



Astron University

REG/87/155(5)

CODE OF PRACTICE:

**MEETINGS HELD ON UNIVERSITY PREMISES
AND FREEDOM OF SPEECH**

INTRODUCTION

Aston University is committed to maintaining a professional working and learning environment and to ensuring that any meetings held on University premises are conducted in a manner which protects the learning environment whilst maintaining the right to freedom of speech.

It is the University's desire and intention that freedom of speech should be upheld and that no speaker be prevented from exercising the freedom to express their beliefs or views, within the law. Members of the audience or other participants in a meeting are entitled to express their beliefs and views within the law and any speaker must be prepared to engage in a process of dialogue and discussion.

The Legislation

Under Section 43 of the Education (No. 2) Act 1986 the University is required to issue and regularly update a Code of Practice governing the procedures to be followed and the conduct required at meetings to preserve freedom of speech.

The University is 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' and that 'as far as reasonably practicable the use of University premises is not denied to any individual or body of persons on any ground connected with their beliefs or views, or their policy and objectives'. The University retains the right to define the conditions under which a meeting can be held and is not required to make available its premises to the public at large for the purpose of holding meetings there.

The University is also required to operate within the terms of its Charter and Statutes and to observe its other legal obligations. The holding of meetings or assemblies at which the right to lawful speech is transgressed is illegal and may render the organisers liable to prosecution for breaching the law. A speaker, for example, who incites an audience to violence or to a breach of the peace or to racial hatred, exceeds the bounds of lawful speech.

Article 19 of the Universal Declaration of Human Rights, adopted in 1948, states: 'Everyone has the right to freedom of opinions and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers'. It does not give individuals the right to promote racial hatred; to incite violence or to promote personally held views with no basis in fact that incite hostility, prejudice or hatred or to engage in any activity which is unlawful.

In 2007 the Government produced a guide, 'Promoting good campus relations, fostering shared values and preventing violent extremism in Universities and Higher Education Colleges'. The University endorses this document and supports its aim of wanting ...'our universities and colleges to be integrated communities where all staff and students are safe and secure, and free and open debate can take place.'

The University encourages the search for knowledge and the challenging of ideas and encourages this through open debate and discourse. It welcomes those who wish to share these values. The University will not support the promotion of ideas, concepts, or arguments that are in breach of the law. The University prizes academic freedom and freedom of speech and sees this as one of the ways of challenging views that promote hatred or incite violence.

Definitions for the purpose of this code of practice

Premises: Any part of the University estate.

Meeting: a meeting is defined for the purpose of this Code of Practice as any arranged gathering of staff, students, and members of the University or visitors for any purpose which is not part of an academic programme of study (lectures, seminars and tutorials) or official business of the University. This would include social events with an invited speaker/s and meetings arranged in the University by outside bodies.

Authorisation of meetings

1. Whenever members, students or employees of the University or an external organisation or private individual wish to organise a meeting on University premises the meeting Organiser is required to seek permission from the Chief Operating Officer or their nominee. For meetings to be held in the Aston Students Guild (The Guild), the Organiser is required to seek permission from the President of the Guild.
2. Any meeting held on University premises must have a designated Organiser who is responsible for the arrangements, and the conduct of, the meeting. The Organiser is required to provide written information on the date and time of the meeting, the name of the speaker, and the subject of the meeting.
3. **It should be noted that:** No meeting organised by a student will be permitted on University premises unless the student is acting as an agent of the Guild or one of its authorised clubs or societies or other organisations recognised by the University or the Guild.

4. If the Chief Operating Officer or the President of the Guild is satisfied that the meeting will not contravene the law and will allow freedom for debate or discussion, the meeting should be arranged using the agreed procedures for the booking of rooms and in accordance with any conditions which apply to these bookings.
5. If the Chief Operating Officer or the President of the Guild are not satisfied of this or considers that the meeting is, or has the potential to be unlawful or that its content could be considered to be controversial and damaging to the reputation or would make it difficult for the university to pursue its objectives as defined in the charter of statutes or to fulfil its legal and regulatory obligation the Chief Operating Officer has absolute discretion to refuse permission for the meeting. The Chief Operating Officer also has the authority to grant permission for a meeting to be held and to grant conditions relating to the way it is conducted. The Chief Operating Officer may take advice from the Police as appropriate before deciding to give or withhold permission.
6. The Chief Operating Officer will notify the Organiser in writing of any conditions to be applied to the meeting. The meeting may not proceed until the Organiser has provided written agreement to the conditions imposed.
7. Meetings which could be considered to be controversial will not normally be open to members of the public. The Chief Operating Officer has the discretion to decide whether the public shall be admitted to the meeting.
8. No meeting shall be advertised inside or outside the University without the prior approval of the Chief Operating Officer.
9. The organiser will be responsible at all times during the meeting for the behaviour of their invited guest. Admission to a meeting may be controlled by ticket, by identity card or both at the discretion of the Chief Operating Officer.
10. It is the responsibility of the Organiser to provide stewards for the meeting, where deemed appropriate. The Chief Operating Officer may decide the number of stewards necessary and their duties, how many of these must be members of the staff of the University and whether any external security agency will be allowed or required. The names and addresses of all stewards, who must be on duty throughout the meeting, must be notified to the Chief Operating Officer by the Organiser. The Organiser must consult the Police as to the security arrangements if the Chief Operating Officer so requires.

11. If the Chief Operating Officer considers that extra portering or external security services will be necessary, the Organiser may be required to pay the cost for this provision in advance of the meeting.
12. If the Chief Operating Officer considers that they, or their nominee, should be present at the meeting, they must be admitted.
13. The wording of any advertisement or notice of the meeting must be approved in advance by the Chief Operating Officer and must comply with the law and with the University's regulations. If the wording of any such advertisement is not in English, a translation must be provided within the advertisement.
14. The University retains the right to allocate the rooms to be used for meetings and the Chief Operating Officer will decide on the access and departure route(s) to be used by those speaking at and attending meetings which could be considered to be controversial.

CONDUCT OF THE MEETING

15. The Organiser of the meeting has a duty as far as is possible to ensure that the speakers and the audience at a meeting comply with the law; for example, it is unlawful to incite racial hatred, or to cause a breach of the peace.
16. Organisers who are applying for approval of a meeting must show that they can ensure adequate control of the event.
17. No speaker at a meeting on University premises shall be prevented from exercising the freedom to express their beliefs or views within the law. Any action by the audience which denies the speaker this freedom of speech is forbidden; such prohibited actions include verbal or physical intimidation, violence, and concerted attempts to render a speaker's words inaudible or to compel them to curtail the meeting.
18. Those present in the audience at any meeting are equally entitled to express their beliefs and views within the law; failure to provide an opportunity for the audience to engage in discussion or debate with the speaker or any actions to prevent this, such as those described in paragraph 21, is also prohibited.
19. In the case of unlawful conduct the Organiser is required to warn the speaker or members of the audience that their conduct is unacceptable and potentially unlawful and if they persist in this manner they will be escorted from the building or, if appropriate, the meeting will be terminated.

20. Should there be any risk to the safety of those present, or should the legal obligations, or the reputation of the University be jeopardised, the Organiser, in consultation with the Chief Operating Officer or their nominee, will decide whether conditions inside the meeting are such that it should be terminated. The Chief Operating Officer or their nominee may insist that the meeting be terminated and may also call for assistance from University Security and/or from the Police.
21. The admission of representatives of the press, radio and television is forbidden without the prior permission of the Chief Operating Officer.
22. The Organiser is responsible for ensuring that while the audience is assembling, meeting and dispersing, the Fire Regulations are observed. This information is available from the Fire Safety Advisor.
23. Flags, banners and any other item forbidden by the Chief Operating Officer must not be taken into the building where the meeting is to be held.
24. Premises used for meetings or activities must be left in a clean and tidy condition in default of which the organisers may be charged for any additional cleaning and repairs that are subsequently required.

APPEALS

25. Appeals against the decision of the Chief Operating Officer may be made in writing to the Vice-Chancellor, whose decision is final. The decisions of these appeals must, however, be reported to the next meeting of the University Council.

BREACH OF THE CODE OF PRACTICE

26. Any breach of this Code of Practice or of the room booking conditions may lead to disciplinary action being taken against individuals, under the Ordinance and Regulations or the Discipline of Students and the Disciplinary Regulations and Procedures for Members of Staff.
Any breach of this Code of Practice may also lead to future room bookings being denied to individuals or to organisations.
27. If any infringements involve breaches of the law, the University will assist the prosecuting authorities to implement the processes of law.
28. Any attempt to conceal the nature of a meeting or the identity of a speaker will be regarded as a breach of this Code of Practice.

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