of entry/exit routes, timing, duration and location of event, restriction of alcohol availability in the vicinity, display of banners, flags, placards, etc., liaison and co-operation with police and control of press, radio and TV reporting facilities. In the case of the Students Union and its societies,

conditions might also relate to the employment of adequate security assistance by the Union and/or societies at their own expense.

- 5.4 The Organiser is required to satisfy the Vice Chancellor that all such conditions will be complied with. Permission to hold the meeting or activity may be refused or cancelled by the Vice Chancellor where assurance cannot be obtained.
- 5.5 The Vice Chancellor may nominate a Controlling Officer who shall have the right to be present on behalf of the University at a "special" event and who may issue directions to the participants if considered necessary.

## **6. Sanctions**

- 6.1 Offences against this Code may give rise to disciplinary action under the relevant disciplinary procedures; outside bodies may be refused any further bookings. In addition, information may be supplied to the police where there are grounds for believing that a breach of the criminal law may have taken place.

## **7. Recovery of Costs in Relation to "Special" Events**

- 7.1 The University may make charges to outside bodies to recover costs arising from additional staff attendance and security arrangements for "special" events.
- 7.2 The Students' Union and its recognised student societies will not normally be charged for the cost of additional University staff attendance and security arrangements, provided that the University's reasonable requirements have been complied with. However, the University reserves the right to place a limitation on the number of "special" events which any one society may hold in the course of a year.

## **8. Refusal to Authorise Event**

- 8.1 The Vice Chancellor has the authority to refuse facilities on the ground referred to in the proviso to Paragraph 4 above (incitement to violence, etc.) or Paragraph 19 (failure to meet conditions).
- 8.2 Nothing in this Code shall preclude refusal to accept a booking on administrative grounds, such as unavailability or suitable accommodation, inability to agree arrangements, past payment record, past behaviour record, inadequate notice, etc.