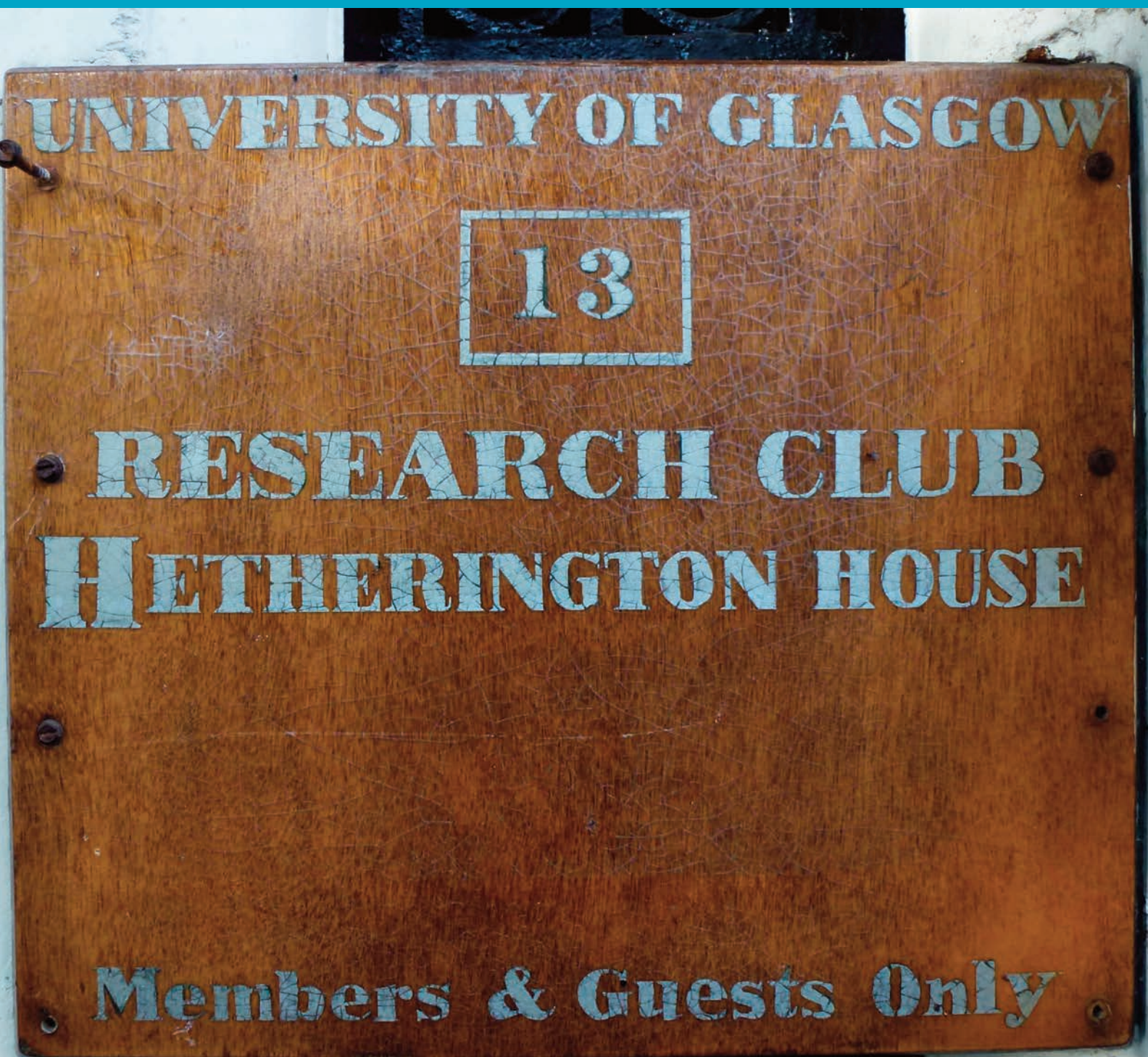


# Hetherington Inquiry Report

9 September 2011



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## I. Chairman's Foreword



Charles Kennedy  
Rector

My formal association with the University of Glasgow concluded upon graduation in 1982, resuming nearly twenty six years later with my election as Rector in 2008. That period has been one of immense development and change in the nature and delivery of education, not least within the hugely expanded tertiary sector itself. University managements and students alike now face academic challenges and financial demands without parallel. As such the entire system is susceptible as never before to stress points. The accompanying Report arises from just such a course of events on one university campus. Its conclusions and recommendations are intended to help guide better practice in the future.

I wish to record great personal gratitude to my three Inquiry colleagues – Professor Sheila Rowan, MBE, George Moore, QC and Fraser Sutherland – for their dedication to the task which was before us. Although present in their representational capacities - the Senate, the Court and the Students' Representative Council respectively - the approach from the outset was spontaneously collective. All embodied the spirit of genuine enquiry and independence of mind which this Report – like the University itself – strives to achieve. The same is true of our conclusions and recommendations.

Equally, all of us are indebted to Laurence Ward, Partner at Dundas & Wilson, for his invaluable guidance and counsel throughout the entire exercise.

We have been appreciative particularly of the candid and constructive fashion with which all contributors have approached the matter. (It must be remembered that our proceedings could not compel the attendance or cooperation of any individual).

In this respect it remains a matter of shared disappointment that despite genuine and repeated efforts on our behalf – including an extension of the original deadline for submissions and a subsequent written guarantee from the Secretary to the University Court, confirming that any written or oral evidence provided by the Hetherington protesters themselves would not be used to their detriment at a later date by the university authorities - no such evidence from the protesters was ever forthcoming.

This has reinforced our view – one which, as Rector, I must be particularly jealous in guarding – that whereas the voice of dissent should be afforded all reasonable means of expression it must not become an alternative, far less more apparently authentic, expression of “student opinion” than that which properly and democratically can claim a formal mandate and legitimacy – in these circumstances the Students' Representative Council. Not least when those voices of dissent choose not to make themselves heard through our Inquiry mechanisms.

In the course of our endeavours it has struck me that the broader issues which arise as a result of our Inquiry process do themselves merit some more personal introductory reflection and comment. There is a wider context here which also needs to be borne in mind.

Until the London riots of December 2010, associated with the National Union of Students mass protest against tuition fees and university funding cuts, the general climate of student campus unrest nationally could fairly be described as comparatively docile. Those controversies which did arise tended to be sporadic and specific to the circumstances of individual institutions. An exception to this occurred in the Spring of 2009, when a significant number of UK universities (Glasgow included) experienced a variety of student disruptions arising from issues pertinent to the Middle East and responded in a variety of different ways. Unlike some others Glasgow eschewed heavy-handedness, far less recourse to the law, and matters were resolved reasonably amicably following the personal intervention of the then Principal. It was an instructive experience for this returnee to the world of student politics - an illuminating contrast with the conduct of equivalent protests one generation earlier.

Most telling was the extent to which social media and internet communication have changed the rules of engagement governing the conduct and development of such controversies. Now, armed with little more than a mobile phone or a laptop, those seeking to disrupt can communicate both instantaneously with their supporters and directly to the mass media. Equally, those unhappy with the impact of the protest can via the same means make their views known directly (and discreetly) to officialdom. The practice and experience of disruption has indeed become much more technologically sophisticated.

The unexpected emergence of a Conservative - Liberal Democrat coalition government following the May 2010 general election was to change dramatically the contours of university and student funding issues alike. The Liberal Democrats attracted particular opprobrium for abandoning their manifesto commitment to oppose tuition fees; the Coalition generally was mired in controversy as a result of its austerity deficit reduction measures. Student (and staff) opinion at Glasgow University was further inflamed by the cost reduction package put before the University Court by the Senior Management Group. This elixir was to prove a volatile mix. On February 1st 2011 the vacant Hetherington Building, formerly the postgraduate research club, was occupied by protesters. It was the sequence and nature of the events some seven weeks later on March 22nd 2011 in seeking to bring the occupation to an end which have given rise to this Inquiry.

Our conclusions and recommendations must speak for themselves, but the overall experience involved has ramifications which surely extend well beyond the Gilmorehill campus. If as a society we are entering a period of greater and perhaps prolonged protest and social disruption then the implications for the university sector are potentially profound.

As the Principal notes in his written submission to the Inquiry, Glasgow University "has always taken a very tolerant approach to peaceful protest." The vexed question must be the extent to which such tolerance can continue to co-exist alongside more determined and perhaps prolonged challenges to the effective day to day management of university campuses, not least if those involved (as was to become the case with Hetherington) include individuals wholly unconnected with the university itself.

Indeed it must also be acknowledged that the GU campus, along with many other campuses in the UK, is an important cultural and historical visitor attraction in itself. This places added responsibilities on effective management and security procedures.

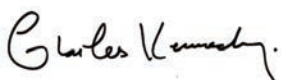
The independence of our universities is a crucial bulwark within our wider civic society. None of us involved in this Inquiry would wish to see this compromised (one reason why specific attention should be paid to the clear operational distinctions between the university authorities and the Strathclyde constabulary in respect of the March 22nd events). Yet, against a backdrop of apparently rising social discontent, there is an inherent danger of the university sector having to square a circle which sets rising expectations and demands against declining resources.

That dilemma was well summed-up by an Address given (coincidentally at my own re-installation for a second Rectorial term in April of this year) by Werner G. Jeanrond, the University's Professor of Divinity, when he warned:

*"Since the 1960's the demand for "mass education" has led to new difficulties for the research university model, most prominently among them the chronic under-financing and the unrealistic expectations from the surrounding society - the university as the school of the nation, now co-responsible for everything that goes wrong in society."*

Specific events, like those associated with the Hetherington controversy, must not be allowed to fuel such a corrosive and detrimental view gaining wider currency. If one legacy of this Inquiry is that the wider UK university community becomes even more alert to the perils involved then that would be a beneficial outcome. University managements cannot govern by perceived diktat alone and this Inquiry recognises that fact. Equally, those involved in the wider community of governance - the politicians and the civil servants - must recognise similar self-limitations.

Therefore there are real challenges ahead - both for those micro-managing at a campus level and those macro-managing at a national level. Set against the backdrop of the current review into the governance of Scotland's university sector we trust that the accompanying observations prove timely and constructive. That is most certainly the spirit in which they are submitted.



Charles Kennedy  
Rector  
9 September 2011

## 2. Conduct Of The Inquiry

### Background to the Inquiry

On 22 March 2011 attempts by the University to end a seven week occupation of a University property - Hetherington House, 13 University Gardens, Glasgow - led to considerable public disorder and disturbance. This in turn led to a considerable amount of adverse press coverage and criticism of the University's management of the occupation.

### Establishment of the Inquiry and Terms of Reference

On 23 March, The Principal agreed with the Convenor of Court that an independent inquiry should be established. Thereafter he asked the Rector, Charles Kennedy to chair the investigation and stipulated that it should involve representatives of Court, Senate and the SRC. Laurence Ward at Dundas & Wilson, CS LLP was appointed to provide a secretariat and appropriate resources to support the Rector.

The Inquiry's Terms of Reference were published on 14 April 2011 and are set out in full in Appendix A.

In addition to the Chairman the members of the Inquiry are:

George Moore QC

Professor Sheila Rowan MBE

Fraser Sutherland

### Gathering of Evidence

The first stage of the Inquiry was given over to fact finding. Albeit independent, the Inquiry (unlike a Public Inquiry) has no power to compel anyone to provide evidence or any recourse should they fail to tell the truth. In addition evidence provided to the Inquiry is not protected by any form of privilege. These are significant hurdles to be overcome.

On 14 April 2011 the Inquiry issued a Call for Evidence through the University's website. A copy of the Call for Evidence is attached as Appendix B. In response to that request written evidence was provided by 19 individuals and by Strathclyde Police. The names of all of those providing evidence is set out in Appendix D. The Inquiry is very grateful to all those who took the time to provide evidence to it.

Unfortunately no evidence was received from any of the individuals who participated in the occupation. It was suggested that students may be reluctant to provide evidence to the Inquiry for fear of incriminating themselves and perhaps exposing themselves to academic sanctions. The Inquiry sought and obtained from the University an undertaking that the University would not seek to obtain copies of any written statements or other evidence provided to the Inquiry and, that, in any event, it would not use any written statement provided to the Inquiry in any disciplinary or other University process without the prior written consent of the person making that statement. This information was publicised through the University's website on 17 May 2011 (see Appendix C). A further attempt was made to obtain evidence from those in occupation by means of a direct communication from the Clerk to the Inquiry which was handed into the occupiers by the Head of Security on 25 July 2011. Despite the assurances offered the Inquiry has not received evidence from any individual who participated in the occupation.

Having reviewed all of the available written evidence the Inquiry invited the following individuals to provide oral evidence:-

Gordon Mackenzie, Head of Security;

Anton Muscatelli, The Principal;

David Newall, Secretary of Court; and Director of Administration;

Susan Stewart, Director of Corporate Communications;

all of whom acceded to that request. The hearing of evidence was inquisitorial and was held in private.

Strathclyde Police declined an invitation to provide further oral evidence but did agree to provide further clarification on their written statement in a meeting with Inquiry Member, Fraser Sutherland and the Clerk to the Inquiry, Laurence Ward.

### [This Report](#)

This Report, its conclusions and recommendations have the unanimous approval of the Members of the Inquiry.

### 3. The Occupation Of Hetherington House

#### The Nature of the Occupation

Hetherington House, which comprises three floors at 13 University Gardens, Glasgow, had been occupied for many years by the Hetherington Research Club under a formal rent free lease from the University. The Club was established as a social club for post-graduate and mature students as well as University staff. It had been running at a loss for several years and consequently encountered severe financial difficulties. Following an investigation into its finances by an independent firm of accountants and having been advised that the Club was trading illegally, the Club's committee voted to wind down its business and asked for the University's assistance to do so in an orderly and solvent manner. It ceased trading on 19 February 2010. Although not obliged to do so, the University provided funding to enable the Club to meet all of its statutory and contractual obligations to employees and to pay off all of its creditors. Thereafter Hetherington House remained closed and (with the exception of the second/top floor) unoccupied until 1 February 2011.

On 1 February 2011, a group of around 25 to 30 students began an "occupation" of Hetherington House.

Initially the primary focus of the occupiers appeared to be targeted at:

- the return of the building to student use; and
- the proposed cuts to University courses as a result of reductions in funding.

However over the following weeks, the composition of the group changed and the demands altered and widened. The suspicion at the time was that some, who had no formal connection with the University, had decided to join for their own political or personal reasons. It was further suspected that, whilst the occupation was originally student-led, the number of students diminished over time and the proportion of occupiers who had no connection with the University increased.

#### The University's Response Team

The immediate response of the University to the occupation was to set-up a small response team (the "Response Team") to oversee and manage the situation. A similar step had been taken in response to previous protests and events at the University. The Response Team comprised:

- David Newall, Secretary of Court and Director of Administration ("Secretary of Court");
- Susan Stewart, Director of Corporate Communications;
- Gordon Mackenzie, Head of Security and Central Services ("Head of Security"); and
- Neil Campbell, Head of Campus Services;

and reported regularly to The Principal's Advisory Group.

#### Courses of Action Considered for Managing the Occupation

The Response Team considered that a low key and non-confrontational response to the occupation was appropriate. Accordingly, the University maintained essential utilities in the building on health and safety grounds and allowed the occupiers free access to and egress from the building.

There were regular visits from University personnel, particularly the Head of Security, to check that housekeeping matters were being addressed. He attempted to create a dialogue with the occupiers and to encourage discussion, formal or informal, with a view to bringing the occupation to a peaceful conclusion.

The decision to pursue this low key approach had been taken in the hope that the occupiers' enthusiasm for sustaining the occupation would wane over time and that the occupation would end voluntarily. It was thought

that the most likely time for this to occur would be during the Easter vacation, when students, including some of the occupiers, would leave the campus and those remaining might be reduced in number and persuaded to leave, thereby allowing control of the premises to be regained.

An alternative course of action considered by the Response Team was that of raising a court action to recover possession of the building. If successful, the University would obtain a decree from the court requiring the occupiers to remove themselves and their possessions from the premises. This course of action was considered to be a last resort. Nevertheless, solicitors had been instructed to begin this process in the expectation that a court order would be available for enforcement, if necessary, during the vacation, when it was believed that any disruption would be minimal.

The two principal courses of action had been discussed and agreed by the Response Team. A third approach had also been discussed but not in any great detail. This involved preventing any "new" person having access to the building and also preventing any existing occupiers, who left the building from returning. In evidence submitted to the Inquiry it has been referred to as the "opportunistic" approach and it became more attractive as the number continuing to occupy the building reduced. It was recognised by those on the Response Team that there was a very real practical difficulty preventing entry to a building, which had so many entrances. Indeed on the first day of the occupation the Head of Security commented in an email "[the building] has several fire and other entrances and exits and would be impossible to make secure without around 14 security staff constantly in position". In addition, the potential for confrontation when individuals were refused admission to the building by University security staff was significant.

It had been decided, in any event, that if any action by the University was required to bring the occupation to an end, it would not take place until the Easter vacation when the campus would be relatively quiet.

### The Impact on University Business

From the evidence submitted it appears to the Inquiry that the Response Team was endeavouring to strike a balance between wishing to respect the right of students to peaceful protest, whilst minimising any adverse impact of the occupation on the operation of the normal business of the University.

The potential for disruption of University business took two main forms:

#### Impact on the proposed redevelopment of No 13 University Gardens

The University had plans for re-development of the occupied space for student and teaching use, notably for Music and English Language. The Inquiry was told that "Music in particular has been waiting for the development of practice space for a considerable period of time, and this urgent need has been identified through our regular reviews of teaching in the University". These plans had been approved by the University's Estates Committee on 10 January 2011. In due course the continued occupation would have an adverse impact on the University's plans for redevelopment, although it is not clear from the evidence when exactly that might occur.

#### Impact on other HATII staff and others

The Humanities Advanced Technology and Information Institute (HATII) is based in 11 University Gardens, Glasgow which is part of the same block as Hetherington House. Some staff from the School of Critical Studies worked in rooms on the second floor of Number 13 that had been converted into offices. These staff gained access to their rooms through a connecting door from Number 11 on the second floor. There was a similar connecting door on the floor below although it appears that was alarmed. For the most part the occupation was peaceful and relations between staff and occupiers were cordial. However, some staff did feel threatened and chose not to work in the building after 5pm or at weekends on their own. These concerns among staff were heightened following damage to the offices on the second floor of Number 13 overnight on 20/21 February. It would appear that there was an attempt to break into the offices using a fire extinguisher as a battering ram. In addition notices and signs were torn down with some graffiti written in places. It is unclear whether those who carried out the damage had any connection to the occupiers, but the incidents were clearly associated with the fact of the occupation.



## Communications with the Occupiers

The initial communications between the occupiers and the University immediately following the occupation were made face to face between the Head of Security and the organisers of the protest. They appear to have been cordial and to have focussed primarily on putting in place arrangements (including limiting the numbers of people in occupation at any time) that would address fire safety issues.

Thereafter, communications between the occupiers and the University were informal and took place largely through discussion with the Head of Security and other security staff during their regular checks of the premises. Those in occupation freely publicised information regarding their protest through facebook, twitter and the "Free Hetherington Blog". They did not, however, make any formal demands directly to the University.

It was the vandalism on 20/21 February that prompted the first formal communication from the University. On 23 February 2011 the Secretary of Court wrote to the occupiers and asked them "to conclude their occupation and leave the Hetherington" (Appendix F).

In the following days the Head of Security explored with the occupiers whether they might send a delegation to meet with the Secretary of Court. The SRC offered to facilitate that meeting and it took place on 1 March 2011. The minutes of that meeting are attached as Appendix G. Prior to that meeting the occupiers apparently issued a formal set of demands although there is some doubt as to whether these were actually received. In any event the occupiers' demands were enunciated and discussed during the meeting and are documented in the attached minutes. They were:

*Demand 1 - The Hetherington Research Club to be returned to democratic control by students and staff, with the return of the block grant. All of those who lost their jobs as a result of the closure should be offered their jobs back.*

*Demand 2 – Anton Muscatelli should condemn the cuts and student fees and take the average wage of university staff, or resign.*

*Demand 3 – No cuts at Glasgow University. We demand no job cuts, no course cuts, no cuts to student services, no cuts to teaching budgets and an end to the voluntary severance scheme.*

*Demand 4 – Glasgow University must become a democratic place of lifelong learning for all residents of Glasgow.*

*Demand 5 – We demand investment in higher education and wider public services and an end to the Government's programme of austerity.*

*Demand 6 – We demand the right to reply to the mass email sent to all students and staff concerning the occupation, and that no further emails be sent – any communication with the occupation should be done directly.*

There was no prospect of the University being either able or willing to accede to those demands. They went far beyond protesting about the closure of the Hetherington Research Club and cuts in University funding, which seem to have been the initial reasons for the occupation.

The Response Team had formed the view that a significant number of those occupying the building had no wish to bring the occupation to an end and, accordingly, had no interest in participating in any serious discussion with the University's management. Despite this, following the meeting on 1 March the Response Team obtained information from a number of sources that some of the occupiers would like to end the occupation. The Response Team therefore allowed a short period to pass before taking any further action to allow this possibility to develop. However, there was no formal confirmation from the occupiers to the University. Accordingly, on 9 March 2011 the Secretary of Court wrote to them again formally requesting that they bring the occupation to an end (Appendix H).

The University learned that the occupiers were having a meeting to discuss bringing the occupation to a peaceful end around 19/20 March 2011 and there was a degree of optimism among the Response Team that this would occur. However on Monday 21 March the Response Team "became aware that the occupiers' decision was that they intended to stay in occupation".

### Communications with Strathclyde Police

During the period from 1 February 2011 to 21 March 2011, regular communication took place between senior police officers at Glasgow West End Police Office and representatives of the University in relation to the occupation. Strathclyde Police have confirmed that “from the outset those senior police officers maintained the position to the University that Strathclyde Police would not assist University staff in the removal of those persons occupying HRC, all other things being equal”.

The assessment made by the police was that the risk of serious disorder or violence was low and accordingly the police response was also low key.

## 4. The Events Of 22 March 2011

### 09.30 – 10.30

University security and janitorial personnel were allowed to enter Hetherington House from time to time by those in occupation for health and safety, environmental health and other housekeeping purposes. On 22 March 2011 (around 09.45) the Head of Security and a colleague attended the building to deal with concerns that had been raised regarding certain sewerage/rubbish issues. They noticed that there was only one occupier on the ground floor and few other protestors around. It appeared to the Head of Security that there was an opportunity to regain control of the building.

Having left the building, the Head of Security telephoned the Secretary of Court to discuss this option. David Newall was chairing an unrelated meeting but absented himself from that meeting in order to take the call. It was agreed that the Head of Security should revisit the building and, if access was given and numbers remained low, enter the building and contain the remaining students in one room on the basis that they were free to leave but not return.

At around 10.30 the Head of Security returned to the building (having arranged support from on duty Central Services Staff) and he was given access. He explained to one of the occupants that they were free to leave and not return. The hope was that they would comply. The building would then be secured against unauthorised entry and the occupation brought to an end.

This, of course, did not happen. The occupiers refused to move. They made contact with friends and sympathisers on the outside by text, twitter and phone. A large crowd gathered quickly.

### 10.30 – 14.00

Shortly after 10.30 the Head of Security spoke with the University Control Room and asked them to contact the Police to support University security staff in relation to the crowd gathering outside. This was the first contact by the University with the Police in relation to the operation to regain control of the building. A small number of officers arrived shortly afterwards.

Two Police Constables entered Hetherington House and spoke to the Head of Security who explained what the University had done. The Head of Security asked those officers what the Police position would be in relation to removing the few remaining protestors in occupation. The Police Constables indicated that the Police would remove them if University security staff asked them to leave and they refused. It appears that they confirmed this with a more senior officer over the radio or by mobile phone. The Police then proceeded to remove the protestors one at a time. University security staff did not participate in the removal in any way. The Inquiry received evidence that indicated that the Police officers were courteous and that the protestors being removed offered passive resistance but were not aggressive or “overly awkward”. Nevertheless, the Police have confirmed that the Police officers who attended and removed the protestors should not have done so as they had no legal authority for this action.

The perception that the action taken on 22 March was an attempt to “evict” the occupiers was perhaps given greater credence as a result of the University's first statement to the Press which erroneously stated that “Police and University security are currently evicting those students who have not yet vacated the building”. This drew some criticism from the Police and subsequent statements to the Press were more carefully worded.

At the same time as the protestors were being removed from Number 13 University Gardens, a connected protest commenced in the adjacent building, Number 11 University Gardens. That protest was more disorderly. Police officers and University security staff were attempting with diminishing success to prevent incursion into that building by protestors. It appears that around 14 individuals had forced their way into that building and were encouraging the crowd outside to enter the building. The conduct of some of the protestors was sufficiently concerning for the Police officers in attendance to seek urgent assistance from colleagues.

The conduct of the protestors was also sufficiently concerning for HATII staff and students working in the building to remove themselves to the basement and close the door. They remained there for some considerable time and were prevented from and unable to leave the building until sometime between 13.00 and 14.00.

The protest at 11 University Gardens was brought to a conclusion just before 14.00. A number of individuals were arrested but for the most part the protestors in the building left voluntarily one by one. There was, by this time, a large crowd outside.

The Police have advised the Inquiry that “a call for urgent assistance tends to result in all available police resources in the immediate area 'self deploying' to the locus”. This is what happened on 22 March 2011. The response to the call for urgent assistance was swift and substantial. More than 40 officers attended as well as a Police helicopter and dog-handling units.

It was the presence of the police helicopter that first alerted the Head of Campus Services to the operation. He was in a meeting but texted the Head of Security to inquire whether there was any link to the occupation of Number 13 University Gardens. The Head of Security phoned him almost immediately and explained the action taken and reported that matters were escalating. Around 11.00 the Head of Campus Services made his way to the Gatehouse where he remained to assist security staff who were monitoring events and directing colleagues.

It was also about 11.00 that the University's Director of Corporate Communications first became aware of the action taken.

It was between meetings, around 12.00 to 12.15 that The Principal was first made aware by the Secretary of Court of the action initiated by the Head of Security earlier in the day. It was however nearer 13.00 that the Principal saw for himself the full scale of the Police operation and on returning to his office received a full briefing from the Secretary of Court.

#### 14.00 – 01.00 (23:03:11)

Very shortly after the ending of the protest at 11 University Gardens a section of the crowd, encouraged by several persons using loudhailers and who may or may not have been connected with the occupation, marched along University Avenue and made their way through the main gates. The Inquiry has heard that “their general demeanour was highly charged” and it was clear that the main administrative area within the Gilbert Scott Building was their intended destination. The University put in place its well established lock down procedure prior to their arrival.

The majority of Police officers had already left or were leaving the scene of the earlier disturbances by this time. Around ten officers had walked up with the march and they positioned themselves in front of the cloisters doors. The protestors' actions were becoming progressively more intimidating. A number were pulling and kicking at doors in an effort to force them open and windows were broken. Those Police officers, who had positioned themselves in the cloisters, left at this time leaving only University security staff. They were quickly overwhelmed and the protestors gained access to the balcony area outside the Court offices through a number of doors that were forced open. At least one member of the University's security staff suffered minor injuries as a consequence of these actions.

The entire Response Team met in the Secretary of Court's office around 16.00. The Head of Security had obtained a handwritten list of demands the text of which is set out in Appendix I. The Principal was kept informed. It was agreed that it might help to defuse the situation if the Secretary of Court agreed to meet the protestors. That meeting took place at approximately 18.00 around the large table outside the Court Office. The Secretary of Court was accompanied by the Director of Corporate Communications, and the other members of the Response Team were in attendance. The Secretary of Court indicated that the University was unable to accede to the protestors demands save that he did offer that there would be no academic sanctions taken against students in relation to the events of 22 March. He also agreed to speak to The Principal and to offer an open meeting to discuss the University's cost reduction plans. (That meeting subsequently took place on 25 March 2011).

After the meeting The Principal and the entire Response Team met and discussed what to do next. The feeling was that the continued presence of the protestors in the main building would cause serious disruption to University business the following day. In addition, by this time, the University's security staff were extremely tired. The decision was therefore taken unanimously to "sound out" the protestors' willingness to return to Number 13 University Gardens. This was done and the protestors agreed to leave the main building and return to Number 13.

## 5. Conclusions And Recommendations

It is often the case that those asked to assess, at a later date, a decision taken quickly in the heat of the moment are able to criticise that decision as ill-advised. We are conscious that we have the benefit of both hindsight and time for reflection. Our conclusions should be read in that light.

### The Nature of the Occupation

- The occupation of Hetherington House was planned and well organised. As the premises were unoccupied any adverse impact on the day to day operations of the University was minimal. Although there was undoubtedly participation by individuals who were not students at the University it was, in the Inquiry's view, fundamentally, a University of Glasgow student protest.
- Albeit a student protest it did not have the same formal mandate and legitimacy as an authentic, expression of "student opinion" as the SRC can claim.
- Whilst the voice of dissent must be given a reasonable means of expression, the Inquiry believes that the occupation of a University building without permission for a prolonged period coupled with an unrealistic set of demands goes beyond legitimate protest. In this case the matter was put beyond doubt by damage done to University property, either by the persons occupying or by persons whose presence was attracted by the occupation. In addition, violent behaviour and damage to property undermines the University's ability to enable student protest to take place on campus.
- There was a continuing willingness on the part of the Response Team to engage in discussion and this was communicated effectively to those occupying. This was the correct course. By "discussion" we mean dialogue which falls short of negotiation. The existing channels for considering demands from the student body and, if appropriate, meeting those demands, are long standing and effective. To be willing to "negotiate" demands from other unofficial groups, especially in the context of occupation of University property, would undermine the whole basis on which student demands can be discussed and met. There are, of course, good practical reasons for insisting on this approach. It has to be clear who is speaking on behalf of whom, that they have a mandate from those in the group and that what is said does represent the views of those who are complaining.

#### Recommendation:

Clearly it is important to engage in dialogue in the form of discussion and maintain a channel of communication with those involved in such protests but it should be made clear that there can be negotiation only with and through elected student representatives. To do otherwise undermines the authority of SRC in particular.

### The University's Response to the Occupation of Number 13 University Gardens

- The early establishment of the Response Team to manage the University's response to the occupation was the correct course of action. The composition of the Response Team was generally appropriate. It included representation from all of the key functions that were affected by the occupation - with the exception of the academic community itself. The Response Team met regularly and conducted itself in a professional manner. However, in the view of the Inquiry, the Response Team lacked clear and well defined processes and procedures which had they been in place might have led to a different decision being taken on the morning of 22 March 2011.

**Recommendation:**

In future, given the possible need to apply academic sanctions, any Response Team should include representation from the academic community, most appropriately the Clerk of Senate. In addition, consideration should be given to including representation for staff and students directly affected by any protest (e.g. the relevant Head of School).

A written protocol should be established for any future Response Team setting out levels of authority and procedures for making key decisions.

- Overall the University's management of the occupation during the period from 1 February 2011 to 21 March 2011 was professional, considered and appropriate. Due consideration had been given to environmental, fire risk and health and safety issues. A helpful line of informal communication between the occupiers and senior management had been opened up quickly by the Head of Security. He appears to have been well regarded by the occupiers.
- The "low key" approach was a sensible one in the circumstances and may well have been successful in bringing the occupation to an end. If it had proved to be unsuccessful, formal court action would have been required. Although this could have given rise to demonstration and protest, there would have been an opportunity to prepare for, plan and manage that situation.
- A similarly low key approach was adopted in relation to communications. The Response Team had a clear external communications strategy which was followed through and, in the Inquiry's view, worked well during the initial period of the occupation. No equivalent internal communications strategy was put in place and consequently there was minimal communication with University staff and students. This was an omission that left the majority of staff and students ill informed about the nature of the occupation and the University's response to it.

**Recommendation:**

The University should conduct a review of its approach to internal communications in such situations. It is far from certain that "MyGlasgow" is the first port of call for many staff and alternative means of communications (such as team briefings) should be investigated.

- By contrast, the decision on 22 March 2011 to adopt the "opportunistic approach" to bring the occupation to an end was taken without due consideration of the possible outcomes. The Inquiry is satisfied that it was not an attempt to "evict" the occupiers but instead an attempt to secure the premises and prevent further access. The Inquiry is of the view that the decision taken was one which ought to have been recognised as likely to give rise to significant problems (as appears to have been the case in the Response Team's earlier deliberations). It should not have been left to one person, in this particular case the Secretary of Court, to make the decision to proceed with the opportunistic approach without any attempt being made to consult with other members of the Response Team.

**Recommendation:**

A written protocol be established for any future Response Team setting out levels of authority and procedures for making key decisions.

The strategy for managing any incident of this kind should be a matter for the University's senior management and security personnel, having consulted with Strathclyde Police and using the experience gained by other similar establishments. We understand that there is an Association for University Security Advisors and we would endorse participation in such Association.

- The Inquiry is in no doubt that, in the absence of a voluntary departure by the occupiers, the University should have pursued its original plan to obtain a court order to conduct a lawful eviction.
- Events moved very quickly indeed following the attempt to secure the building. In the Inquiry's opinion there was an early opportunity for the University to defuse the situation by abandoning the attempt to control access to the building. This opportunity was not recognised, arguably because there was no effective command and control of the operation in place. The Head of Security, the person who should have had oversight and been controlling events, was caught in the thick of the action inside Hetherington House.

**Recommendation:**

In any significant operation of this sort (for example a large protest march or a lawful eviction) the Head of Security should exercise command and control of the operation from a distance and not be directly involved in the front line.

- Given that the University's stated aim was merely to prevent any further access to the building it is somewhat surprising that individuals were ultimately physically carried out of the building against their will. It appears that the idea of removing people from the building may have been first mooted by the Head of Security but the decision to proceed was taken by a Police officer. It was a decision that, based on the evidence received by the Inquiry, the Police officer was entitled to make but did not have to make. It would have been far better for any removal of those in occupation to have the backing of a court order. It should be said that the Inquiry received ample evidence that the Police officers acted in a professional way and were not aggressive, threatening or violent towards the occupiers.
- The Police response to the "urgent call" for assistance was both rapid and substantial. As far as the Inquiry can gather that is normal Police procedure and consequently it is difficult to criticise. Strathclyde Police, having conducted their own internal investigation are satisfied that, save in relation to the removal of protestors from Number 13 University Gardens, the Police followed all correct procedures. The University had no control over or ability to influence this response. Once the situation had escalated it moved out of the University's control and, as one would expect, the Police operated entirely within their own well established operational procedures.
- As the protest moved to the main building the University's standard lock down procedures were put in place. The main building is a difficult building to "lock down" against a determined and aggressive group of protestors. Although these procedures had worked in the past they were never going to be able to withstand a concerted effort to gain access of the sort that took place on 22 March 2011. There was some evidence that suggested that perhaps more sophisticated measures could be put in place to make (or to assist in making) the buildings more secure.



Recommendation:

The University's lock-down procedures should be reviewed in order to see if they can be improved. In particular, consideration should be given to the use of more secure communications, improving CCTV systems and further training for security staff. Consideration should also be given to all (or key members) of the University's security staff obtaining appropriate Security Industry Authority accreditation.

- The Inquiry is of the view that, due to the lack of any scenario planning, inadequate advance consideration was given to the well-being of students and staff in HATII who got caught in the thick of the action.
- The decision to let the protestors back in to Number 13 University Gardens was no doubt a very difficult one for The Principal and the Response Team to make. The Inquiry is firmly of the view that it was the correct decision.

### The liaison between the University and Strathclyde Police

- During the period from 1 February 2011 until 22 March 2011, appropriate and regular liaison took place between the Response Team and the Police. Both were in agreement that a low key response was the correct course of action.
- It is clear that the Police had not been informed in advance of the proposed attempt to end the occupation. This was an error of judgement. The Inquiry is satisfied that had the Police been consulted they would have advised against and recommended that the University obtain a court order requiring the occupiers to leave the building.

Recommendation:

There should be detailed discussion with the Police in relation to the best way of managing any further incidents of this kind. Thereafter specific action plans should be agreed and implemented, including requirements for risk and impact assessments, agreement on the part of those managing the incident on the course of action to be taken and security personnel adequately trained and present in sufficient numbers.

- The Inquiry has been unable to find a satisfactory explanation as to why, when the protest march reached the cloisters and was evidently becoming more violent and aggressive, the Police officers in attendance decided to leave. The Police believe they were asked to leave but the Inquiry received no evidence that any such direct request was given. Certainly, those from the Response Team who were asked to give oral evidence remained perplexed as to why they withdrew at this time. The University has in the past advised the Police of its strong preference that Police officers should not come onto campus during student demonstrations. It may be that the Police on site were or became aware of this general request and that consequently they decided to remove themselves from campus.
- There is no evidence to suggest that the decision to allow the protestors to re-occupy Number 13 University Gardens has in any way soured relations between the University and the Police.

Recommendation:

The University should seek to clarify with Strathclyde Police the circumstances in which Police should enter and leave campus during student protests and demonstrations.

## Appendix A

### Inquiry Terms Of Reference

#### 1. Background

- 1.1 On 22 March 2011 attempts by the University to end a seven week occupation of Hetherington House led to considerable public disorder and disturbance on the University of Glasgow campus. A considerable police presence was deployed on campus and protestors were removed amid unruly scenes. Protesters subsequently occupied part of the University's main administrative building. The protestors agreed to leave on being allowed to reoccupy the Hetherington House. Concerns have been raised that the actions taken by University staff and by Strathclyde Police were excessive, unnecessary and/ or inappropriate.
- 1.2 The Principal of the University, Professor Anton Muscatelli, has established an independent inquiry into:
  - 1.2.1 the University's response to and management of the occupation during the period up to 22 March 2011; and
  - 1.2.2 the events that took place on 22 March 2011, (including the factors that contributed to the disturbances, the occupation of the main administrative building and their subsequent handling).

#### 2. Purpose

- 2.1 The aim is to establish the facts and make recommendations as to how the University should respond in future to large protests, occupations of buildings and major public order incidents on campus with a view to:
  - 2.1.1 striking the right balance between the right to protest and the normal operation of the University, and
  - 2.1.2 minimising the prospect of public disorder on campus.

#### 3. Scope

- 3.1 The Inquiry will examine:
  - 3.1.1 the nature of the occupation of Hetherington House;
  - 3.1.2 the University's response to the occupation of the Hetherington House and to the subsequent occupation of the main administrative building;
  - 3.1.3 the liaison that took place between University staff and Strathclyde Police prior to, during and following the disturbances on 22 March 2011;
  - 3.1.4 the liaison that took place between University staff and student representatives (including the SRC) during the occupations.

#### 4. Conduct

- 4.1 The Inquiry Panel will be chaired by The Rector, Charles Kennedy and will also include one representative from each of the University Court, Senate and the SRC. The University will provide The Rector with the access and resources he requires to conduct the Inquiry as he sees fit.
- 4.2 The Panel will receive evidence from interested parties and individuals who were involved in any of the events under examination or who witnessed any of the events under examination, and which will contribute to the Inquiry achieving its aim.

#### 5. Reporting

- 5.1 The final report of the Inquiry will be made openly available to the public.

## Appendix B

### Call For Evidence

#### [The Hetherington Inquiry – Call for Evidence](#)

The independent inquiry into the events on the University Campus on 22 March 2011 has now been formally constituted. The members of the Inquiry are:

Charles Kennedy (Chair)  
George Moore QC  
Professor Sheila Rowan  
Fraser Sutherland

This is a link to the Inquiry's Terms of Reference.

The first stage of the Inquiry is fact finding. During this preliminary stage the Inquiry will gather in and review documentary evidence and identify potential witnesses who can assist with the Inquiry's deliberations. The Inquiry has no power to compel anyone to provide evidence to it but encourages all those with knowledge of the events under investigation to come forward and share that knowledge with the Inquiry.

#### Important Information – Please Read Carefully

Please be aware that evidence provided to the Inquiry is not protected by any form of privilege. Accordingly, you must not defame any person, breach any obligation of confidentiality that you may owe to a third party or incriminate yourself in any way.

The Inquiry does not intend to publish written statements received and oral evidence will be heard in private. You should be aware, however, that the Inquiry reserves the right to:

- name all (or any) of those individuals and organisations who have provided statements, information or other evidence to it; and
- refer to, attribute and quote from written statements and evidence provided to it in its Report.

In addition the Inquiry may be required, by law, to disclose information it holds to third parties. In short, the Inquiry cannot, and does not, guarantee that information provided by you will be kept confidential.

If you have any concerns about the evidence that you wish to share with the Inquiry you should take legal advice before doing so.

#### Provision of Written Statements

Individuals who have knowledge of any of the events leading up to, during and immediately following the removal of those occupying the Hetherington Research Club building (Hetherington House) are invited (and encouraged) to provide written statements together with any supporting documentary evidence to the Inquiry.

To assist with the collation of evidence all statements should be provided in the form attached [Link to Word Document]. The form is divided into two parts:

##### Part 1 -Contact details

it is imperative that you provide your full name, address and contact details in order that the Inquiry may contact you. The Inquiry may also wish to verify your identity in due course.

##### Part 2 - Statement of Facts

your statement should give your recollection of events that you have direct knowledge of. Please feel free to explain your own actions in response to those events.

Whilst there is no limit on the length of your statement please be as concise as possible.

Written statements should be signed and sent, together with any supporting documentary evidence, by post on or before 13 May 2011 to the following address:

The Hetherington Inquiry (Ref: LCW)  
c/o Dundas & Wilson CS LLP  
191 West George Street  
Glasgow  
G2 2LD

Whilst not essential it would also greatly assist the Inquiry if soft copies could be sent by email to the following email address: [hetherington.inquiry@dundas-wilson.com](mailto:hetherington.inquiry@dundas-wilson.com).

If you require assistance in preparing your written statement please send an email to [hetherington.inquiry@dundas-wilson.com](mailto:hetherington.inquiry@dundas-wilson.com) with the subject "Written Statement – Request for Assistance". Please provide your name, address and a contact telephone number. You will be contacted shortly thereafter to arrange a suitable time and place for you to be interviewed and for your statement to be taken. Shortly after the interview you will be sent a transcript for review. Provided that you agree that it is an accurate record of your views you will be asked to sign and return the statement to the Inquiry in a pre-paid envelope.

## Hearing Evidence

Once the Inquiry has reviewed all statements and documentary evidence received you may be asked to provide further oral evidence to the Inquiry, for example, in order to clarify a particular issue. Please be aware, however, that the provision of a written statement does not mean that you will necessarily be asked to give evidence to the Inquiry. Further information regarding the hearing of evidence will be published in due course.

Laurence Ward  
Clerk to the Inquiry  
14 April 2011

## Appendix C

### Update From The Inquiry

Issued: Tue, 17 May 2011 12:56:00 BST

The Hetherington Inquiry would like to thank all of those who have provided written statements in response to the Inquiry's invitation to provide evidence. The Inquiry is very much better informed as a result.

It has, however, come to the Inquiry's attention that a number of individuals who are in a position to contribute important evidence may be reluctant to do so for fear that their evidence be used against them (or indeed others) in relation to possible student or staff disciplinary procedures.

In this regard, the University has confirmed to the Inquiry that it will not seek to obtain copies of any written statements or other evidence provided to the Inquiry and, that, in any event, it will not use any written statement provided to the Inquiry in any disciplinary or other University process without the prior written consent of the person making that statement.

The Inquiry, for its part, can confirm that evidence given to it will not be shared with the University. In addition, having considered the matter carefully, the Inquiry wishes to confirm that any evidence referred to in its Final Report will not be attributed to any individual by name. It remains the Inquiry's intention to attach to its Final Report a list of all individuals and organisations that have assisted with the Inquiry by providing evidence to it. In addition to acknowledging and thanking those who have taken the time to submit evidence, it is believed that the conclusions reached in the Final Report will carry more weight if the Inquiry can demonstrate that it has received and considered evidence from a broad spectrum of sources who have relevant knowledge of the facts.

## Appendix D

### List Of Persons Who Provided Written Evidence

Dr Jennifer Bann, Research Assistant, University of Glasgow

Henry Bell, Student, University of Glasgow

Simon Bordage, University of Glasgow

Neil Campbell, Head of Campus Services, University of Glasgow

Paul Dragsness, Security and Janitorial Services, University of Glasgow

Tommy Gore, President Students' Representative Council, University of Glasgow

Ann Gow, Head of Subject HATII, University of Glasgow

Matthew Haigh, Glasgow

George Hepburn, Security and Janitorial Services, University of Glasgow

Sarah Jones, HATII, University of Glasgow

Gordon Mackenzie, Head of Security and Central Services, University of Glasgow

Laura Molloy, University of Glasgow

Anton Muscatelli, The Principal, University of Glasgow

David Newall, Secretary of Court, University of Glasgow

Andrius Rudeiciukas, Glasgow

Martha Wardrop, Councillor, Glasgow City Council

Robert Weir, Head of Sections, University of Glasgow

Stephen Woodruff, University of Glasgow

Thomas Young, Building Superintendent, GMB and Health & Safety Rep

Strathclyde Police

## Appendix E

### List Of Persons Who Provided Oral Evidence

Gordon Mackenzie, Head of Security and Central Services, University of Glasgow

Anton Muscatelli, The Principal, University of Glasgow

David Newall, Secretary of Court, University of Glasgow

Susan Stewart, Director of Corporate Communications, University of Glasgow

## Appendix F

### Email From The Secretary Of Court To Staff And Students Dated 23 Feb 2011

From: owner-class@gl.a.ac.uk [owner-class@gl.a.ac.uk] On Behalf Of David Newall [postbox@glasgow.ac.uk]  
Sent: 23 February 2011 14:18  
Subject: Student Occupation

Dear Student

On 1st February 2011 students occupied the old Hetherington Research Club, University Gardens, to protest about a range of issues including support for re-opening the Hetherington Research Club, supporting the Egyptian uprising and supporting the Anti Cuts protests.

The University management supports the rights of students to peaceful protest and agreement was reached with the students and staff occupying the space in relation to basic Health and Safety issues and freedom of access.

Those occupying the building stated that they would police the space to ensure no criminal acts were committed.

On 2nd February, a door was forced open from the occupied building into the adjacent Arts and Humanities building. Damage was caused to University property. This was repaired at Public expense.

Those organising the occupation once again gave a firm undertaking that no further criminal acts would be committed.

On 3rd February a member of Security staff intervened to deflect a drunk and aggressive man from entering the occupied building. The Security Officer was punched and knocked to the ground as a result of this intervention.

On 12th February, a number of students surrounded, intimidated, confined and abused a fellow student visitor to the campus. Security staff once again required to intervene to prevent a more serious incident occurring.

On 21st February, staff within the Arts and Humanities building once again reported that the adjoining door to the occupied building had been forced open from within the occupied building and five Arts and Humanities locked doors had been forced open or badly damaged, locks smashed and a fire extinguisher had been discharged. Signs were torn from walls and doors and paperwork strewn about.

As a result of this criminal act the Police have been contacted and they are now actively making enquiries to identify those responsible.

Following this escalation of events staff working in proximity to the occupied building have written to University management to express their concern at the climate of fear for some staff working near to the occupied building.

As a result of all of the circumstances outlined above, today the University management have asked the students to conclude the occupation and leave the Hetherington.

The management of the University has supported the right of staff and students to protest effectively but peacefully and within the law. A small minority of protestors have repeatedly failed to do so.

The protest is now affecting the safety and wellbeing of our staff and students.

It is hoped that the occupiers will consider the views of others and end their protest in a dignified fashion.

The management of the University is examining all options to end the occupation.

David Newall  
Secretary of Court



## Appendix G

### Minutes Of Meeting Held On 1 March 2011

Meeting between University of Glasgow and Free Hetherington Occupation

1/03/10

Williams Room, John McIntyre Building

Present

*University of Glasgow*

Susan Stewart

David Newall

Neil Campbell

Gordon McKenzie

*Free Hetherington Occupation*

Alice

Jack

Tom

Douglas

*Others*

Tommy Gore (SRC President)

Bob Hay (minutes)

Jo (facilitator)

Sarah (notes on behalf of Free Hetherington)

1. Agreement on Agenda The parties disagreed on the primary objective of the meeting. Alice presented the view that the sole objective of this meeting was for parties to agree upon a date and venue for the University Management to attend a mass meeting of the Free Hetherington occupiers. The agreed 'line' of the occupiers was that all meetings between Free Hetherington delegates and University management should include the totality of the Free Hetherington. Alice believed that the occupiers had shown their willingness to compromise through their attendance at this meeting.

David understood this meeting to be an opportunity for the University to engage in discussion around the demands issued by the Free Hetherington. He highlighted the point that, in recent days, the University had also compromised as to the participants and structure of this meeting. The attendance of University management at a mass meeting would likely be unproductive and for that reason there was no agreement to attend a mass meeting of the occupiers.

Tom advised that the group from the occupation were not here as representatives. A strict mandate was set upon the delegates. Jack confirmed this position and reiterated that the Free Hetherington en masse wished to have a substantive discussion with representation from University management.

Jack also asked what obstacles are in the way of a mass meeting.

In order to progress the meeting and avoid "talks about talks", it was agreed that the meeting would hear the University's views on the demands as set out by the Free Hetherington on the understanding no decisions could be made without any form of consultation with the rest of the Free Hetherington; this could form part of an ongoing dialogue if both parties felt it necessary. Alice stated her view that there would be no more delegation engagement and that any future meetings would include all of the Free Hetherington occupiers.

It was agreed that consideration would be given, in turn, to each of the demands as set out by the Free Hetherington and that this would set the agenda for the meeting. The format of any future meetings would be considered at the end of the discussion.

Note: throughout this discussion several other matters were raised that did not strictly relate to this agreed agenda item.

- a) Receipt of demands: there was some dispute as to whether the Free Hetherington's demands had been formally delivered to the University. The group members present believed that their demands had been issued via security personnel.
- b) Dialogue with students: Susan sought assurance that only registered students of the University would attend any future meeting with University representatives. Tom advised that the Free Hetherington occupation was not just about current students but concerned the wider community of Glasgow. Individuals, therefore, would not be "vetted" for student credentials by the occupation group. Susan replied that neither she, nor David, possessed a mandate to discuss issues beyond those relating directly to the University environment, i.e. the Hetherington Club and students of the University.
- c) Recording of meeting: The Permanent Secretary of the SRC would record and take an official minute of the meeting. The draft minute would be circulated to all participants for agreement before being finalised. A Free Hetherington occupier would also record and take a note of the meeting. It was agreed that no recording would be distributed beyond the immediate group. No recording would be uploaded to the internet or distributed/circulated electronically. Notes taken by the Free Hetherington member would be regarded as an internal record, for the sole use of the Free Hetherington.
- d) The format of the current meeting: Douglas stated that the Management was unwilling to compromise although the Free Hetherington had compromised into the meeting by sending delegates to this even although it was against the Free Hetherington's non-hierarchical, democratic and fully inclusive principles. Jack asked again what the Free Hetherington occupiers could do to allow for a mass meeting. Susan then said the university was "emphatically" not ruling out a meeting with the whole occupation.

### Consideration of demands

Demand 5: We demand investment in higher education and wider public services and an end to the Government's programme of austerity.

Susan suggested that it would be useful to consider Demand 5 first, as it was likely to be something to which both parties could agree. The meeting noted general support for Demand 5.

Demand 1: The Hetherington Research Club to be returned to democratic control by students and staff, with the return of the block grant. All those who lost their jobs as a result of the closure should be offered their jobs back.

David advised that this demand could not be met. He proceeded to outline the background to funding and support arrangements (including £40,000 per year and free accommodation) that had existed for The Hetherington Club.

Following an approach from The Hetherington Club's General Manager, David had concluded that the club had been trading illegally. Independent external auditors and accountants confirmed that this was indeed the position. The remaining members of the Hetherington Club Board had agreed that it was essential to wind up operations before the difficulties worsened.

Although The Hetherington Club was a separate and independent entity, the University assisted considerably with the winding up process. Despite having no legal liability for the club, the University provided funding to enable it to meet all statutory responsibilities to employees and to pay off all creditors. Subsequently, the University were approached by a group who believed that The Hetherington Club could be viable, and who offered to prepare a draft a business plan for consideration. The Hetherington Club building was left unoccupied

in order to give the group time to prepare and submit this business plan. The Student Finance Subcommittee looked in detail at the business plan and concluded that the figures were unrealistic, both in terms of numbers of users and of financial margins. The Committee's unanimous view was that the business plan was not sound.

The Senior Management Group has asked Frank Coton (Vice Principal Learning and Teaching) to investigate options for future PG social space. The 'club' concept has, however, been ruled out. The view is that social space should be closer to teaching and learning spaces. There had been considerable concern regarding the non inclusive nature of previous Hetherington Club provision. Susan advised that an increasingly international agenda would mean that, multi cultural considerations would have rendered the Hetherington Club unfit for purpose and that there was a need to develop culturally inclusive social spaces.

Douglas asked whether the QMU and the GUU were funded on the same basis as the Hetherington, and whether, were an undergraduate space to find itself in similar difficulties, University Management would respond similarly. David stated that he was unable to comment on what was a purely hypothetical situation, and briefly explained the recent financial difficulties experienced by the GUU.

Demand 2: Anton Muscatelli should condemn the cuts and student fees and take the average wage of university staff, or resign.

David noted that there appeared to be a suggestion in this demand that Anton Muscatelli was inactive as University Principal, in opposing reductions in HE funding; he had, in fact, been the most vocal Scottish Principal in expressing concern about financial cuts and their damaging impact on higher education in a range of press articles, most recently an extended interview in the Sunday Times. The view of the University is and has been for many years, that education should be free and that any funding gap should be addressed through taxation and public funds. Although politicians face difficult choices in relation to local government, health, and education, the difficulties had been compounded for higher education by the decision to prioritise health services. Anton Muscatelli is asking that this be reconsidered. David reiterated that the position of Anton Muscatelli and the University of Glasgow is that education should be free for all. In the event that that this were unachievable, the distant second choice would be a move towards a graduate contribution as opposed to upfront tuition fees. However, the University's default position is that education be funded through taxation.

Tom questioned whether Anton Muscatelli was using the collective influence of the Russell Group to pressure the government. David advised that The Russell Group had a strong English focus and explained that it was difficult to engage them with particularly Scottish issues. Susan added that, in dealing with Holyrood, there had been considerable work done through Universities Scotland to identify a Scottish solution.

Regarding the Principal's salary, David outlined the process by which SMG members' salary was determined. He also stated that he regarded the personal targeting of Anton Muscatelli as unfair. The salary of the Principal is set by the Remuneration Committee, a committee of Court, which carries out benchmarking exercises and sets a salary level comparable with that of Principals of similar sized UK universities.

David advised that a reduction of SMG salaries to zero be insignificant in terms of a £35-million deficit. Susan provided a point of information that there are more high-earners in the College of MVLS than in the SMG.

Demand 3: No cuts at Glasgow University. We demand no job cuts, no course cuts, no cuts to student services, no cuts to teaching budgets and an end to the voluntary severance scheme.

David distributed a graph highlighting a range of budgetary scenarios considered by the University and talked through the external variables which impacted on the decisions concerning cost reductions at the University of Glasgow. He clarified the term "surplus" sometimes mis-called as "profit", explaining that a year on year operating surplus was essential for the future of the University as the means of ensuring that resources were available to reinvest in buildings and other infrastructure. David advised that any operating surplus was reinvested in the University and went nowhere else. Court aims for an annual operating surplus of £10 million per year. Calculations based on the original Labour government funding proposals had suggested. If nothing was done, the University would find itself with an operating deficit of between £10 and £15 million by the year 2015 to 2016. Under the new government's proposals, it appears that the financial gap could be £35 million in the same period.

Whilst there was an ambitious plan to achieve income growth of £15 million, it is also necessary to reduce costs. Court had reached a view that it was essential to act now rather than to wait two or three years before considering how to respond to straitened circumstances. The intention of the cost reduction proposals was to reduce expenditure by £20 million over three years (£3 million, £10 million, and £7 million). The February meeting of court had agreed that the consultation process on these proposals should begin and would report to the May meeting of court for a decision.

Tom suggested that the Russell Group are not taking part in collective bargaining. Susan responded that the University of Glasgow's the financial burdens faced by the Russell Group are different from those faced by other universities. She also said that Scottish Higher Education Institutions' efforts were best directed at Holyrood.

Douglas asked what the University would look like if the current proposed cuts only amounted to £3 million (nursing, anthropology, etc.) out of £20 million. David responded, saying that the headline-grabbers that Douglas mentioned were being considered for cuts because they were not areas of strategic priority for the University. In some cases other institutions in the City provide these courses.

Demand 4: Glasgow University must become a democratic place of lifelong learning for all residents of Glasgow.

David expressed concern regarding the specific reference to "residents of Glasgow". He highlighted the multicultural and diverse University environment which was rich in learning opportunities that benefited individuals as well as the city, the region, and the country as a whole. He sought clarification on the term "democratic" as he believed University of Glasgow to be democratic both in its culture (respect for the opinions of others and people feeling free to voice opinions) and structure (chairperson of court democratically elected from student body, SRC represented on virtually all University committees up to and including Senate and court).

Douglas asked whether the drive for more international students was motivated by the desire to increase multiculturalism, or by a desire for funds. David's opinion was that both were factors, as was the ability to attract talented people to Glasgow from outside the region. Susan remarked that this was relevant also when recruiting students from other parts of the UK.

Tom explained that there was a belief that the University was becoming less and less democratic; he cited the reduction in the number of Senate Assessors on Court as an example of management reducing the opportunities for the views of academics to be represented at the highest level of University, and also stated he believed the SRC had made a decision to withdraw from the Court consultation panels.

David replied that Glasgow did well here on a comparative level. The governing bodies of other Universities have low, or much lower, levels of academic representation.

Douglas raised concerns regarding the cost reduction consultation process, in particular the involvement of SMG members in all consultation panels, the lack of an independent facilitator and the lack of student involvement. David replied that the SRC would be fully consulted as would all other stakeholders on whom the cost reduction proposals would impact.

Demand 6: We demand a right to reply to the mass email sent to all students and staff concerning the occupation, and that no further mass emails be sent - any communication with the occupation should be done directly.

Alice advised that the Free Hetherington demanded the opportunity to reply to David's email of 22 February because she believed it to be a "breach of trust" and "aggressive". David replied that the group was already using University resources for which they had no authorisation. He was not inclined to extend this to include the use of the University email system. Alice pointed out that the e-mail was inaccurate on several points, and alleged that this was done with full knowledge by the SMG.

Douglas clarified that the occupation offered to pay both for a lock and for an alarm to be fitted to the upstairs connecting door to 14 University Gardens, following an incident where the door was breached, and was refused on both counts. The staff next door were satisfied that the occupation posed them no threat.

There followed a general discussion around the assertions in David's email and its impact on the student and staff community at Glasgow.

### Conclusion:

Following this discussion, Jack stated that all he had heard were five reasons why the University could not meet any of the Free Hetherington's demands and that there did not appear to be anything positive that the group could take back to the occupation.

David responded, stating that he wished to help ensure that the occupation could finish with the participants' heads held high. However, he advised that the University would not submit to demands where people occupied University space.

Jack stated that this meeting seemed to be an extended version of David's email to all students.

Alice proposed that we wait for David to return with a proposal for the setup of the next meeting. Tom suggested that a timeframe be agreed for a future meeting. As this meeting had not identified any common ground, he suggested that the Free Hetherington could consider redefining their demands in order to bring them back to University management in a more succinct format.

Alice stated that it now appeared that the meeting had come to a conclusion and that she had to leave.

David reiterated that the University was very responsive to student opinion and valued input from the SRC which played a crucial role as the student representative body. While he had respect for the group who had attended this meeting, and did not want them to leave feeling dejected, the University will not respond positively to demands issued on behalf of a group behaving in the manner of those choosing to occupy a University building.

Alice replied that there were a diverse range of individuals involved in the Free Hetherington occupation, encompassing different groups and organisations which could represent their own particular communities of interest. She suggested that this would be a better model of representation than the SRC. Tom and Douglas reiterated this view.

David confirmed that he would be willing to meet again with a group from the Free Hetherington occupation, but that the occupation must be brought to an end.

### Minutes:

It was agreed that Bob Hay, Permanent Secretary, would write a draft minute and then circulate amongst all parties for comment. Once finalised this would be the formal record of the meeting. The Free Hetherington advised that they would also be taking a note of the meeting, and that this would be for their own purposes and would not be a formal record of the meeting.

## Appendix H

### Email From The Secretary Of Court To "Free Hetherington" Dated 9 March 2011

From: David Newall

Sent: 09 March 2011 08:11

To: 'Free Hetherington

Subject: Message from Secretary of Court

9 March 2011

Dear Students

When I met with representatives of the Occupation on 1 March, I asked that you bring your protest to a peaceful conclusion.

The University has now allowed you to sustain your protest for some 5 weeks. However, you are aware that I am concerned about unsavoury incidents that have been associated with this occupation and about the anxiety it has caused to certain members of staff who work in adjacent premises.

I am therefore writing formally to ask you to bring the Occupation to an end.

Your continuing presence in No 13 Hetherington Gardens is now jeopardising plans the University has to refurbish the accommodation and to develop it for academic use. Our intention is, for the start of next session, to develop improved facilities in No 13 for students and staff in the College of Arts. These include practice booths for Music students and improved research laboratory facilities for students in English Language. Your continuing presence in the building will put these developments at risk.

If you fail to end the Occupation voluntarily, then the University will have to take steps to have you removed from No 13 and it may take disciplinary action against you in terms of the Student Code of Conduct. It would do this with great reluctance.

As I said when some of us met on 1 March, I respect your right to peaceful protest, and the way in which most of the students in occupation have conducted themselves. I do not want you to have to end your protest under a cloud. If you would find it helpful, I am willing to have further dialogue with you aimed at bringing the Occupation to a peaceful and satisfactory conclusion.

Yours

David Newall

## Appendix I

### Occupiers' Demands Issued On 22 March 2011

22 March 2011

Glasgow University Students

#### Occupation Demands

- Freedom of access to this building
- Immediate open and public investigation into today's events:
  - explanation of who, what, why
  - condemnation of events
  - guarantee that will not happen again
- No more police presence on campus
- No criminal charges and no academic repercussions for individuals involved in today's activities
- Transparency into cuts decisions at Glasgow University including a release of costing lists
- Change to the current consultation process at GU, including student involvement in general meetings and a removal of senior management from panel
- An end to the current programme of cuts at GU
- Immediate response to Jennifer Beaton's FoI re the Hetherington Building
- Reopening of the Hetherington and guarantee of safety of all belongings inside the Hetherington
- Immediate resignation of Anton Muscatelli