

# *CAFAS Update No. 70*

*14 June 2011*

*Council for Academic Freedom & Academic Standards*

*<http://www.cafas.org.uk>*

*Meeting:*

*Saturday 25 June 2011*

*2.000 pm*

*Room 624*

*Birkbeck College*

*Malet Street*

*London WC1*

*Underground: Goodge Street, Euston Square, Euston, Russell Square, Holborn*

## **UCU - LONDON MET: PRESS RELEASE, MAY 24th 2011**

**Following Vice Chancellor's address to Staff & Students, 24 May 6.30pm**

### **ZERO VISION FOR LONDON MET**

**1000 STUDENTS DENIED PLACES AT  
LONDON MET FOR SEPTEMBER 2011  
JEOPARDISING INCOME OF MILLIONS &  
REPUTATION**

**ALL STUDENTS FACE 'BIG BANG' IN  
SEPTEMBER 2012 'YEAR ZERO' PLAN**

**A DARK AND NARROWING VISION FOR  
STUDENTS FROM WORKING CLASS  
FAMILIES**

London Metropolitan's management continues to deliver this government policy, undermining London Met's mission - to offer a quality university education to students from less privileged backgrounds.

Criticised by staff and students for 'Crimes Against Humanities', Prof Malcolm Gillies tonight tried to move on from the current crisis, defended his decision to downsize London Metropolitan

University in the name of a sustainable action programme (SAP) and offering 'affordable education', and set the context for the next phase of reductions and cuts.

He addressed the «broader university community», with recently appointed Deputy Vice Chancellor, Peter McCaffery, and recently appointed Deputy Chief Executive, Paul Bowler. Attendance was strictly controlled. UCU understands the meeting was originally intended to include the press but press were later excluded on the pretext of there being no room.

It was the first of two meetings (City Campus address on Thursday) called at short notice and follows an away day meeting of the full Governing Board (May 19th), which endorsed the drastic cuts package, but criticised the breakdown in communications following adverse publicity in the press, an inundation of emails direct to Board members, and evidence of the illegitimate process and false figures used to force through cuts in the Arts & Humanities.

A communiqué issued to staff after the meeting and drafted by Malcolm Gillies' Executive Officer, Jonathan Woodhead (formally employed by David Willetts in Department of Education) admits procedural errors in deciding the cuts in Humanities

degree provision but dismisses these as collateral damage affecting only 3% of students.

Staff responded by saying that the Vice Chancellor's plan was unsustainable, diminished academic education opportunity for working class students, disrespected widening participation and would ruin the university, reducing 'London Met' to little more than a Business College.

### **KEY POINTS FROM MEETING**

#### **Widening Participation**

Governor, Diane Wilcox, chairing meeting, states Governors «proud of variable rates, lower than average, that would enable students to plan their finances.»

Claire Locke, President of the Student Union criticised economic strategy which limits student choice, and narrows student prospects and vision. She pointed out that having achieved a first class Honours degree from London Met with no school qualifications, she stands as evidence of what can be achieved, and that, with regard to debt, «Students are well able to make their own choices».

«London Met is only a second chance university for the Vice Chancellor and his deputies» Mark Campbell UCU

#### **Course/Faculty cuts**

Vice Chancellor amplified government policy and stated amazingly that: «Social Sciences and Humanities have virtually no (employment) value, especially for males».

Malcolm Gillies justifies cuts to meet challenge of Government cuts, (from 60-65% to less than 10% overall costs) and to meet student expectations with student fees averaging £6,800/yr. He claims that LMU's 'cost challenge' is 'highest in Humanities and Applied Social Sciences, and lowest in Business School' and states that whilst students of business studies have good employment prospects « Social Sciences and Humanities have virtually no (employment) value, especially for males ».

Students criticise a strategy which narrows student choice, narrows students' prospects and narrows student vision. Evidence from latest Student Satisfaction Survey, (almost 60% response from 3rd years) shows highest satisfaction with humanities and lowest with business courses.

Professor from the Business School says « cuts will have a negative impact in years to come », and criticises Vice Chancellor's strategy for unnecessary speed of interventions, undermining economically viable courses especially in Humanities, and using «a

style of management which has broken trust with your staff»

Cuts in support services necessary for students to go ahead.

#### **Research**

Research not a priority in future vision  
Peter McCaffery applauds London Met's achievements in 2008 Research Assessment Exercise 2008 (72nd out of 159 universities) but indicates management will not support research unless independently funded, given in 2014 the RAE will be « even more selective, and concentrated in favour of certain institutions ». Seeking further justification he claimed that the RAE indicated that only 30% of staff contributed to RAE. This denies selectivity of process and high numbers who are research active.

#### **Post-Graduate Teaching**

« Undergraduate students will not accept paying to subsidise post-graduate studies » (Malcolm Gillies)

Review underway of Post Graduate Provision. Peter McCaffery claimed that the sector had grown by 32% but at London Metropolitan it had only grown by four and a half per cent, (no source given for figures). Extensive cuts expected.

#### **Management & Consultation Process**

Peter McCaffery came under attack for supporting at London Met the three key aspects of management practice he had condemned (in publication, Higher Education Handbook) for leading to collapse at Thames Valley University in the 1990s: Inadequate consultation with staff; change imposed from above and the Big Bang approach.

Malcolm Gillies claimed the 'consultation procedure' that set the ground for restructuring and cuts had been fair with the exception of one faculty (understood to be Humanities). This claim was greeted with loud dissent.

Staff challenged the speed of the process, the failure to engage in meaningful consultation, the refusal to discuss alternatives proposed by the Union, and the failure of the Deputy Chief Executive to show up to meetings. Also condemned are false claims that course cuts are dictated by imperative to meet submission deadlines at OFFA.

#### **UCU POSITION**

UCU is well aware that London Met faces a financial challenge. For that reason our preferred starting point would not be a plan that immediately denies income to the university for 2011-2012 (£3m income lost immediately in student fees as 1000 applicants who have already applied to London Met have been told not to come).

UCU have already proposed;

Cut back in senior staff at both university and Faculty level

Cut to zero current bonuses at London Met

Cut down the estates – rumoured £21m+ on sale of Tower Hill site could cover most of HEFCE pay back

Voluntary redundancy scheme to be introduced this year after consultation with recognised Trades Unions

Look at deficit budget, if necessary, for 2011-2012

A realistic price structure for 2012-2013\*

WHY YESTERDAY DID THE VICE CHANCELLOR REFUSE TO ENTERTAIN ANY OF THESE SUGGESTIONS?

WHY YESTERDAY DID HE HAVE NO ANSWERS TO VIRTUALLY ALL QUESTIONS PUT TO HIM BY STAFF AND STUDENTS?

WHY YESTERDAY IN A HALL THAT WAS NOT FULL DID HE FAIL TO EXPLAIN WHY THE PRESS WERE NOT INVITED?

\* Note that UCU remains opposed to fees and will continue to lobby this and any future ‘education friendly’ government to wipe out any ‘student debt’ incurred. We favour paying for HE by increase in Corporation Tax. However, we are not in favour of ‘education on the cheap’ as proposed by London Met.

### **KEY FACTS AND STAFF POSITION**

- 1000 potential students have already been turned away: courses they planned to take in 2011/2012 have now been cancelled losing the university valuable income, and its reputation for future applicants.
- The Board of Governors have admitted that the consultation exercise preceding the course cuts in humanities was flawed
- Figures used to justify axing successful subject areas such as History, Philosophy and Performing Arts (all rated highly in professional League Tables) are incorrect
- Unique teaching resources and research expertise in Caribbean Studies, Trades Union Studies, Women’s Studies, History, Philosophy and the Performing Arts will be lost
- The Dean of Humanities Arts & Languages, HALE, has taken «early retirement»
- 190 job cuts already in process to achieve 10% savings this year with more to follow. (Vice Chancellor tells press will be in the 100s)
- Governors have been inundated with letters of protest including from the President of the

Royal Historical Society and eminent members of the Academic Community

- Jeremy Corbyn, MP, has initiated and Early Day Motion in the House of Commons
- Vice Chancellor has failed to deliver key requirements of Sir David Melville report, namely that the culture of non-communication between staff and management should end
- The closure of Arts and Humanities programmes mirrors government view that those of average academic ability won’t benefit from gaining a Bachelor of Arts
- In the pursuit of the VC’s ‘Big Bang’, the educational opportunities of all students will be diminished as all students from 2012 will have far less choice of course or module choice.
- The ‘Big Bang’ denies diversity within an institution with the most diverse student intake, (there are more black students in London Met than in the whole of the Russell Group) and undermines widening participation for young people seeking academic rather than vocational education.

ENDS

For Vice-chancellor Malcolm Gillies’ view see:

<http://www.timeshighereducation.co.uk/story.asp?sectioncode=26&storycode=416439&c=1>

The V-c shared a platform with David Willetts MP and others at a Centre Forum event:

[http://www.centreforum.org/index.php?option=com\\_content&view=article&id=268:uni-challenged-willetts&catid=34:forthcoming-even](http://www.centreforum.org/index.php?option=com_content&view=article&id=268:uni-challenged-willetts&catid=34:forthcoming-even)

The views of Centre Forum are outlined in its recent publication, ‘Universities Challenged’:

<http://www.centreforum.org/assets/pubs/universities-challenged-web.pdf>

(Source: UCU)

**CAFAS Update seeks to provide an open forum for opinion and discussion. Items do not necessarily reflect the views of the Council.**

# Academic Freedom as a Fundamental Right

by Jogchum Vrieling, Paul Lemmens, Stephan Parmentier, and the League of European Research Universities Working Group on Human Rights: Advice Paper, no 6, December 2010

A short paper, principally authored by three scholars working at the Catholic University of Leuven and published by the League of European Research Universities, explores the scope of academic freedom as a fundamental right. But it also aims to show how policy makers should take effective measures to protect and promote the freedom. In the authors' view, academic freedom has three principal dimensions: first, 'far-reaching individual rights to expressive freedom' for members of the academic community, including both staff and students, secondly, collective or institutional autonomy for the academy itself and its constituents (faculties and research units), and thirdly, an obligation on public authorities to protect the freedom and to take effective measures to ensure its enjoyment (see the Summary and para 86 of the paper.)

The authors review in paragraphs 5-21 of the paper provisions for the protection of academic freedom in national European constitutions, in Article 13 of the European Union Charter of Fundamental Rights and under the Council of Europe European Convention on Human Rights (ECHR), and by United Nations Covenants and the UNESCO Recommendation concerning the Status of Higher Education Teaching Personnel (1997). From these legal bases, they proceed to discuss the scope of academic freedom as an individual and then as an institutional right. More space is devoted to the former. That aspect of the freedom can be broken down into a number of separate, but related rights and freedoms: the freedoms to study, to teach and to conduct research.

Research freedom itself can be divided into, on the one hand, negative liberties to choose one's research topic and methodologies and freedom to choose when and where to disseminate research findings and results, and on the other hand positive rights to acquire the information necessary in order to produce good quality research. Effective protection of this positive right requires the imposition of obligations on various bodies – perhaps private as well as public authorities – to provide researchers with that information. The right to information is discussed by the authors in paragraphs 41-43, as is the researchers' freedom to keep their research data and sources confidential until they choose to release their findings (paras 44-45). This freedom was an aspect of the 'Climate Gate' controversy which erupted at the end of 2009, when it was alleged that university researchers had manipulated their research data to exaggerate the dangers of climate change: see para 2 of the paper. It can also be argued that effective research, and for that matter teaching freedom, requires the provision of adequate funding for universities and other higher education institutes. It is unlikely however that legally binding duties to provide such finance would ever be formulated by statute or by the courts; perhaps for that reason this argument is not discussed in the paper.

But the study does discuss fairly fully a controversial aspect of academic freedom: academic freedom of expression, which may be on a topic far removed from the scholar's or scientist's expertise. In this context subtle distinctions need to be drawn. For the authors academic freedom of expression fully covers speech within the university or academic context – say at a conference or seminar - where the scholar is speaking within his or her own expertise. That is surely incontrovertible. But it also covers 'extra-mural interventions by academics in their areas of expertise', for example in the course of a media

interview or of a political debate. (paras 54-56) This is more contentious, for it is not clear why a university professor should enjoy more freedom of speech in the context of a programme like ‘Question Time’ than, say, a politician or journalist appearing on the same programme. Further, it is not clear why an academic has special rights or freedoms when speaking within his or her expertise, than when talking about something outside his/her field of study. Indeed, it is arguable that a modern historian should have less freedom, say, to minimise the Holocaust than a lunatic or far right Holocaust Denier from an Engineering or Physics Faculty. Academic freedom surely imposes professional standards as well as conferring rights.

Institutional freedom is treated relatively briefly in the paper. Its justification lies in its support for the individual freedoms; without institutional back-up, individual university teachers and researchers would find it much harder to protect their own rights. The study rightly recognises that there may be tensions between individual and institutional rights, and that [t]oo much institutional autonomy could lead to the negation of the individual freedom of individual academics’ (para 61). Nevertheless institutional freedom is important and should be protected against the state. Within universities and other higher education institutes, a degree of self-government and participation in decision-taking by academics themselves is required in order to ensure that the institution does not take decisions inimical to the exercise of individual academic freedom (paras 65-66).

*Academic Freedom as a Fundamental Right* is a valuable study of a complex subject. It emphasizes that the freedom is not one for the enjoyment solely of professors and other employed academics; students also have rights to study and conduct

research – though no rights for students are recognised in the United Kingdom statute, the Education Reform Act, 1988. The study makes copious reference to academic literature and to the provisions of national constitutions. It also discusses a few recent European Court of Human Rights decisions which bear on academic freedom, though sometimes they seem more clearly relevant to the related freedom of expression, which, unlike academic freedom, is explicitly guaranteed by Article 10 of the ECHR. The paper makes a valuable contribution to academic freedom literature – more necessary than ever in the era of the managed university when the threats to exercise of the freedom are greater than they have ever been – at least in liberal democracies.

**Eric Barendt, Emeritus Professor of Media Law, UCL and co-chair of CAFAS.**

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## **Ten Questions discerning students might ask their prospective University**

Do the currently compiled League Tables of Universities reveal enough about their capacity, interest and effectiveness in championing the individual in pursuit of a ‘good’ education? The following questions may help to discern whether in pursuit of open market competition for tuition fee ‘income’, a University may concentrate more on artful construction of its statistical submissions to League Table compilers than on its pursuit of the purpose and value of the University to students and to society. How well does a University stand up to criteria that academic faculty know indicate quality and character in an education?

1. Does its mission statement champion the value of academic freedom in learning and thinking in preparation for participation in a knowledge-based society?
2. Are those employed to teach and to do research described as “academic faculty” (or “academic staff”)?
3. Does the University’s literature extol the accomplishments of its academic faculty in teaching and research?

4. What is the ratio of tenured (permanent) academic faculty to (graduate level) administrators?
5. Do any administrators (including VC) earn salaries exceeding, say, 1.5 times the mean professorial salary?
6. What is the ratio of undergraduate students to permanent (tenured) academic faculty?
7. Do students participate in faculty discussions of curriculum development and educational opportunities?
8. What possibilities are there for changing direction among degree programmes?
9. What opportunities and requirements are there for extended guided research projects?
10. What proportion of contact teaching time requires debate and argument with “peers and professors”?

**Janet Collett**

## Noam Chomsky on academic freedom:

<http://www.youtube.com/watch?v=Q97tFyqHVLs>

## NOTICES

### Meeting 2.00 pm 25 June 2011

#### Agenda

1. Minutes
2. Matters arising
3. Website
4. Defending Academic Freedom
5. Academic Freedom
6. Campaigns
7. Casework
8. AOB

**Officers' meeting in Room 624 at 1.30pm**

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#### **Cafas Reports**

Details are on [www.cafas.org.uk](http://www.cafas.org.uk)

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## Committee

#### **Co-Chairs:**

##### **John Fernandes**

76 Bois Hall Rd, Addlestone Surrey KT15 2JN  
johnfernandes500@googlemail.com  
tel: 07438572941

##### **Professor Eric Barendt**

74, Upper Park Road,  
London NW3 2UX  
020 7586 9930; e.barendt@ucl.ac.uk

#### **Secretary:**

##### **Ben Cosin**

3 Halliday Drive DEAL Kent CT14 7AX  
01304 361074 Brcosin1928@yahoo.co.uk

#### **Membership Secretary & Treasurer:**

##### **Dr Eva Link**

17 Highcliffe, Clivedon Court, London W13 8DP  
02089982569; rekgem11982@yahoo.co.uk

#### **Casework Co-ordinator & Founding Member:**

##### **Colwyn Williamson**

3 Canterbury Road, Swansea SA2 0DD  
01792 517 473; m:07970 838 276  
colwynwilliamson@hotmail.com

#### **Cafas Update Compilers:**

##### **Pat Brady**

3 Ingleby Way, Chislehurst BR7 6DD  
0208 467 2549; patrick.brady28@googlemail.com

##### **Geraldine Thorpe**

7 Benn Street, London E9 5SU  
0208 986 3004; thorpegm@gmail.com

#### **David Regan Appeal Coordinator:**

##### **Dr Janet Collett**

School of Life Sciences, University of Sussex, Brighton  
BN1 9QN  
01273 473 717

j.i.collett@sussex.ac.uk, janet.collett@gmail.com

#### **Students' Complaints:**

##### **John Fernandes**

76 Bois Hall Rd, Addlestone Surrey KT15 2JN  
johnfernandes500@googlemail.com

#### **Website**

##### **Ali Hosseini**

##### **Rashid Mehmood**

#### **Cafas Legal Advisors**

##### **Professor Eric Barendt**

74, Upper Park Road,  
London NW3 2UX  
020 7586 9930; e.barendt@ucl.ac.uk

##### **Dr Amir Majid**

32 Forest Drive West, London E11 1LA  
0208 556 1990, drmajid47@googlemail.com

#### **Health & Safety**

##### **Ian Hewitt**

Ian.Hewitt@phoncoop.coop

#### **Founding Members**

Michael Cohen

Colwyn Williamson

## DO YOU BELIEVE

- That academic standards have been dumbed down throughout the higher and further education sector?
- That this decline has been accompanied by the escalating rhetoric of 'excellence' and 'world-class'?
- That the number of contact hours between teachers and students, which the Dearing Report described as a proper measure of the quality of education, has been reduced across the board?
- That there are all sorts of pressures on examiners to pass candidates who would previously have failed?
- That it is far easier to obtain Firsts and Upper Seconds than it used to be?
- That practices which used to be treated as academically unacceptable, or even as cheating, are now widely regarded as normal and inevitable.
- That the effect of the RAE and other pressures on academics is to increase the quantity of research, not the quality, and to restrict innovative and critical thought?
- That there are pressures, often of a commercial nature, to avoid certain areas of research, or to falsify results or to distort their conclusions and significance?
- That, despite lip-service to the importance of teaching, universities and colleges take little account of this in career advancement?
- That academic values have been largely displaced by market values?
- That the stated 'mission' of universities to serve the community has been abandoned in favour of commercial priorities?
- That education in the UK no longer has the status of a right bringing social benefits, but is instead treated as a commodity to be bought and sold?
- That discrimination against women and ethnic minorities is still rife in the employment and promotion practices of tertiary education, despite the multicultural community it is supposed to serve?
- That the work of the union in fighting discrimination and victimisation can usefully be supplemented by specialised advice and support from an organisation which focuses on issues of academic freedom and standards?

If you believe that many or most of these propositions are true, you ought to be a CAFAS member and your UCU branch ought to affiliate. Membership Secretary & Treasurer: Dr Eva Link, 17 Highcliffe, Clivedon Court, London W13 8DP 02089982569; [rekgemL1982@yahoo.co.uk](mailto:rekgemL1982@yahoo.co.uk)

If you would like a speaker from CAFAS to address a branch meeting, contact Colwyn Williamson, [colwynwilliamson@hotmail.com](mailto:colwynwilliamson@hotmail.com); 07970 838 276  
[www.cafas.org.uk](http://www.cafas.org.uk)

## CONSTITUTION

CAFAS' aims are outlined on the membership form. The full constitution can be obtained from the Secretary or [www.cafas.org.uk](http://www.cafas.org.uk). CAFAS was founded in February 1994. It depends on subscriptions and an active membership. It meets in January, April, July and September/October.

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### Next deadline: 28 September 2011

Please send letters, news items and articles to:  
Pat Brady [patrick.brady28@tgooglemail.com](mailto:patrick.brady28@tgooglemail.com) & Geraldine Thorpe [thorpegm@tgooglemail.com](mailto:thorpegm@tgooglemail.com)

**Meetings 2010-11**  
**25 June 2011 - room 624**

**October meeting t.b.a. – see website**

### Defending-academic-freedom discussion list

Access defending-academic-freedom on [www.cafas.org.uk](http://www.cafas.org.uk)

### SUBSCRIPTION

**Dear Members**

**Some of you have forgotten to pay your membership fee.**

**Could you please be kind enough to check the date of your last payment on the address label? If you should find there "\*\*\*\*" or "\*\*\*\*!!!" could you please send a cheque without further delay as your contribution is absolutely crucial to the well being of CAFAS.**

**Many thanks for your contribution.**

**Your Treasurer and Membership Secretary,  
Eva Link**