

From the Dean of Students

AN ACCOUNT OF RECENT EVENTS

On Friday, 23rd February, Mr. Enoch Powell, M.P., visited the University in order to address a meeting organised by the Conservative Association. He was accompanied by Mr. Anthony Buck, M.P.

It was not clear, either from the Press reports or from other accounts received of the meeting and other episodes whether anything had been done by a student of the University which would justify disciplinary action being taken by the University. In order to establish what had happened and whether a prima facie case existed against any student or students, the Dean of Students asked the Senior Assistant Registrar in the Dean of Students' Office, Mr. Roy Butler, to conduct enquiries. (This procedure is provided for in Paragraph 3 of the agreed 'Disciplinary Procedures 1967-68').

The enquiries began on Tuesday, 27th February and were completed on Monday, 4th March. During the course of his enquiries, Mr. Butler interviewed twenty-one students and four members of staff of the University. After receiving from Mr. Butler a report on his enquiries, the Dean of Students decided that a prima facie case of having committed a breach of discipline existed against seven students and letters were sent to six of them, notifying them of charges which the Dean proposed to bring against them and asking them to attend for an interview with the Dean on Tuesday afternoon. At this interview, the Dean proposed to inform the students of how the cases against them were to be heard. The seventh student did not receive a letter but was seen personally by Mr. Butler and asked to attend a similar interview at which both the charges against him and the proposed procedure in his case would have been explained.

These interviews were prevented from taking place by the forcible occupation of the office concerned by a crowd of about fifty students. A spokesman for this crowd said that they were protesting both against any disciplinary action being taken over the incidents surrounding Enoch Powell's visit and against the way in which the preliminary enquiries had been conducted. These complaints and a number of others were repeated when six of the seven students charged saw the Vice-Chancellor on the following day.

So far as the allegations concerning the conduct of the preliminary enquiries are concerned:

- (i) the University's Disciplinary Procedures do not provide any rules to govern the conduct of investigations prior to disciplinary action and so no question of infringing them arises;
- (ii) the Dean of Students is satisfied that, in the absence of any rules, the investigations carried out in his name were, in fact, conducted entirely properly and with due regard to the interests of the students concerned.

So far as the bringing of charges is concerned, a breach of discipline

is defined in the University's Disciplinary Procedures as, in part,

- "conduct which a) infringes a regulation of the University
or
b) does, or is calculated to do, damage or
violence to property or person"

In laying charges against a number of students, the Dean of Students has said no more than that there is prima facie evidence to suggest that a breach of discipline, as defined above, has been committed.

In view of the doubts which had been cast on the propriety of his own actions, however, the Dean of Students decided, in the first place, that he would refer all the charges to the Disciplinary Committee instead of dealing with some himself, as he had originally proposed. The Disciplinary Committee comprises two students and three members of the academic staff and its procedures lay down numerous legal safeguards for students accused: they may be legally represented, they may call witnesses in their defence, they may cross-examine witnesses and all evidence must be given in their presence. Moreover the Disciplinary Committee is informed by the Dean of Students only of the names of the students charged, of the details of the charges and of the names of witnesses whom the Committee should call: evidence gathered by the Dean of Students is used only in framing charges and is not revealed to the Disciplinary Committee.

Shortly after this decision was communicated to the students concerned, a student meeting voted in favour of abolishing all University disciplinary procedures and of counting as offences only those actions which the civil police would be prepared to deal with; and in favour of continuing to physically block the operation of any disciplinary proceedings.

As a further attempt at compromise and at avoiding a final confrontation which could only cause damage to the careers of the students concerned and, in the long term, to the interests of the University, and in order to remove any remaining suspicion, however unjustified, of injustice resulting from the initial investigations, the Dean of Students has offered to draw up a mutually acceptable set of rules to govern the conduct of preliminary investigations in disciplinary cases and to have the investigations conducted afresh, by another member of Staff. The charges levied against a number of students as a result of the first investigation would be dropped and only the results of the new investigation would be used in deciding whether any disciplinary action would be taken and, if so, against which students and on what charges.

This offer has been refused by another student meeting, which has re-affirmed its intention to block the operation of disciplinary proceedings.

THE PRESENT SITUATION

The current Disciplinary Procedures are the most recent version of a set of rules which were first introduced in November, 1966. Since that time they have been continually amended, in an effort to improve them. The latest amendments were made by the Senate in December, 1967, after considering a Report from a Working Party which it had set up, together with observations and recommendations made on that Report by the Student Affairs Committee (to whom the Report was submitted for consideration before it was considered by the Senate). A large number of amendments proposed by the Student Affairs Committee were accepted by the Senate: the procedures as a whole, however, together with these amendments, were endorsed by the whole of the Student

Affairs Committee, including the President and the two Vice-Presidents of the Students' Council, who are members of the Committee.

The current procedures were therefore introduced with the full support of the elected student representatives.

Since then, the Student Affairs Committee has received a resolution from the Students' Council, which calls, amongst other things, for a student majority to be created on both Student Affairs Committee and Disciplinary Committee. In response to this, the Committee has sent forward to the Senate a recommendation which will have the effect of creating a student majority on the Student Affairs Committee; so far as the Disciplinary Committee is concerned it was agreed, again with the full support of the student members of Student Affairs Committee (of whom there are now five, the Tower Chairmen having been co-opted to the Committee) that it would be better if the Students' Council could produce not an isolated proposal relating only to membership of the Committee but an integrated set of proposals relating to the Disciplinary Procedures as a whole, taking account of such problems as those of discipline in the Towers and the powers of Tower Committees as well as the functions of the Disciplinary Committee itself.

Thus the Students' Council, in making proposals relating to the membership of the Disciplinary Committee has, at least implicitly, accepted the need for the existence of that Committee and therefore for the existence of some Disciplinary Procedures within the University. The President and the two Vice-Presidents of the Students' Council are associated with this view as members of the Students' Council and, as members of the Student Affairs Committee, supported the action taken on the Students' Council proposal.

There is thus every reason for believing that the majority of students support the existence within the University of some disciplinary procedures; and those that we have have received the support of the elected students' representatives on and since their introduction.

Nevertheless, no-one would wish to maintain that they are perfect or that there is no room for further improvement: indeed, there is every reason to suppose that further changes in them will be made when the Students' Council has completed its consideration of the position and decided what changes it would wish to see. This process of amendment and change has, however, been a continuous one since the procedures were first introduced and it can be expected that the process will go on for some time to come as adaptations are made to changing circumstances and changing attitudes. The fact that further changes can be expected, however, is no reason for abandoning the procedures as they stand at present or for failing to apply them when the need arises, despite their imperfections: they always will be imperfect in some respects.

PROSPECTS FOR THE FUTURE

Every community must adopt rules of its own, internal rules, designed to ensure that its pursuit of its own particular aims is not hindered by its own members. This applies to a University as much as to any other community within the larger framework of society as a whole. It is not to be expected that the civil police can be called in to enforce all the rules which a University must apply to its own members. The University must therefore devise some means of its own to ensure that its internal rules are applied. Amongst the duties which a University must fulfil within its own bounds are the maintenance of public order, the preservation of the right to freedom of expression and of the safety of its members and their guests. One means of achieving these aims is that adopted by many American universities of employing a private police force on the campus. This sort of solution would not commend itself to many members of a British University.

The only alternative is a system similar in principle, though not necessarily in detail, to that which this University has at present.

Once this is accepted, the main concern must be that the internal rules and the means of enforcing them are as fair as it is possible to make them and that those affected by them are provided with a constitutional means of making representations for their amendment. This I believe to be very largely the case in this University at the moment - although the scope for improvement is undeniable.

There has been only a small minority of students so far involved in the attempt to impose their views by force on the University at large. This minority have so far ignored the approval which has been given by the majority, through the existing constitutional channels within the University, to the current rules and to their application. It is now time for every student who wishes to see the University community run peacefully and by constitutional means rather than be subject to arbitrary minority rule to make his views known. An opportunity to do this will be presented, I believe, at a General Meeting of the Union, which is to take place on Thursday evening and I hope that every student will appreciate the importance of this occasion and will make every effort to attend and to make his views known.

If a decision can be reached which is truly representative of the student body at large, then I believe that the minority will no longer be able to claim either support or justification for their actions.

A. MacIntyre
Dean of Students

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