



Information for Junior Members Appendix 8

**CODE OF PRACTICE ISSUED UNDER SECTION 43 OF THE EDUCATION (NO 2) ACT
1986 GOVERNING MEETINGS HELD ON COLLEGE PREMISES**

1. Section 43 of the Education (No 2) Act 1986 places a duty on the College to take such steps as are reasonably practicable to ensure that freedom of speech within the law is secured for its members, students and employees and for visiting speakers.
2. Section 43 also requires the College with a view to facilitating the discharge of its duty to secure freedom of speech within the law, to issue and keep up to date a Code of Practice to be followed by students, other members and employees of the College about the organisation of meetings that are to be held on College premises and about the conduct required of those persons in connection with meetings. This Code of Practice, therefore, applies to all students, other members and employees of the College, in respect of all meetings, outdoor and indoor, on College premises including meetings organised by conferences and other outside bodies.
3. The attention of members of the College is drawn to the following College General Regulations (**Appendix 6 Information for Junior Members**):

9. Public Order

(i) No member of the College shall intentionally or recklessly disrupt or impede or attempt to disrupt or impede the activities and functions of the College or any meeting held on College premises.

(ii) No member of the College shall intentionally or recklessly impede freedom of speech or lawful assembly on College premises; and no member of the College shall negligently, intentionally or recklessly fail to give any notice which is required to be given to a College Officer in accordance with the Code of Practice issued in terms of section 43 of the Education (No 2) Act 1986.

4. Duty to give Notice
 - i. In order that the College may take the steps necessary to fulfil its duty under section 43, notice of the intention to hold a meeting anywhere on College premises (including within the rooms of junior members) must be given to the Domestic Bursar or his designate (usually the Head Porter) on the appropriate "Request to hold an Event" form (obtainable from the Conference Department) by the organisers of the meeting, at least three full days in advance of the meeting, save in the case of meetings in the Auditorium, Umney Theatre or CW Building when five full days' notice is required. In reckoning the days of notice, Saturday and Sunday shall be excluded.
 - ii. The duty to give notice shall not apply to the following meetings:
 - a. meetings where the intention of the organisers is that only resident members of the University will be present;

- b. meetings where the expectation of the organisers is that not more than fifty persons will attend and that no persons who are not resident members of the University will address the meeting.
 - iii. The “Request to hold an Event” form shall state the name of the member of the College taking responsibility for the meeting, and, details of the event including - the place, the names, addresses and college (if any) of the organisers, the name of the organisation making the arrangements, the name of the expected speaker and whether or not such a speaker is a resident member of the University.
- 5. The organisers of any meeting held on College premises shall comply with any conditions set by the College authorities in respect of the organisation of the meeting. Such conditions may include the requirement that tickets must be issued for public meetings, that an adequate number of stewards should be available, that the services of porters should be hired, that the police should be consulted about the arrangements, that the time and place of the meeting shall be changed, and that the meeting may be ordered to be cancelled on account of a threatened breach of the peace. The cost of meeting these conditions, and the responsibility for fulfilling them, rests with the Meeting Organisers.
- 6. The College authorities, (including the Domestic Bursar, his designate, and the Tutors) and the Meeting Organiser, shall in the exercise of their duties in regard to the organisation of meetings, uphold the College’s duty in terms of section 43. However, the College may still deny the use of its premises on any or all of the following grounds:
 - i. because of a prior booking or planned use of the room or part of the College in question either by the College or some other body;
 - ii. because no member of the College is willing to accept responsibility for the meeting in question;
 - iii. because it is not reasonably practicable to organise the meeting without running an unacceptable risk of serious public disorder occurring at the meeting;
 - iv. because it is not reasonably practicable for some other reason to organise the meeting as intended by the organisers.
- 7. The organisers of any meeting on College premises, and persons attending that meeting, must comply with instructions given by any College Officer or any other person authorised to act on behalf of the College (including the University Proctors) in the proper discharge of their duties. Any person attending a meeting who is not a member of the College may be required at any time to leave the College premises, notwithstanding any payment that he or she may have made to attend the meeting. The attention of members of the College is drawn to the following College General Regulations (**Appendix 7a Information for Junior Members**):

- (j) Refuse to disclose his or her name and other relevant details to an officer or an employee or agent of the University or its constituent colleges in circumstances where it is reasonable to require such information to be given;
- (k) Decline or refuse to obey any lawful instruction of an officer or employee of the University or its constituent colleges;

8. The provisions of section 43 apply also to the University in respect of all its members, students and employees and visiting speakers. The College may invite the Proctors to enter its premises and authorise them to act in the discharge of their University duties. Members of the College are reminded that the University disciplinary regulations apply on College premises as elsewhere in the precincts of the University, and their attention is particularly drawn to the following University regulations of discipline: Whereas it is the duty of the University to maintain good order and discipline within the University:
 - i. No member of the University shall intentionally or recklessly disrupt or impede or attempt to disrupt or impede the activities and functions of the University, or any part thereof, or of any College.
 - ii. No member of the University shall intentionally or recklessly impede freedom of speech or lawful assembly within the precincts of the University. No member of the University shall intentionally or recklessly fail to give any notice which is required to be given to a University officer or a University authority under the terms of a Code of Practice issued under the provisions of section 43 of the Education (No 2) Act 1986.
 - iii. All members of the University shall comply with any instructions given by a University officer, or by any other person authorised to act on behalf of the University, in the proper discharge of his or her duties.
 - iv. All members of the University shall state their names and the Colleges to which they belong when asked by a Proctor, or other person in authority in the University or in any of the Colleges of the University.
9. The attention of organisers of public meetings and assemblies is drawn to sections 11 and 14 of the Public Order Act 1986, concerning processions and assemblies. Other legal requirements may affect the conduct of meetings. A speaker who incites an audience to violence or to breach of the peace or to racial hatred commits a criminal offence. Moreover, an assembly of persons, even if directed to lawful purposes, ceases to be lawful if it threatens serious public disorder or breaches of the peace.
10. Any person who is in any doubt about the application of this Code of Practice to any meeting in the College is under an obligation to consult the Domestic Bursar who shall determine whether the provisions of the Code apply to the meeting in question.
11. In this Code the phrase “resident member of the University” shall bear its usual meaning save that it shall include resident members of Robinson College.
12. Breach by any member of the College of any of the requirements of this Code may be treated as a serious disciplinary offence.