

STATUTE XI STUDENT SUBMISSION

Prepared by the Oxford Students' Union for the Statute XI Working Group



31 January 2025

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- A) SU student facing guidance document
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- D) Individual Student Submission prepared by J.P. Loo on behalf of Wellington Square Watch

INTRODUCTION

Background

Discussions on proposed changes to Statute XI, which addresses serious non-academic misconduct, have been ongoing since 2018. These proposals have been developed through several University committees, with input from students and Colleges, particularly since 2022. The primary objective of these changes is to create a clearer, more accessible, and effective Statute, supported by a new non-academic disciplinary procedure. This new procedure is intended to be easier for both reporting and reported students to understand and navigate. The proposed changes also aim to align the University's disciplinary processes with those of many Colleges and adhere to external guidance from regulatory bodies.

In Trinity Term 2024, the University initially proposed amendments to Statute XI. However, concerns were raised about potential overreach and restrictions on freedom of speech, leading to the withdrawal of the original proposal. In response, Congregation established a new Working Group tasked with reviewing the proposed changes.

The Working Group includes the VP for Postgraduate Education and Access as the student representative. Its role is to consult widely with academic staff, professional services, and students, and to submit a revised proposal for legislative changes. These revisions are now complete, and the Working Group is seeking feedback from students and staff on its updated recommendations.

Purpose

The SU consultation was specifically designed to engage with students, not staff. This focus on students was driven by the significant opposition to the proposed amendments last year and the lack of adequate student consultation during that process. The goal of this consultation was to gather student perspectives on the proposed amendments, particularly regarding seven key clauses identified by the Working Group.

Timeline

The timeline for student consultation was tight. The Working Group held its first meeting on Friday, 15 November 2024, where it was established that there was no existing plan for student engagement. From that point, the Students' Union (SU) began developing a consultation document and timeline.

The SU's submission to the Working Group was due on 31 January 2025. This deadline could not be adjusted, as the changes must be finalised in time for the 2025-26 academic year. These amendments coincide with the implementation of the Office for Students' (OfS) new condition (E6) of registration, which mandates protections against harassment and sexual misconduct. To

meet this regulatory requirement, the Working Group must complete its work and progress through the University's governance structures during Hilary and Trinity Terms.

The SU thus had from 15 November 2024 to 31 January 2025 to conduct its consultation. Unfortunately, this period included the winter vacation, which limited opportunities for engagement. Despite these challenges, the SU has successfully carried out a meaningful consultation process, including an in-person student event and online feedback form, in which all students had an opportunity to participate. This report presents the findings and outcomes of those consultations.

How We Conducted the Consultation

The consultation process began with the creation of a student-facing document on Statute XI (Annexure A). Given the complexity of Statute XI and the likelihood that many students were unfamiliar with its context and history, this document aimed to present the essential information in a clear and accessible manner.

The document included a table from the Working Group outlining the proposed amendments, to which we added a "current statute" column. This allowed students to compare the existing provisions with the proposed changes. Before publication, the document was reviewed by the Chair of the Working Group to ensure the accuracy of its content.

To gather student feedback, we implemented two primary methods: the first being an online feedback form, and the second, an in-person consultation forum.

Details of both avenues of feedback were included in the student-facing document.

Stakeholder Engagement:

Following the document's publication, we engaged with key student groups and stakeholders through a combination of in-person and online meetings. We specifically engaged with, and encouraged to contribute to the survey and forum, the following stakeholder groups:

- Postgraduate Taskforce – Week 7, Michaelmas Term
- Postgraduate Divisional Representatives – Week 8, Michaelmas Term
- Undergraduate Taskforce – Week 8, Michaelmas Term
- Undergraduate Divisional Representatives - Week 8, Michaelmas Term
- MCR PresCom – Week 1, Hilary Term

While we did not have the opportunity to consult with JCR PresCom in person, they were provided with the consultation document via email.

This structured approach ensured that a broad spectrum of student voices were represented in the consultation process.

ONLINE FEEDBACK FORM

Details

The online feedback form was open from 6 December 2024 to 28 January 2025. To encourage informed responses, the form was password-protected, with the password provided in the SU guidance document. This approach ensured that students reviewed the key information before submitting their feedback. The password was: 6C9yl[9u.

Purpose

The feedback form was designed to collect both quantitative and qualitative data. It included yes/no questions for quantitative insights and open-text response fields to capture students' thoughts in their own words. This format allowed students who may not have felt comfortable speaking at a forum to provide meaningful input.

Promotion of the Feedback Form

The feedback form was available on the SU website from 6 December 2024. It was promoted through multiple channels to maximise student awareness and participation:

- SU Instagram: A post was published on 9 January 2025, in collaboration with Ox Uni Students. Not accounting for any potential overlap, the combined follower count for both accounts is 77k. There were also additional story reminders from the VP Undergraduate, VP Postgraduate and SU Instagram accounts.
- All-Student Email: Emails containing the guidance document and information regarding the feedback form was sent to the entire student body. Statute XI was featured in Week 0, Week 1, and Week 2 Hilary Term All Student Email's from the SU.
- Stakeholder Communications: The form was shared with various student groups and stakeholders through messages and emails, with encouragement to disseminate it further within common rooms and divisions.

Analysis

Responses from the feedback form were analysed using thematic analysis, a method particularly well-suited for smaller datasets. This approach enabled us to identify recurring patterns or themes while exploring the nuances of individual responses. The insights gained through this analysis informed the overall findings presented in this report.

The survey received **61 responses**, and students were invited to (but not mandated to) share information relating to their level of study, division, college, ethnicity, disability and gender. Those details appear below, followed by a summary of the survey results for each clause. One student provided a link to their response document in the free text boxes, which has been attached as an appendix rather than being included in the qualitative thematic analysis. All percentages given are rounded to the nearest whole number.

Level of Study:

Undergraduate	26 (43%)
Postgraduate Taught	11 (18%)
Postgraduate Research	21 (34%)
Did not answer	3 (5%)

Division:

Humanities Division	22 (36%)
Mathematical, Physical and Life Sciences Division	12 (20%)
Medical Sciences Division	3 (5%)
Social Sciences Division	15 (25%)
Department of Continuing Education	4 (7%)
University of Oxford	1 (2%)
Did not answer	4 (7%)

College:

Brasenose College	1
Corpus Christi College	1
Exeter College	2
Green Templeton College	1
Harris Manchester College	1
Jesus College	1
Kellogg College	1
Linacre College	1
Magdalen College	2
Merton College	3

New College	2
Nuffield College	3
Oriel College	1
Pembroke College	2
Somerville College	3
St Anne's College	3
St Catherine's College	2
St Cross College	1
St Hilda's College	2
St John's College	3
St Peter's College	1
The Queen's College	4
Wadham College	13
Did not answer	6

Therefore, 58% of colleges were represented.

Disability:

Mental Health Condition	4 (7%)
Specific Learning Difficulty	8 (13%)
Other Disability	8 (13%)
No Known Disability	30 (49%)
Did not answer	11 (18%)

Ethnicity:

Asian	3 (5%)
Black	3 (5%)
Chinese	2 (3%)

Mixed	3 (5%)
Other	5 (8%)
White	33 (54%)
Did not answer	12 (20%)

Gender Identity:

Female	22 (36%)
Male	23 (38%)
Non-Binary	7 (11%)
Did not answer	9 (15%)

The overarching question we asked for each of these clauses was:

“Do the proposed amendments adequately address the concerns raised during Trinity term 2024 regarding the potential creation of new powers, as well as the possible restrictions or tensions relating to the legal context in which the University operates, especially concerning free speech?”

Clause One: 3.(1)(d) regarding informing the Proctors of criminal proceedings

Yes	28 (46%)
No	29 (48%)
Did not answer	4 (6%)

Key concerns raised by those who said ‘No’:

59% believe the statute should not require students to inform the University when they have been released and let go, with concerns over the veracity of the British Legal system in adequately handling issues and potential for false arrests. This was a particular concern for the right to protest, with 24% citing concerns over this clause unfairly targeting protesters.

45% believed that the University should only be notified for serious concerns and/or those which impact studies with 7% believing that students should be able to judge the severity of issues themselves, and report appropriately.

69% cited concerns that this clause leads to University overreach. 24% had concerns over what will be done with the data, including for future employability and self-incrimination within university disciplinary proceedings. 14% believed the clause undermined the presumption of innocence and 7% believed this clause goes against free speech. One student queried that if it’s

the University's intention to know this information for welfare support, why is it linked to a disciplinary statute with English law referenced. One student stated they believe requiring this disclosure is unlawful, and would open the University up to reputationally damaging legal action in the future.

14% cited concerns over the language not being clear for international students, in particular what constitutes a criminal offence under the British Legal System in comparison to their home country, and, clarifying that 'offence' relates to 'criminal offences'.

A DPhil student queried their status in the University and whether they'd be viewed as a student or staff member under the provision. One student expressed concerns it was unfairly targeting students, when staff members are 'more likely' to have undisclosed convictions or allegations against them.

Proposed solutions:

14% of respondents believed the current clause should be kept as written and 21% proposed the clause should be removed altogether.

28% believed the University should make it clear what crimes are reportable. 14% of students proposed only informing the University if the charge was in relation to sexual harassment, assault or misconduct with a further 7% agreeing with these offences, and, including violence and fraud. One student recommended that students should be expected first to discuss with their Personal Tutor [or College Adviser] to discuss the specific case, and mutually agree on next steps, including reporting, from there. Exceptions to reporting were suggested for peaceful protest and political offences in non-UK jurisdictions.

21% recommended the removal of the provision relating to being arrested and released, and that the University should only be made aware upon charging. One student further believed the University should only be informed upon conviction. One student proposed it only be a recommendation for students to inform the University, at both charging and conviction stages.

7% students believed it should be made clear when University disciplinary action would be taken in relation to reports, and these should only be if there was an offence under English Law, or it impacted the University or its community.

Clause Two: 3.(2)(a) regarding disrupting University activity

Yes	22 (36%)
No	36 (59%)
Did not answer	3 (5%)

Key concerns raised by those who said 'No':

58% had concerns that this clause would be used to infringe upon the right to protest, with 19% raising specific concerns regarding the right to protest invited speakers being necessary to protect the community in the current political climate. 33% had concerns over the impact on free speech. 6% felt the provision would be illegal as a result of these concerns.

25% believed the statute was unclear or vague, with 22% having specific concerns on the threshold for disruption being vague and 11% stating that it needs precise boundaries, with concerns over the University using the statute inappropriately to target students.

42% felt the clause was too broadly applicable, particularly in relation to governance over non-academic or University community matters.

8% felt the current clause (prior to HT'24 amendments) shouldn't be changed at all. 11% questioned how this proposal links to the issue of sexual misconduct as the advertised reasoning for the changes.

Proposed solutions:

14% recommended the removal of 'or by visiting speakers' and 11% advocated for the removal of 'or related activities'. 8% felt that the wording should be changed to 'seriously' disrupt and 6% recommended the inclusion of 'in a university context'. 8% wished for an explicit exception for peaceful protest and other activities protected by Freedom of Speech. One student felt that if the section was intended to be linked to the previous section, then this link should be made explicit.

One student stated the meanings of disrupting and obstructing should be clarified. One student felt that the statute should define good and bad free speech to ensure objective interpretation. One student felt this should be accompanied by clear process, procedure and guidelines.

14% felt the clause should be removed altogether and 11% felt the original clause (prior to HT24 amendments) should be retained.

Clause Three: 3.(2)(b) regarding damaging/defacing University property or unauthorised occupation.

Yes	32 (52%)
No	26 (43%)
Did not answer	3 (5%)

Key concerns raised by those who said 'No':

Specific points were raised over beliefs that posters (38%), chalk (15%) and displaying advertising material should be allowed (15%) - these were largely from concerns that the University were seeking to stifle student activism, but also of concerns regarding the impact on ordinary events in the University, such as writing up boat race results - a tradition which is typically done in chalk or paint on the walls of colleges. 31% felt the University were seeking to police lawful protest, with 15% expressing concerns that this was in retaliation to recent local and global events.

12% of students felt that 'any other person' was excessively broad, with one asking that the university make it clear that 'any other person' is within a University context. 12% of students felt there was risk of a subjectivity challenge relating to policing these incidents with one student feeling that clarity was needed to define 'deface and damage'. One student felt the actions described had nothing to do with each other and one felt that unlawful occupation had been miscategorised as a misappropriation of property.

One student expressed concerns that responses to different incidents with different levels of impact/harm could be unfairly the same, rather than proportionate to these harms, if they are to be continued to be viewed under the same statute.

One student queried why attempts to harm have been removed from this clause.

8% felt that the clause should be kept as is, with one student expressing concerns that the current statute is not enforced, and therefore questioned why it was worthwhile keeping these provisions in. One student felt the clause shouldn't exist at all.

Proposed solutions:

There was a feeling that the level of damage should be considered, with 8% stating that the definition of what constitutes damage should be made clear. 8% felt only serious damage should be included, with 8% believing that only unlawful damage should be considered - using the UK definition of criminal damage. 8% explicitly stated that writing in chalk should not constitute damage with one more broadly stating there should be an exception for temporary

non-destructive acts of expression, and that proportionality of damage should be considered. Thus, significant and unjustifiable harm or disruption should be removed.

23% felt that 'any writings' should be removed, with a further 27% feeling that 'advertising material' should be removed. One student felt that commercial advertisements should be banned, but a small number of political advertisements should be acceptable. 8% of students felt a transparent process for the use of posters and use of public spaces should be created alongside this work. 12% of students felt we needed to ensure the right to protest and free speech.

19% felt 'including by its unauthorised occupation' should be removed entirely. Whilst one student recommended that this remain, but, reasonable limits on occupation could be created - such as only for a certain number of hours per day, and, not overnight.

15% recommended the removal of 'any person'. One student further recommended the removal of 'deface', and, one recommended the adding back in of 'attempt'.

15% felt the clause should be left as is, prior to HT'24 changes. One felt the clause should be removed entirely.

Clause Four: 3.(2)(c) regarding action likely to cause injury, impair safety, result in serious financial/non-financial, or seriously damage the University's reputation

Yes	47 (77%)
No	12 (20%)
Did not answer	2 (3%)

Key concerns raised by those who said 'No':

50% were concerned that this clause would be open to abuse in context of student protests, and would inappropriately target them. A further 25% felt that specifically 'impair safety' was vague, and 17% felt that the provision shouldn't include 'or attempt to'.

17% had concerns that the University would intervene on matters they shouldn't, and that students should have the right to take actions if they aren't harming others, and they are aware of the risks.

One student queried why the Working Group had chosen to delete (iii) rather than re-writing it, and whether the protections noted in (iv) are included elsewhere in the statute. One student felt that it was unclear what it meant to suffer material financial or non-financial loss, and this should be explained.

Comment raised by someone who answered 'yes':

One student felt there should be limitations on the right to protest as the Universities reputation can be damaged by occupation, street closures and loud protests. They further explained that they wouldn't feel comfortable expressing non-dominant views in the classroom due to fears of the 'aggressive' nature of those engaged in these protests, and that freedom of speech should include safe space for discussion.

Proposed solutions:

One student felt after "injury" should be the words "to any other person", and, to replace "safety" with "the safety of others", whilst another felt an explicit definition of safety would be needed.

One student felt that "or shall attempt to" should be deleted due to its difficulty to define and subjective nature.

One student felt that there should be a reference back to the Human Rights Act, European Convention of Human Rights and United Nations High Commissioner for Refugees in relation to the right to free speech and expression.

Clause Five: 3.(2)(e) regarding dishonest behaviour

Yes	46 (75%)
No	8 (13%)
Did not answer	7 (11%)

Key concerns raised by those who said 'No':

38% felt that "any dishonest behaviour" is too vague and overly broad. In particular, 38% had concerns over minor actions being inappropriately challenged, specifically that interpersonal wrongdoing (such as infidelity) shouldn't be overseen by University Disciplinary Procedures. 25% had concerns on the impact on free speech, with one student expressing a desire to protect the right to satire or parody.

37% of students felt that the list should be more specific in what it is intending to challenge, as they struggled to see what dishonest behaviour would be included besides forging or falsifying documents or academic misconduct, as the current clause leaves room for misinterpretation. One student felt that if it was not a crime, then it should not be punishable by the University. One student was concerned over the practicality of what an 'attempt' at dishonesty would be.

One student expressed concerns that it has a disproportionately broad scope by linking dishonesty to 'any person' rather than limiting it to actions that directly impact the University.

One student was concerned over the possibility of retrospective disciplinarys, whereby an individual could face censure for dishonest actions not related to their current role.

One student felt that as 'harm' was deemed too low a threshold in previous clauses, the same logic should be applied to this clause. Instead, they would prefer for it to be specified that loss or harm must be material to avoid this being used to apply discipline to students who have caused others non-defamatory or libelous reputational loss.

Proposed solutions:

25% of students recommended the threshold for dishonesty be made higher - for example, specifying maliciously dishonest behaviour where a reasonable person would accept it as truthful, or, by specifying deliberately dishonest. One student felt this should be limited to academic related dishonesty.

25% students felt that (a) and (b) should both be present for an offence to have been made, with one further recommending an exception for minor and incidental conduct that had a direct or and substantial impact on the University or its members.

One student recommended the removal of the use of the word 'dishonesty' and instead just scoping to the engagement in behaviours surrounding forging or falsifying documents or which improperly uses information for academic advantage (either to themselves or others). One student recommended the removal of 'attempts' of dishonesty.

One student recommended the language be changed to gender inclusive language.

Clause Six: 4 regarding engagement or encouragement to engage in prohibited conduct.

Yes	34 (56%)
No	20 (33%)
Did not answer	6 (10%)

Key concerns raised by those who said 'No':

45% were concerned that the removal of the terms 'incite' and 'consider' makes the scope less clear, with 40% expressing specifically they had no concerns with the University using legalistic language to enhance clarity. 35% felt that 'encourage' widens the applicability too broadly, and 30% felt that 'encourage' was too vague thus unreasonable. One student expressed that they found the original clause (prior to HT'24 amendments) much easier to read as the syntax had better flow.

10% felt unclear on what 'agree with another to do the same' meant, and felt its intended purpose was already covered by other parts of the clause.

45% were concerned about the impact this clause would have on protest and freedom of speech, in particular whether articles or social media posts explaining critiques of the University and/or protesting techniques could be (unreasonably) construed as encouraging.

One student felt it should be left to the law to punish these circumstances, and that it was University overreach for disciplinaries to be held for these instances.

Proposed solutions:

55% felt that the language should revert back to 'incite or conspire', with 40% felt that the University should go back to the original statute (prior to HT'24 amendments), entirely. 10% advocated for the inclusion of a descriptor such as explicitly or directly prior to incite/encourage to show intent.

45% felt that 'or agree with another to do the same' should be removed, whilst 20% were content with its inclusion. One student felt that the entire clause should change to be centered on this fact, and thus be changed to 'agree with another to engage in conduct prohibited under this part'.

One student felt the scope should be limited to sexual harassment and one student recommended the addition of protections for use of social media.

10% felt that the clause should be deleted in its entirety.

Clause Seven: 23.(3) regarding bans from buildings

Yes	28 (46%)
No	29 (48%)
Did not answer	4 (7%)

Key concerns raised by those who said 'No':

14% felt that the language didn't reflect the immediacy noted by the Working Group of urgent risks.

31% felt that minor inconveniences shouldn't lead to a ban, with 17% noting that protests are inconvenient by their nature but their freedom of speech should allow for them. 14% expressed concerns over the definition of the term reasonable grounds, finding it vague, querying who holds the burden of proof. 14% found 'inconvenience' vague and 7% found 'likely' vague. 14% were concerned that as a result of these subjective word choices, there was a potential for profiling.

24% were concerned that the Working Group had stated there were no changes to the meaning of the provision, and questioned why therefore any changes were needed, and stated they believed there were material changes. One student commented that the new wording felt less accessible than the previous version.

34% noted that clause would give the 'person in charge' a lot of power, with 7% stating this should be someone with authority over the building. Again, concerns around profiling were made in relation to this point.

41% were concerned that precautionary powers were open to abuse, with 24% concerned over the lack of appeal process and 21% expressing a desire to return to the person in charge needing approval from somebody else as a safeguard. 7% felt the 'need for immediate action' broadened the powers of the person having charge of the building excessively.

34% felt that the 21-day time period was excessive, with 14% having concerns over the emotional impact this could cause a student to be disconnected from their community and studies, and 10% feeling this was disproportionate to the level of risk. 7% expressed concerns over what protections there are at the end of the 21-day period, and whether this ban could be renewed without due process.

10% queried why, if the purpose of the Statue XI consultation was to tackle sexual misconduct, why this provision does not explicitly mention this. One student queried why this provision is now only limited to student action and not staff as was previously.

Proposed solutions:

17% felt the scope of the provision should be limited to only urgent and serious issues, whilst 10% felt it should be limited to sexual misconduct, with 7% recommending that the victim/survivor, or, person at risk, be able to request this ban in addition to the person in charge. 7% advocated for the scope to only include when there is a need for immediate action, of which a further 7% felt a reasonability test/definition of reasonable should be included for this. 7% felt that some inconvenience should be allowed for in the clause.

17% recommended an appeals route be added in, one student recommended grounds must be documented and reported in a timely manner to the university.

10% discussed there being some burden - either administratively or financially - to individuals making these decisions to mitigate against their improper use, including by recording, reporting, and compensation being given if the ban was found to have been unreasonable retrospectively.

7% advocated for the removal of 'or is likely or threatens to cause' and felt this should only be used when action has occurred.

7% recommended the removal of the 21 day ban entirely, whilst 14% recommended its reduction. Options suggested include 7 days; 10 days ban with 10 days probation; or, length of ban dependent on activity undertaken. One student felt that a ban should only be imposed with that student's consent. One student advocated for the clause to be explicit that it is precautionary, not disciplinary.

7% recommended clarity over the person in charge, with one student recommending this be changed to a person with authority, not charge.

21% preferred for the original clause, prior to HT'24 amendments, to be retained, with one student advocating for this only if the word 'inconvenience' was removed from the original provision, and another wanting this to not be used against protests which they believed would make it an illegal clause. One student recommended the removal of this clause in its entirety.

Any other comments

An open text box was given for students to answer the question: "Is there anything else you would like to tell us?".

Several students thanked the Sabbatical Officers for the opportunity to take part in the consultation, and the commitment to hearing student voices. One student found this consultation very technical, and would have preferred additional guidance. However, two students expressed the need to ensure the University takes fully on board student feedback and not view the collection of this feedback as a formality. One said:

"I encourage the University to adopt a more consultative and transparent approach to these revisions, incorporating student feedback not just as a formality but as a genuine contribution to shaping fair and equitable policies. By refining these statutes to be specific, balanced, and protective of rights, Oxford can uphold its reputation as a beacon of academic freedom and excellence while maintaining safety and order on campus"

Three students further felt that the University needed to do more to regain the confidence of its student members. One said:

"If the university wishes to regain the confidence of its student body it must show that it is willing to cooperate, actively engage with, and elevate student concerns."

Three students wished to make it clear they did not wish for the University to have more power over students than it already does, which several already view as too much.

Three students felt that overall the statute as proposed was too vague, noting that what matters is what is written on the page. They felt that any process or procedures linked should be under consideration also due to their knock on effect. One student reflected that we need to ensure

that the provisions are designed so that they don't rely on good faith or ethical behaviour, given the current political climate.

Three students felt that the considerations have not done enough to protect free speech, and expressed concerns over the restrictions on human rights and university invoked police oppression of students. One student felt that students should be given the same rights as university employees under the Public Interest Disclosure Act 1998 (so called 'Whistleblower Law') to ensure the right to challenge the institution. Two students were concerned that their right to voice their opinion may be severely limited if all activity related to peaceful protest is banned, and that the Students' Union needs to do more to protect the right to protest. One student was concerned over the lack of acceptance of potential dissent and the impact on the community, they said:

"We need to work together to have good uni/student relations: this requires work on both sides of course, but reactionary disciplinary procedures only drive home student mistrust in the university. Dissent is an important part of the manner in which we engage with and push back against the university. This is not always pleasant, but it is an important means of confronting the ways in which we need to move forward together."

One student felt that the reform which was needed in order to protect and respond to the concerns of the victims of sexual misconduct has been unacceptably delayed by combining these reforms with other measures which impact freedom of speech and movement. One student felt that sexual misconduct should be covered within the statute itself rather than procedure as procedure can be changed too readily. One student reflected that the University needs to treat racism and homophobia as equally serious as sexual misconduct.

Two students expressed concern that the Working Group hasn't made enough changes or reflection, with one expressing a broader range of concerns over the Working Group. These concerns were about the process of the selection of the members and why its membership is not publicly available; the level of influence the non-member PVC Education had over its decisions; whether the VP PG Education and Access was appropriately included in the drafting of the consultation paper; the drafting of the consultation paper involving procedural irregularities; consultation with staff not being as thorough as with students; irregularities on the University webpage surrounding the TT'24 amendments including their withdrawal by University Council, stating no new powers created when there are, student feedback being disregarded, and, the composition/selection of Working Group members and its Chair not been published.

One student requested that Equality Impact statements/considerations be published to see any concerns raised and how they have been addressed. One student requested the Working Group consider the role of social media as it has a large impact on university culture but is often not taken as seriously as it is not explicitly mentioned.

One student requested that the Working Group ensure they publicise in good time the new version of these amendments.

FORUM EVENT

Details

An in-person Student Consultative Forum was held on Thursday, 23 January 2025 (Week 1, Hilary Term) from 17:00 to 18:40 at the Fitzhugh Auditorium in Cohen Quad, Exeter College.

The event was free but ticketed, requiring students to sign in via their Single Sign-On (SSO) to access tickets. Tickets and bodleian cards were checked at the door.

Approximately 20 students attended. Whilst we had hoped for a higher turnout at the forum, we are confident that the event was widely promoted to all students, ensuring that everyone had the opportunity to participate. Despite the smaller audience, those who attended were highly prepared, having conducted significant research on the proposed clauses.

Some students had drafted their own documents and statements outlining their responses to the proposed amendments. These contributions are included as annexures at the end of this report.

Promotion of the event

The forum event was thoroughly promoted through various channels:

- SU Instagram: A post was published on 9 January 2025, in collaboration with Ox Uni Students. Not accounting for any potential overlap, the combined follower count for both accounts is 77k. There were also additional story reminders from the VP Undergraduate, VP Postgraduate and SU Instagram accounts.
- All-Student Email: Emails containing the guidance document and information regarding the forum event was sent to the entire student body. Statute XI was featured in Week 0, Week 1, and Week 2 Hilary Term All Student Email's from the SU.
- VP Postgraduate Letter: A direct letter from the VP Postgraduate Education, sent as a call to action for participation, was shared on 22 January 2025 (Week 1, Hilary Term).
- Stakeholder Communications: The event was advertised with various student groups and stakeholders through messages and emails, with encouragement to disseminate it further within common rooms and divisions.

These efforts aimed to ensure students were aware of the event and had the opportunity to engage directly in discussions about the proposed changes to Statute XI.

Structure of the event

The forum began with a presentation by representatives from the Working Group, Freya Johnston (Chair of the Working Group) and Katherine Noren (Co-director of SWSS), who provided a summary of the proposed amendments, their justifications, and the resolutions being considered. Pro Vice Chancellor for Education, Martin Williams, representing the University, was also in attendance to offer additional insight.

We are especially grateful to the above three panellists who dedicated time and effort to attend the event. Their presence demonstrated a genuine commitment to listening to students and prioritising student engagement, despite their demanding schedules.

Following the presentation, the Sabbatical Officers hosted a Q&A panel. The session opened with questions from the VP Undergraduate and VP Postgraduate, which were directed at the panellists. This was followed by an open floor session where students were encouraged to ask questions directly to the members of the Working Group.

The key responses from students are outlined below.

Clause One: 3.(1)(d) regarding informing the Proctors of criminal proceedings

Students raised several concerns regarding this clause, particularly the burden it places on students to understand UK law. This was seen as especially challenging for international students, who may not be familiar with the UK's legal system and would need to undertake significant due diligence to ensure compliance.

A major point of concern was the potential for racial profiling incidents. Students noted that this clause could require individuals to report incidents where they had been unfairly targeted due to their race, even when such incidents were acts of discrimination. This, in turn, could cause additional distress for affected students.

The panel responded that the inclusion of British law considerations was meant to protect students who had been convicted of offences abroad that would not be considered crimes in the UK—such as homosexuality or public alcohol consumption. The panel emphasised the importance of declaring criminal records but acknowledged that while offences like stalking would be relevant, minor crimes such as petty theft might not be of concern.

However, students challenged the assumption that discretion would be exercised fairly. They expressed a lack of trust in the University and the Proctors to apply this clause in good faith, highlighting that the broad discretion allowed by the wording of the clause could lead to overreach and misuse.

A key student suggestion was to limit the scope of this requirement to offences directly related to sexual harassment, assault, or misconduct. The absence of clear limitations in the current wording raised concerns that the clause could be used to penalize students involved in activism, particularly those arrested and released without charge after participating in University-related protests or demonstrations.

Clause Two: 3.(2)(a) regarding disrupting University activity

Students acknowledged that some forms of disruption or obstruction should rightly fall under University discipline. However, they expressed concern that the current wording of the clause is too broad and could unintentionally prohibit legitimate activities that cause incidental disruption—such as noise or the temporary obstruction of pedestrian or vehicular traffic.

A key issue was the absence of a requirement for conduct to be “intentional” or “reckless.” Without this proviso, students argued that the clause could criminalize minor or unintended disruptions. Despite the Working Group’s amendments, the plain wording of the clause still appeared to impose a blanket prohibition on disruption, regardless of intent.

Students also noted that lawful protest is inherently disruptive, and that the clause, as written, could be used to suppress student activism. They stressed the importance of ensuring that protest and freedom of expression are not unfairly curtailed under disciplinary regulations.

Clause Three: 3.(2)(b) regarding damaging/defacing University property or unauthorised occupation.

Students raised concerns that this clause could unfairly criminalize minor and longstanding forms of student expression, such as chalking messages or affixing posters. These activities are widely used for outreach and activism, and students feared that categorizing them as misconduct could have a chilling effect on freedom of expression and peaceful assembly.

There was particular uncertainty about how the clause would be applied in practice. Students questioned whether writing Boat Race results in chalk or other minor infractions could now lead to disciplinary action. They emphasized that such restrictions could disproportionately impact student activism and discourage participation in protests and advocacy efforts within the University.

Clause Four: 3.(2)(c) regarding action likely to cause injury, impair safety, result in serious financial/non-financial, or seriously damage the University’s reputation

No comments were raised at the forum regarding this clause.

Clause Five: 3.(2)(e) regarding dishonest behaviour

Students raised concerns that the definition of dishonest behaviour in the proposed clause was too broad, potentially making common, harmless conduct a disciplinary offence. They pointed out that, as written, the clause could apply to situations that should not fall under University discipline—such as cheating at cards in a college bar or choosing not to disclose one’s sexuality.

A key issue was the scope of the clause, which would cover any dishonesty occurring in a “University context.” Students noted that this could extend to a social trip organised by a University society, conduct in college bars or rooms, and interactions within common rooms and departments. They argued that the lack of specificity left too much room for misuse or overreach.

The panel responded that it would be impossible to list every possible form of dishonest behaviour, both current and future, and that it was not good practice to create an exhaustive list. They reassured students that the University was not concerned with trivial matters like the examples given, but rather with serious acts of dishonesty.

However, students remained dissatisfied with this response. They emphasized that, regardless of intent, the wording of the clause could still allow for bad-faith interpretations. Given existing concerns about trust in University disciplinary processes, they felt that leaving the clause open-ended created unnecessary risk.

Clause Six: 4 regarding engagement or encouragement to engage in prohibited conduct.

Students expressed strong concerns about the breadth of the term "encourage", arguing that it captures significantly more conduct than "incite" or "conspire". If there is no intention to make substantive changes to this provision, students felt that the original language should be retained for clarity and precision.

While students understood the University's aim to simplify and "de-legalise" the language for accessibility, many felt that in this instance, technical legal language is necessary due to the serious consequences associated with disciplinary action. They emphasised that while accessibility is important, clarity must not come at the expense of precision.

Students also pointed out that encouragement could be unintentional or incidental. For example:

- Providing assistance in drafting an appeal to the Student Disciplinary Panel could be interpreted as "encouraging" misconduct if the appeal involved a case of vandalism.
- Participating in a lawful and orderly protest could be seen as "encouraging" others to engage in unlawful actions, even if the individual had no intent to incite misconduct.

Some students argued that the terms "conspire" and "incite" do not make the statute unreasonably difficult to understand and that the precision they provide outweighs any concerns about intimidating legalistic language. Others suggested a middle ground between "encourage" (too broad) and "incite" (too strong), though there was also strong support for retaining the original language.

Clause Seven: 23.(3) regarding bans from buildings

Students raised concerns about the lack of an appeals process for temporary bans from University buildings. While they acknowledged that a lengthy appeal process would not be practical—given that the ban lasts only 21 days—they felt that some form of recourse was necessary to challenge potentially unfair bans. A suggested solution was to allow appeals to a Head of Department or equivalent authority.

Students also noted a significant change from the original Section 50(2) to the newly proposed Clause 23(3). Specifically, they recommended restoring the proviso that states a ban should only be imposed "where the conduct of the individual concerned gives rise to a need for immediate action." They argued that this condition was an important safeguard to ensure proportionality in the use of such bans.

Another major concern was that the current wording could allow bans to be repeatedly renewed, creating a de facto long-term or even permanent ban. Since the clause grants the person

“having charge” over a facility or service the power to issue bans, students feared that upon expiration, a ban could simply be reinstated—effectively extending the restriction indefinitely. To prevent potential misuse, students recommended making it explicit that bans cannot be automatically renewed or reissued without proper justification.

General sentiments also expressed

Beyond concerns with specific clauses, students raised broader issues regarding the scope, transparency, and enforcement of Statute XI.

Limited Scope of Consultation: Students felt that they should be able to provide feedback on all aspects of the statute, not just the seven selected clauses. If a review is being conducted, they argued, it should be comprehensive rather than limited to specific amendments.

Responses to Discrimination and Hate: There were calls for clearer provisions addressing acts of discrimination and hate, including racism, homophobia, and ableism. Students questioned whether the statute adequately communicates how such cases would be handled. Students also asked whether the statute had undergone formal equality checks to ensure that it does not disproportionately impact certain groups.

Proctors’ Discretion and Accountability: Concerns were raised about the power of the Proctors to make final disciplinary decisions, as outcomes could vary significantly depending on who holds the position. This reflects broader trust issues regarding the consistency and fairness of enforcement.

Sexual Misconduct Provisions: Students questioned why there is no separate statute specifically addressing sexual misconduct, given that such cases require tailored procedural responses. They felt that this issue should be treated with greater specificity rather than being absorbed into broader disciplinary provisions.

Transparency of the Working Group: There were calls for greater transparency in the Working Group’s decision-making process. In particular, students requested a) publication of the committee’s membership and clarification on how the Chair was selected and b) access to minutes of the Working Group meetings, both for accountability and to allow students to understand the rationale behind key decisions.

Risk of Unintended Substantive Changes: While students appreciated efforts to simplify and condense the statute, they warned that imprecise drafting could lead to unintended substantive changes without proper scrutiny or justification. These broader concerns highlight a desire for a more inclusive consultation, clearer protections against discrimination, and greater transparency in the statute’s development and enforcement.