CODE OF PRACTICE ON FREEDOM OF SPEECH

Amended by Council 14 October 1998
QUEEN MARY AND WESTFIELD COLLEGE
University of London

CODE OF PRACTICE ON FREEDOM OF SPEECH

1. Preamble

1.1 The Council of Queen Mary and Westfield College is required by section 43 of the Education (No.2) Act 1986 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 College and for visiting speakers, and to issue a Code of Practice to facilitate the discharge of this duty.

1.2 The Council accordingly issues this Code of Practice setting out the principles and procedures governing meetings and related activities within the College.

2. Principles

2.1 So far as is reasonably practicable, freedom of speech within the law will be secured for members and employees of the College and for visiting speakers, and the use of any premises will not be denied to any individual or body of persons on any ground connected with the beliefs or views of that individual or any member of that body, or the policy or objectives of that body.

2.2 The right to invite persons who are not members or employees of the College on to College premises rests exclusively with the Council, which may from time to time authorise persons or bodies within the College to extend such invitations, either by this Code of Practice or otherwise.

2.3 All meetings or other activities in the College are open only to members and employees of the College unless permission to open the meeting to other persons, either in particular categories or generally, has been given by the Principal, Secretary and Registrar, Head of Department or, in the case of student meetings, the President of the Students’ Union for meetings in the Students’ Union and the President of St Bartholomew’s and the Royal London School of Medicine, and Dentistry Students’ Association (hereafter ‘the Association’) for meetings on premises of the Association, as appropriate.

2.4 The College may draw up guidelines in connection with the letting of College premises or facilities to outside persons or bodies, and may in any particular case have regard to such matters as the suitability, adequacy and availability of the premises or facilities and the staffing requirements involved, but no regard will be had to the beliefs or views of the person or of any member of that body or to the policy or objectives of that body, and it shall be a condition of any contract of letting or hiring of College premises or facilities that the relevant provisions of this Code shall apply.

2.5 The College will take all reasonable steps to ensure that freedom of speech in the College is protected and promoted, but meetings may be subject to conditions or may even be cancelled if there is a real likelihood of injury to persons or damage to property or the committing of criminal offences which could not reasonably be prevented, or of harassment to individuals or groups.

2.6 These principles apply to all activities within the College, including special meetings, official events and regular teaching activities and to all College sites and premises including the Students’ Union, Association premises, Halls of Residence and Sports Grounds.
2.7 The Council in laying down this Code of Practice appoints the Secretary and Registrar to ensure on its behalf that as far as is reasonably practicable all members and employees of the College, visiting speakers and where applicable members of the public comply with the provisions of this Code.

2.8 It shall be a breach of this Code for any member or employee of the College to deny freedom of speech within the law on College premises or be knowingly involved in or to assist in any speech which infringes the law on College premises.

2.9 Breaches of this Code will constitute misconduct and will be dealt with under the appropriate arrangements in force at the time. In the case of students, this will be the Code of Discipline.

3. Authority to arrange meetings or invite speakers

3.1 The following are authorised to convene a meeting or extend an invitation to an outside speaker:

a) The Principal, who is also empowered to authorise any other person or group of persons to arrange a meeting or invite a speaker;

b) The President of the Students' Union who is also empowered to authorise such activity for properly constituted College-based clubs or societies recognised by the Students' Union; the President will be responsible for ensuring that such clubs or societies are made aware of the provisions of this Code;

c) The President of St Bartholomew's and the Royal London School of Medicine and Dentistry Students' Association who is also empowered to authorise such activity for recognised clubs and societies of the Association; the President will be responsible for ensuring that such clubs and societies are made aware of the provisions of this Code.

d) a body recognised by the College or approved by a Head of Department or the Secretary and Registrar;

e) any member of the academic or academic-related staff, having first notified the Head of Department.

4. Procedures

4.1 Where a meeting is organised by a body of persons, one person must be nominated as the principal organiser in order to simplify communication and liaison between the organisers and the College. In the case of meetings organised by a Students' Union club or society, the principal organiser shall be the club/society president or treasurer, who shall inform the President of the Students' Union in the case of bookings taking place on premises other than those controlled by the Students' Union. In the case of the Association, the principal organiser shall normally be the club/society treasurer who shall inform the President of the Association in the case of bookings taking place on premises other than those controlled by the Association.

4.2 Centrally booked lecture and seminar rooms required during the hours of 9am to 6pm, each weekday, of each semester, should be booked via the Timetabling Officer, in the Registry, using a 'Room Booking Form (Centrally Timetabled Rooms)'. Rooms and lecture theatres for meetings and other activities on College premises that are required during vacation periods, after 6pm weekdays, and during weekends, should be requested as far in advance as possible through the Marketing and Conference Office (using a CCRS booking form). Rooms to be used at any time for conferences or other commercial activities should be requested through the Marketing and Conference Office (using a CCRS booking form). Rooms in the Students' Union should be requested through the Union office. Rooms controlled by the Association should be requested through the Association office. All rooms are
subject to availability and the College may designate certain rooms for specific meetings or other activities, and may levy charges depending on the facilities and staffing levels required.

4.3 The Secretary and Registrar may seek further particulars about any planned meeting from the organiser or principal organiser who shall be under a duty to cooperate in all respects with such enquiries.

4.4 An organiser or principal organiser making an accommodation request, or a Head of Department in respect of an invitation covered by paragraphs 3.1 (d), who has grounds for believing that a breach of the peace or criminal offence might occur at that meeting or other activity, or that there is a real likelihood that the speaker may not be able to enter or leave a building safely or deliver his speech, or that there is reason to believe that person will suffer harassment, shall ensure that, at least two weeks before the date proposed for the event, the following are given to the Secretary and Registrar in writing:

a) the name of the speaker(s) and details of the organisation(s) which they represent;

b) the subject of the address and title of the meeting or other activity;

c) the date, time and proposed venue for the meeting or other activity;

d) the expected time of arrival and departure of the speaker if a visitor to the College;

e) a draft copy of the proposed notice, leaflet or other material announcing or advertising the meeting and details of any proposed advertising campaign;

f) the name, address and telephone number of the organiser or principal organiser of the meeting and the name of the chairman/chairwoman;

g) details of the circumstances which give rise to concern about potential disturbance at, before or following the meeting including those which may prevent the meeting taking place, or the grounds for believing it is likely that the meeting will attract unauthorised attendance by members of the public or that it may be picketed.

4.5 In the case of accommodation in and booked through the Students' Union or Association, the obligation on the organiser or principal organiser of a meeting set out above to notify the Secretary and Registrar will also extend to the appropriate officer of the Union or Association where that officer has grounds for believing that the meeting will give rise to any of the difficulties mentioned in paragraph 4.4.

4.6 Within five days of receiving such notice as described in paragraph 4.4, the Secretary and Registrar shall indicate in writing whether College premises may be used for the proposed meeting.

4.7 Refusal of permission must be in accordance with the principles of this Code and the statutory duty imposed upon the College.

4.8 Permission to hold a meeting or other activity on College premises may be granted subject to such conditions, including the designation of alternative accommodation, as the Secretary and Registrar considers reasonably necessary to secure fulfilment of the College's statutory duty to protect freedom of speech within the law, as well as the need to protect persons and property.
4.9 The organiser or 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 conditions laid down by the Secretary and Registrar which may include all or any of the following:

   a) admission may be restricted and controlled by tickets, identity cards or both;
   b) if guests of those entitled to attend are allowed to attend, only those whose identity is known to the organisers to be admitted;
   c) all advertising to be in the English language;
   d) speakers to enter and leave by specified routes and be escorted under specified arrangements;
   e) a specified number of stewards to be available before, during and after the meeting as to whose suitability the Secretary and Registrar must be satisfied;
   f) the costs of providing additional stewards or security staff and any special cleaning, repair or other services to be met by the organisers;
   g) no banners, flags, placards or similar items to be brought into the building or used anywhere on the premises in a manner likely to lead to injury or damage or cause a breach of the peace;
   h) no food or alcoholic drink to be consumed in the area where the meeting or other activity is to take place;
   i) the chairman/chairwoman of the meeting or other activity to be made aware of a personal duty to ensure as far as possible that both the audience and the speaker act in accordance with the law during the meeting and that in cases of unlawful conduct the chairman/chairwoman to be required after appropriate warnings have been given to close the meeting;
   j) the chairman/chairwoman to be instructed in advance about procedures for closing a meeting and requesting assistance from College Security staff or the police in case of breach of the peace or a criminal act, or the threat of either occurrence.

5. The Secretary and Registrar may appoint a member of staff as controlling officer for the occasion.

6. If not satisfied that adequate arrangements can be made to maintain good order, the Secretary and Registrar may refuse or withdraw permission for the meeting or activity. The Secretary and Registrar will report the circumstances of such refusal or withdrawal of permission to the next meeting of the Council.

7. In exercising any of the powers entrusted to him under or in connection with this Code, the Secretary and Registrar shall wherever possible consult those involved or with a legitimate interest in the matter, including whenever appropriate the President of the Students’ Union and the President of the Association.

8. Appeals against any rulings of the Secretary and Registrar under this Code may be made to the Principal whose decision shall be final but must be reported to the next meeting of the Council.

9. The Secretary and Registrar shall designate another officer to act on his behalf during any period of absence.
10. The Secretary and Registrar shall ensure that the President of the Students' Union and the Executive members and the President and officers of the Association are made fully aware of this Code at the start of their term in office.

11. Powers to be exercised during or immediately prior to a meeting

11.1 Where difficulties arise or are reasonably apprehended during or immediately prior to a meeting such that the meeting cannot be allowed to take place or continue without risk of damage, injury, harassment or serious disturbance, the controlling officer, if one has been appointed, shall be empowered to take steps necessary to deal with the situation, including, if unavoidable, cancellation of the meeting or bringing the meeting to a close.

11.2 In the absence of a controlling officer, these powers shall be exercisable in the first instance by the organiser or principal organiser or the person chairing the meeting, but any person having responsibility for the premises in question (whether it be the President of the Students' Union in the case of the Union building, the President of the Association or a Head of Department) shall be able to initiate the necessary action, pending reference wherever possible to the Secretary and Registrar.

11.3 Any person exercising any of the powers described in 11.1 and 11.2 above shall do so in accordance with the principles laid down in this Code.

12. Review
This Code will be subject to review from time to time.

13. Definitions

13.1 In this Code, the term "member of the College" has the same meaning as in College Statute 2 (and includes members of Council, Fellows, academic and academic-related staff and students) but also extends to other persons who have been allowed to work in or use the facilities of the College.

13.2 In this Code, the word "meeting" means any organised event or activity involving more than one person, whether or not an outside speaker is invited, and in appropriate circumstances refers to lectures, seminars, classes, tutorials and so on within the normal teaching schedule.


DJ/AD  
amended December 1996
 amended July 1997
 amended October 1998