

Procedure for Demonstrations

Procedure for those intending to organise or participate in a demonstration or protest at the University of Warwick.

Definitions

For the purposes of this procedure only, the terms below shall have the following meaning:

'Academic' - means anyone engaged in carrying out scholarly research and/or teaching at tertiary level, whether or not employed by the University

'Campus' - means any land or buildings owned or in the control of the University, whether domestic or overseas.

'Demonstration' – means any protest, demonstration or other overt action which intends to express views, opinions or beliefs to the wider University community by means of an individual/s physical presence. Demonstrations or protests may be static or mobile.

'Demonstrate' or 'Demonstrating' – means organising or taking part in a demonstration or protest.

'Guidance' – means the Guidance herein.

'Members' - means current students, staff, members of council or governing body and any appointed lay member of the University council or a council committee.

'Procedure' – means the Procedure herein.

'University' - means the University of Warwick.

'Visiting Speaker' – means any person, whether an Academic or not, who has been invited by any department or Member of the University, or by any student representative body to speak on University Premises.

1. This Procedure is for those who wish to organise or participate in Demonstrations on Campus. The Procedure is designed both for the benefit of those taking part in Demonstrations and for the benefit of the University as a whole.
2. The Procedure applies to all Members of the University and Visiting Speakers.
3. Members wishing to take part in a Demonstration must follow this Procedure.

Values

Dated: 25 November 2024

Owner: Registrar

4. The University is committed to the principles of free enquiry and free speech; freedom of thought, conscience and religion; freedom of expression, and freedom of assembly. It is committed to promoting and maintaining a culture of trust and mutual respect. The University actively promotes inclusivity and diversity, and good relations between all members of the University community.
5. The University supports vigorous debate and freedom of speech within the law, recognising that our community incorporates a wide range of views and opinions on social, economic, political, cultural and religious issues.
6. The University recognises that the right to protest is central to the proper functioning of a democracy. It is through protest that we enjoy many of the rights available to individuals today, including the right to vote and the right not to suffer discrimination. Protest also gives voice to, and influences, public opinion, and can lead to paradigm shifts in public policy.
7. This Procedure and its Guidance are intended to help Members protest safely, within the law and within University regulations. In the context of protest, it can be easy to unintentionally slip from lawful to unlawful activity, sometimes with profound consequences for those involved. This Procedure is written to provide a framework for Protest but also in the spirit of wanting Members to avoid finding themselves on the wrong side of the law and/or University disciplinary procedures.

The Law

8. The right to Protest is enshrined within Article 11 of the Human Rights Act 1998 ('HRA'). However, the right is not absolute. The law imposes restrictions '*which are necessary in a democratic society in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others*' (HRA Article 11(2)).
9. For example, in addition to its Freedom of Speech and Assembly obligations, the University is subject to other rights and duties, such as the Public Sector Equality Duty (the 'PSED'). The PSED is a duty placed on the University for it to have regard to the need to; (1) eliminate discrimination, harassment, victimisation and other conduct prescribed by the Equality Act, (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, and, (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. Freedom of Speech and Assembly are fundamental to the University's values, but, on occasions, the freedoms may need to be balanced with other lawful rights and duties.

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Owner: Registrar

10. If you are planning a demonstration on Campus, you must:

- a. For the benefit of proper planning (both for the organisers of Demonstrations and the University), give 7 days' notice (or as much notice as is practically possible) to both the Community Safety Team ('CST') ([Community Safety \(warwick.ac.uk\)](https://warwick.ac.uk/services/community-safety/)) and the Estates Team (<https://warwick.ac.uk/services/estates/post/staffcontactus/>). Notice should include the time, date, location and estimated numbers of the planned Demonstration.
- b. If you are planning to have an external speaker at the Demonstration, follow the external speaker process (<https://warwick.ac.uk/services/community-safety/events/externalspeaker/>).
- c. For the benefit of those studying and for those wanting to sleep, only Demonstrate between the hours of 08.00 and 22.00
- d. Follow all safety, security and location advice given by CST, the University or the Students' Union both before and during the Demonstration.
- e. Take care of their own health and safety; take due consideration for the health and safety of others; not interfere with or misuse facilities that are there in the interests of health and safety; and comply with the University's policies and standards, and the relevant arrangements for the area or activity.
- f. Bring the Guidance below to the attention of participants and/or clearly communicate the Guidance to participants.
- g. At the end of the Demonstration, leave the area as you found it.

11. While Demonstrating you must not:

- a. Use any form of unlawful expression or harassment (see the Guidance below).
- b. Use or incite violence.
- c. Significantly disrupt planned teaching, studying, exams, events or other University business.
- d. Remove or damage the University's property.
- e. Attach posters, banners or similar to University property without permission.
- f. Graffiti¹ or in any way deface University property.

¹ Graffiti is defined as "permanent or temporary words or images drawn, written, scratched, or sprayed, on a wall or other surface"

Dated: 25 November 2024

Owner: Registrar

- g. Disrupt free speech.
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- 12. You should not, either semi-permanently or permanently, seek to occupy, or occupy, any University land or buildings. Such occupation would be a breach of this Procedure and your student contract, and will likely lead to University disciplinary procedures. Such occupation will also be a trespass which may result in the University seeking a possession order from the courts.
 - 13. The right to Demonstrate on University property is limited to Members. Those who are not Members, i.e. members of the public, including alumni, do not have licence to Demonstrate on University property and must not be either invited or encouraged to do so.
 - 14. Any breaches of the above Procedure will be considered under the University disciplinary procedures.

Guidance

- 15. Members are urged not to cover their faces with a mask while Demonstrating. Lawful Demonstration or protest, within this procedure, will not result in disciplinary procedures. You should be aware that the wearing of masks can be intimidating for those not involved in Protest and can restrict other Members use of Campus while a Demonstration is ongoing.
- 16. When Demonstrating Members are urged in the strongest possible terms to avoid words, chants or actions that might be interpreted as constituting a criminal offence. In brief, actions that constitute a criminal offence include:
 - a. Causing damage to property.
 - b. Violence or inciting violence.
 - c. Inviting support for a proscribed (illegal) organisation.
 - d. Expressing an opinion or belief that is supportive of a proscribed organisation.
 - e. Wearing clothing or carrying or displaying articles in such a way or in such circumstances as to arouse a reasonable suspicion that an individual is a member or supporter of a proscribed organisation (this would include placards, flags, badges or symbols associated with the proscribed organisation).
 - f. Intentionally inciting or stirring racial or religious hatred.
 - g. Using threatening or abusive words or behaviour or displaying visible representations that are likely to cause alarm, distress or harassment.

Dated: 25 November 2024

Owner: Registrar

h. Harassment of one or more individuals.

17. Involvement in any of the offences listed at 16 above is likely to lead to police action (and may ultimately result in a criminal record, which may have a significant impact on future careers) and will also result in internal disciplinary proceedings.
18. Members are encouraged to think carefully when designing placards, signs or chants to ensure that they are appropriately targeted, lawful, and do not inadvertently risk accusations of criminality (as detailed in 16 above).
19. If your Demonstration is a march intended to include the public highway (though the University strongly advises against this), for example Gibbett Hill Road, you have a lawful obligation to give notice to the police. If reasonably practicable, you must give the police a minimum of 6 days' notice or, if not, as much notice as possible. Failure to give notice could be a criminal offence in itself.
20. Campus is an open space frequently visited by children and vulnerable adults. You should be mindful of the impact that any Demonstration may have on such individuals, and that the University has statutory safeguarding duties in relation to such individuals.
21. If you are not part of a Demonstration, you should not prevent speakers, or those attending a Demonstration, from voicing lawful opinions. Free speech is a fundamental right which the University will always protect and support. Intentionally preventing free speech is a breach of University regulations and will likely lead to disciplinary action.

General

22. Freedom of speech and Freedom of Assembly within the law are fundamental rights. However, you are encouraged to be mindful that the University is a community, encompassing a wide range of backgrounds, opinions, and beliefs. Gratuitously insulting and offending others may not only be counterproductive to your Demonstration but may also risk inadvertently causing unnecessary distress to those that are not the target of your Demonstration.
23. The University as an institution has a general Equality Act duty to have regard to fostering good relations between different protected characteristics. To assist in discharging that duty, the University urges Members to endeavour at all times to interact, including when Demonstrating, respectfully.