

# ***CAFAS Update No. 63***

***19 June 2009***

***Council for Academic Freedom & Academic Standards***

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

***Meeting:***

***Saturday 4 July 2009***

***2.00 pm***

***Room 251***

***Birkbeck College***

***Malet Street***

***London WC1***

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

## **Justice for North West 10 Campaign**

We would strongly urge academics to support this campaign as it is an infringement of academic freedom. The relationship of staff and students in education with regard to academic freedom is under threat, where views and opinions will be silenced and therefore the end of the main principle of existence of higher institutions of education.

Below are the campaign leaflet and a motion from the UCU Conference.

## **Free the North West 10 – victims of state terror!**

On the 8th of April 2009, in a high profile operation, armed police carried out a number of raids in the North West of England and arrested twelve students as terrorist suspects. One, a Liverpool University student, was thrown to the ground and held there at gunpoint for an hour, before being interrogated for several more hours. Several UK cabinet ministers made statements implicating the students in a terrorist conspiracy. “We are dealing” said Prime Minister Gordon Brown “with a major terrorist plot. ... We had to act pre-emptively to ensure the safety of the public”.

However after further intensive interrogations and searches of their houses, their mobile phones, hard discs and the localities where they lived, not a shred of evidence could be found against them. They had been arrested on terrorism charges but in the third week of May Manchester police said they

were innocent and they were 'released' but ten of them were immediately held as Category A prisoners and had their visas withdrawn under an 'administrative rule of immigration' for 'Islamic extremism' and as a threat to national security.

Significantly, none of these students has been told of any evidence against them and nor have their lawyers. However, their bail application was refused on 13th May and the next bail hearing is as far away as 27th July.

If these students are deported with the shadow of terrorism hanging over them, they will be treated as terrorists in Pakistan

They have been moved from prison to prison and are still being held as Category A prisoners. Currently four of them are in Strangeways prison in Manchester, three in Woodhill prison in Milton Keynes and three in Armley prison in Leeds. Until 22nd May when they were allowed telephone contact, they were allowed no access to their families.

Stop this persecution of innocent students – let them complete their studies!

Some of these families have made enormous sacrifices to send their children to the UK. In a letter to Gordon Brown on 15th May, four of the parents urged him to release them and allow them to continue their studies or at least allow them to sit their exams. They wrote: 'It is with utmost distress and pain that we approach your kind office to plead the case of 10 Pakistani students, who are being held by British authorities despite the absence of any charges or evidence. Our kids are in prison, thousand of miles away from us having no contact with them for the last 43 days. Agonies, stresses which we are experiencing at the moment cannot be simply explained...Our children are still being punished for crimes that they never committed. Just imagine what will be the mental state of these students if they are deported without realizing their dream of completing higher education. We are a poor people and some of the parents have arranged loans for their kids to send them abroad for education'.

The brother of one of the students said in Pakistan 'I appeal to the British government "You know he has not done anything so please release my brother". And to the Pakistani government "For

God's sake don't lie. You are doing nothing to help us" '.

It is clear that these students have been targeted purely because they are young Muslims and because they are from a country – Pakistan – which is increasingly being described by the US and British governments as the central hub of terrorism, even as civilians there are facing intensive bombing in the name of a 'war on terror', leading to a massive humanitarian crisis.

In this travesty of any notion of justice, innocent young men have been incarcerated, denied legal aid and threatened with deportation even though all charges against them have been dropped due to lack of any evidence. It demonstrates that the government can simply disappear people, who then have no access to basic legal rights or any system of accountability.

Under a new counter terrorist strategy anyone can be labelled a terrorist or a 'clean skin' – a term meaning, according to the Daily Telegraph, (10 May 2009) 'a highly trained professional killer whose blameless background provides not the slightest clue as to their true, evil intent'. It means that nearly every one of the 10,000 or so Pakistani students in this country could be targeted.

This case is also a terrifying demonstration of how far civil liberties and basic rights have been rendered meaningless in Britain. As Tariq Mehmood from the j4nw10 campaign puts it 'The gloves are nearly off and it won't simply be the Muslims who feel the heat.'

These young men and their families need our support in their fight for justice. We must resist this new extension of state terror.

#### **j4nw10 demands that:**

1. The ten students are released immediately and allowed to complete their education before they return to Pakistan
2. Those students who have suffered be compensated financially and assisted in completing their education
3. The ministers who made statements about the arrests implicating the students apologise publicly

What you can do:

1. Support and strengthen the campaign by attending its public meetings and protests posted on [www.j4nw10.org](http://www.j4nw10.org)
2. Lobby your union branch or students' union or human rights organization to pass a resolution supporting the North West 10 and get them to organize public meetings in support of the campaign – contact the Campaign on [j4nw10@yahoo.com](mailto:j4nw10@yahoo.com) for a speaker.
3. Urge your MP to sign the Early Day Motion 1453 in support of the North West 10
4. If you are a lecturer or University administrative officer sign the letter to educational institutions in support of the North West 10 available from [j4nw10@yahoo.com](mailto:j4nw10@yahoo.com)

### **Motion passed overwhelmingly at Conference and is therefore UCU policy:**

On 8 April 2009, armed police carried out a number of raids in the NW of England and arrested 12 students as terrorist suspects.

After intense interrogation not a shred of evidence could be found against them. By the third week of May Manchester police conceded that they were innocent. However, ten were immediately detained under immigration detention provisions.

They are now being moved from prison to prison, some being moved every night.

Recently Justice for North West 10 campaign has been formed.

Congress agree to:

1. Demand the ten students are released immediately and allowed to complete their education
- 2 Support the Justice for North West 10 campaign
- 3 Write to the Home Secretary demanding the deportation is stopped and they are released.

**Moved by University of Liverpool**

## **Time to open universities' account books**

As many of the pillars of society and public figures are discovered, one by one, to be somewhat less than scrupulous, as the term is understood by taxpayers, is it also timely to question how well University governing bodies look after taxpayers' and student fee payers' funding for Universities? Governing bodies receive Annual Reports containing the audited accounts of "their" institutions, but in holding the purse strings, how much do many governing bodies really know about the effectiveness of the institutions' real business – the education of the next generation of responsible professionals and citizens?

The remuneration levels of the upper levels of University administrations ("Managers"), the large numbers of teachers on short-term contracts, high drop-out rates, and many other telling details of educational statistics are available from HESA (Higher Education Statistical Agency). And if HESA falls short in the information it offers about an institution which might be a worthy subject of investigation, then try using the Freedom of Information Act, for which there are guides available on the web. The statutory obligation for delivery of the requested information about a public institution is 20 days.

Persistence in using these sources to scrutinize several institutions might just bring a small revolution in the good practices of Universities - following in the footsteps of none other than the House of Commons!

**Janet Collett**

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

## **CAFAS and DAWN make a joint submission to the Government's consultation on Dispute Resolution**

British universities used to be based on the principle of collegiality, according to which a university is a public institution, all of whose members have, at least to some degree, a shared responsibility for its governance. This principle has in the last two or three decades been progressively eroded by a radically different conception according to which a university is, in effect, a private body owned by its senior management, with everyone else a paid employee. This new philosophy, which regards an institution supposedly dedicated to academic values as essentially just another business, has had a devastating impact on dispute resolution with staff grievances being routinely whitewashed. The three priorities that are supposed to govern universities are stated in their Charters: to provide a liberal education, to carry out original research, and to benefit the communities in which they exist. Few academics nowadays would recognize this as an accurate description of the institutions in which they work, which have increasingly become like companies dominated by commercial and managerial values.

We believe that there is a misconception amongst the managers of our industry and our universities. It is that the ownership of the business or the institution is essentially theirs and that the staff are merely paid to carry out orders. It is with this background that HR and personnel officers often side with the management in a dispute resolution process. Indeed the 'us and them' culture is quite apparent in the consultees' responses to Michael Gibbons' and the Government's consultations. Our view is that this approach is no longer sustainable and damages the competitiveness of British universities at a time when China and India are producing more graduates than the UK and the US combined. In Lisbon in 2003, all EU heads of Government agreed a strategy to make Europe the most competitive and dynamic knowledge based economy in the world through innovation, high knowledge-based products and enterprise. We believe that this strategy is essential to our future prosperity and that good employer-employee relations are crucial to its success. The achievements and the standing of Higher

Education institutions are the product of the collective effort of all employees. In a high knowledge-based economy, the human resource is the most important asset, and as a consequence economic prosperity is inextricably linked to social justice.

In 2008, Michael Gibbons reported on his consultation aimed at "improving" employment tribunal procedures, and the government issued its own response, asking bodies that it considered to be relevant to respond. To the government, the only relevant organisations were the employers, the unions and the human resources organisation, CIPD. This effectively prevented any voice from those most affected by employment tribunal procedures, viz. those bringing claims against an employer without benefit of union support. After our objections, CAFAS and DAWN were invited at the last minute to comment on the Government's Response by BERR, with an extremely tight deadline.

Our submission is in two parts. Part 1 is concerned with comments on the Government's Response to the Primary Measures Consultation. In Part 1, we question the rationale for the proposed repeal of the Dispute Resolution Regulations when evidence show that those Regulations had produced the desired outcome viz. early resolution of grievances and a reduction in the number of Employment Tribunal claims. We discuss a certain anomaly in relation to the proposed incentives and penalties to encourage early resolution of disputes. We express our view that the statutory Code for the grievance procedure should include a requirement upon the Respondent to provide a written response to the Complainant prior to the hearing, akin to the ET3. We question the Government's proposition to invest £37m to expand ACAS and express our view that the term 'advice' has been used somewhat incorrectly. The reason for this is that 'advice' needs to be differentiated from 'information'. We discuss the real difficulties that employees face in securing funding for legal representation for their tribunal claims. We propose the setting up of a single agency to address this issue. Under 'Employment Tribunal Procedures and Case Management' we have made proposals in the areas of 'duration of hearings', 'weak and/or vexatious cases' and 'structure of employment tribunal panels'.

Part 2 of the submission is concerned with the secondary legislation consultation. We question the appropriateness of extending the 'relevant

advisor' role to CIPD members. We have expressed our views in the areas of: arrangements for accruing interest on unpaid employment tribunal awards; broader powers for employment tribunals to make recommendations; the proposition to reduce the qualification period from seven to five years for the appointment of Employment Tribunal judges and the revised Employment Tribunal forms.

The full text of the submission can be obtained from John Fernandes, Chair, CAFAS.

Dr David Hinton Chair, DAWN  
Dr Vijitha Weerasinghe Committee Member, CAFAS

DAWN is the acronym for Dignity at Work Now  
<http://www.dignityatworknow.org.uk/>

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## Obituary

# John Saville

It is with great sadness that I report the death aged 93 of John Saville, one of CAFAS's most distinguished patrons. John was the chair of our predecessor organisation, the Council for Academic Freedom and Democracy (CAFAD), which he, Ralph Miliband, and John Griffith founded to defend the staff and students victimised in the wake of the 1968 uprisings in the universities; and after the formation of CAFAS in 1993, all three were quick to sponsor our work.

John was an example of the rule that, often at any rate, only 'extremists' can be counted on to fight for supposedly middle-of-the-road values like free speech. He was radicalised as a student at the LSE, a hotbed of leftwing politics in the Thirties. He became, and remained for the rest of his life, a Marxist, a member of the British Communist Party until 1956, when he and several other leading intellectuals, including E P Thompson, resigned over the Russians' brutal suppression of the Hungarian revolution.

John lived in Hull until a month before his death. He began to teach economic history at what was then called the University College of Hull in 1947, going on to become professor of economic and

social history, a position he held until his retirement in 1982. Both the students he was paid to teach and the trade unionists for whom he ran eight-week-long summer classes found him a truly inspiring teacher.

His most influential works were his Essays in Labour History and his Dictionary of Labour Biography, described by Eric Hobsbawm as 'the best of its kind anywhere in the world'.

John Saville belonged to a rare breed: he was an honourable academic, someone who managed to survive, and even flourish, in a university environment without betraying his principles. How he would fare in the modern British university, run by gangsters and accountants, is another question.

CW

*John Saville: born 2 April 1916; died 13 June 2009*

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See also: **Obituary John Saville**  
**'Marxist historian renowned for his great work, the Dictionary of Labour Biography'**  
**Eric Hobsbawm, *The Guardian*, Tuesday 16 June 2009**

## 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  
17 Highcliffe,  
Clivedon Court,  
London W13 8DP**

## Meeting Saturday 4 July 2009 Room 251

Meeting 2.00pm

### Agenda

1. Minutes
2. Matters arising
3. J4NW10 update
4. DTI document
5. Academic Freedom
6. Casework and AOB

Officers' meeting in Room 251 at 13.30  
(Date and venue of the next meeting tba.)

### Cafas Reports

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

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## Committee

### Co-Chairs:

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### Founding Member

Michael Cohen

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## 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: 2009

Please send letters, news items and articles to:

Pat Brady [patrickbrady@talktalk.net](mailto:patrickbrady@talktalk.net) & Geraldine

Thorpe [thorpegm@gmail.com](mailto:thorpegm@gmail.com)

## **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**



