Newcastle University UCU
Branch Newsletter June 2024 #2

Branch condemns brutal response to Gaza protest

Students and staff continue to express shock at events of 29th May 2024

As a branch, we wish to express our ongoing solidarity with students in the Gaza solidarity encampment.

We have recognised from the outset of this conflict that there is a plurality of views within the branch and have carefully consulted with members to formulate policy that respects the lived experience of our international and multicultural membership, the context of hostile environment for migrant staff and students, the curtailment of academic freedom through the use of the IHRA definition of anti-semitism and interventions from Donelan and Braverman, the right to protest and free speech.

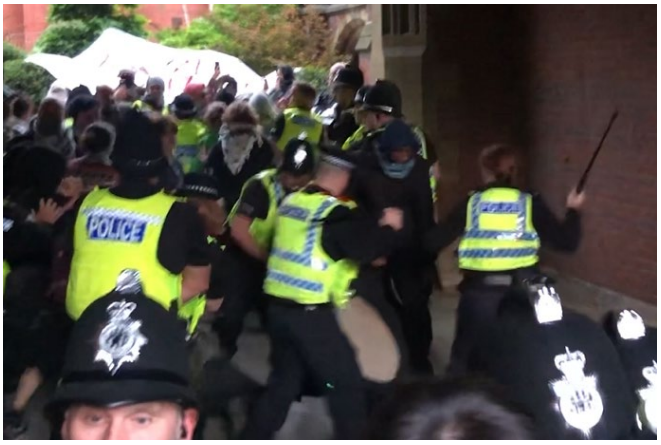
Those with lived experience across ethnic and religious divides and scholars with expertise in the fields have taken a lead in formulating our policy and we have sought to campaign alongside students and campus unions on the basis of our branch and national policy. It has been a bottom up approach.

On 1 May students set up the peace camp outside Northern Stage. They have been encamped there since, welcoming visitors to discuss their aims, hosting teach-ins many of which have been conducted by our members. The campers are diverse: Muslims and Jews, Arab and British, med students and artists. Much to the chagrin of the university authorities they have drawn a very considerable amount of international press coverage.

After the initial flurry, international press attention has died down. And the university has hardened its stance. It has done so in the name of campus safety and wellbeing of all staff.

Following the lead of US universities in which there have been over 2000 arrests against peaceful student protests, university employers are turning to greater repression against the peace camps. A copycat pattern is occurring just as with the wave of redundancies or voluntary severance schemes, or previously punitive deductions for action short of a strike. Oxford University called in the police with 21 arrests against their encampment. The LSE sought to evict their camp this Saturday. Newcastle University is following the wrong crowd, calling in the police (with two students spending 21 hours in a police cell as a consequence) and engaging in multiple disciplinaries against students.

This was not the first occasion when there has been a disproportionate police presence.



Two human rights law academics outline the legal context in The Conversation explaining why calling police onto campus is a disproportionate escalation. In short, the authors insist the Article 10 and 11 of the European Convention of Human Rights (and Human Rights Act of 1998) mean that there is a right to peaceful protest even if disruptive and causing offence, though this should stop short of harassment as defined in the Equality Act of 2010.

Other universities have made earlier, more transparent and substantive statements, made concrete steps, and negotiated with the student encampments: Trinity, Reading, Aberdeen, Edinburgh, Glasgow. Despite repeated requests from the students, and the intervention of the UCU branch, Newcastle University senior management have refused to negotiate, to disclose, or to sign up to BDS. No dialogue, no concession. The camp was graced with a couple of impromptu visits from executive members after weeks of encampment but no negotiations.

The university has repeatedly updated staff in NUConnect pieces, in effect using its monopoly of communications to all staff to discredit the students. So some important points of precision are necessary.

Continued overleaf >

<< Continued from p.1

The university senior management has stated that it called for a ceasefire. The students have pressed the university on this for months. It was the third week of the student encampment and after the international press coverage of Newcastle University that such a statement was made.

The university senior management has still not recognised the decision of the International Court of Justice early this year that a 'plausible genocide' occurring and the legal obligations that this entails, including its own.

It has followed government cues taken a wellbeing and safety discourse. It has never tried to reassure and diffuse anxieties about the protests being peaceful, having multi-faith—including Jewish—participation. Instead it is now fear-mongering — sending staff home early prior to protests, closing building early — and pushing an anti-terrorism agenda making Prevent training a condition of passing probation. You cannot claim to respect the right to peaceful protest or claim protest is 'unauthorised' when you refuse to negotiate what the boundaries of that are with, and demonise your students who are asking to negotiate.

When it refers to there being arguments for and against sanctions, implying the debate around the South African experience and about fossil fuels. Yet only last year, the university claimed fossil free future status. It has not publicly acknowledged what has happened to the universities in Gaza, which have all been targeted and destroyed. Or its academics and students.

It asserts the concept of academic freedom justifies its refusal to even negotiate with the students on their demands. Yet, here there are arguments for and against that it fails to acknowledge. Proponents of BDS state that boycott has been an intrinsic aspect of the self-regulating and autonomous status of the university.

The refusal of dialogue directly led to the student escalation on 29 May, and from all accounts from branch witnesses present, the protesters were entirely peaceful. The university executive are directly responsible in a double sense for these events: refusing dialogue and calling in the police. And to be clear, that escalation on the part of the university was disproportionate both in terms of the date itself and the subsequent disciplinaries of students.

INJURIES: EYE WITNESS ACCOUNTS

One of the medical students tore their ACL and fractured their tibia and were dragged across the floor by police. They were not helped, left in pain, and with a painful lasting injury (likely surgery and a minimum 6 month recovery time). Several students, who were there as students in the protest, but are also dedicated First Aiders, treated multiple panic attacks and physical injuries, including several people who had suffered baton blows to the head, neck and torso. The police threw students to the ground and brutalised them with batons. There are witness statements of students being choked by officers, punched in the face repeatedly and female students having their clothes shredded, hijabs pulled, and bodies groped by officers. Further evidence of this can be found here https://nclaoc.org/

Another serious incident is that campus security assisted police officers in preventing medics from treating a patient who was having a seizure in the protest. Despite informing both security and police officers that they were putting the patient at severe risk of brain damage by moving them during the seizure, they ignored my warnings and continued to improperly handle her. This is an incredibly serious misuse of first aid, particularly when several doctors and medical students (who had shown GMC registration or student identification) to stop this and offer the correct care.

Voluntary Severance Scheme Update

We await an update on the Voluntary Severance Scheme. As a branch, we do need to monitor the impact on workloads, and obviously would be interested to know if it achieved its objectives. New investment in staff it is clear is not addressing workload but in areas projecting growth in international student markets. This means a campaign over workload and stress as a health and safety issue remains crucial. There is a simple set of correlations that the university could make to address this staff-student ratios (or PS equivalents such as non-replaced posts), sickness absence data and their own Wellbeing and Workload Survey data which revealed chronic overwork and great disparities between units.

Against this backdrop, we have a meeting with the Director of Finance on 5 July, part of the responsibilities of the university to provide information 'for the purposes of trade union bargaining'. The sector-wide context is outlined in a PWC report published in January. It evaluated university finances but also proscribed cross-subsidisation via international students to address funding crisis, pensions and pay cuts, increased capital spending and less HE provision. This is neo-liberal music to Whitehall's and the employers' ears.

We were assured that the VSS scheme was not a prelude to redundancies, we should find out on 5 July. We will be asking for updates on the big ticket capital spend on the General Hospital site and Castle Leazes and guarantees that the involvement of the private sector does not come with the kinds of conditionalities that have cost jobs at places like Birkbeck, Goldsmiths and UEA. When we commissioned advice about the university's books two years ago our advisor noted that the university's finances were in good order but the danger was over-ambitious plans based on such a position.

National Pay Negotiations

There have been five meetings between UCEA the employers' organisation and the unions in HE. The last one asked our Higher Education Committee to put the situation to the membership, without recommendation, consequently ending this year's pay round. It was not an offer as such but 2.5% (another pay cut) if UCEA's constituents agreed which they may not and 2.3% otherwise.

HEC rejected putting such a non-offer to the members, clearly the employers hoped that the election period would make unions want any exit from this pay round.

They have also tried to guilt the unions into accepting pay cuts because of the wave of redundancies. However, the timing of the last two waves of redundancies across the sector make obvious, national industrial action puts employers on the back foot and it is only when we do not have a mandate for industrial action that they feel confident to launch cuts.

On the 'pay-related' aspects of the four fights (casualisation, pay equality, workload) discussion is taking place over terms of reference for joint agreements over contract types and equality pay. The UCEA claims it does not have a mandate to discuss a 35 hour week so has refused to consider.