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Arrests on campus

Update - July 9th 2008

Whilst little has changed since earlier statements by Management Board on this matter and the letter to the Times Higher Education from the Vice-Chancellor, colleagues may wish to note a few additional points which have emerged around this case.

One specific comment relates to the letter of advice issued to Rizwaan Sabir by the Police following his release in which it is made clear that there were no grounds for him to be in possession of the 'Al Qaeda Training Manual'. The Police, in the conduct of their enquiries into this matter, interviewed a number of University Staff. It is understood that the Police drafted this letter having considered all of the statements made by a range of University staff and they also consulted their legal advisers on it.

Something called this...

Yes, it's in the copy of the document as it's not available.

It is clear that there is no 'right' to access and research terrorist materials. Those who do so run the risk of being investigated and prosecuted on terrorism charges. Equally, there is no 'prohibition' on accessing terrorist materials for the purpose of research. Those who do so are likely to be able to offer a defence to charges (although they may be held in custody for some time while the matter is investigated). This is the law and applies to all Universities, including this one.

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It is not from Al Qaeda

In seeking clarification about the contents of this letter from the Police we also sought further information about the nature of the 'Al Qaeda Training Manual'. We have been advised that the document in question was one which others have been arrested and prosecuted for possessing. Different versions of the 'Al Qaeda Training Manual' exist but in this case the document was an operational or tactical manual rather than a political or strategic document. The Police are clear that such a document, which included detailed instructions, is therefore likely to be useful to someone preparing an act of terrorism. Moreover, it is significantly different from documents with the same title which are listed by some online booksellers.

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The University has received a number of emails and letters on this issue from individuals and groups in the past six weeks, some critical of the approach taken, some supportive and others simply asking straightforward questions about events. All of these have received a reply.

The response to these events has been discussed at meetings of Senate and Council. Both bodies have fully endorsed the actions taken by the University.

The following letter from the Vice-Chancellor was printed in the Times Higher Education on June 19th:

I was interested in your article 'The Nottingham Two and the War on Terror' (THE 6 June 2008), but surprised by the interpretation of events that was offered.

Inevitably any arrests of individuals on campus stimulate conjecture and speculation. For that reason, I authorised release of factually accurate statements of relevant events to the entire University community (including the authors of the article) on May 27th, and June 3rd. The second statement provided as full an account of events as was possible, given that some matters were (and still are) subject to legal process. THE readers can access the full statement entitled 'Arrests on campus' at:

<http://my.nottingham.ac.uk/>

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No amount of scenario analysis of what might have been, aimed at reinterpreting events as an "academic freedom" issue (for whatever reason) can alter what actually happened. The incident was triggered by the discovery of an 'al Qaeda Training Manual' on the computer of an individual who was neither an academic member of staff, nor a student and in a School where one would not expect to find such material being used for research purposes. We became concerned. The University had to make a risk assessment: no panic, no hysteria, just a straightforward risk assessment. Our responsibility to University students and staff, and our public duty to the wider community, led us to the conclusion that there needed to be an investigation. So our concerns were conveyed to the police as the appropriate body to investigate (no judgement was made by us). The matter has now been properly investigated and outstanding issues are before the Courts of the land.

Much has been said on the matter of academic freedom. The University of Nottingham has always fully embraced this principle and continues to do so. Claims to the contrary in 'The Nottingham Two' article are freely expressed and unconstrained. But they are careless, entirely false and bear little relation to the facts.

Sir Colin Campbell
Vice-Chancellor, University of Nottingham

The following statements have been issued by Management Board in recent weeks.

Tuesday 3 June 2008

Colleagues will recall the University set out, on the portal, the sequence of events concerning Hicham Yezza on Tuesday 27 May 2008.

On Wednesday 28 May 2008 the Vice-Chancellor, on behalf of the University, wrote to the Home Office emphasising the importance of due process being followed. On Friday 30 May 2008, Hicham Yezza secured a Court Order under which a further hearing will be held, currently scheduled for Wednesday 16 July 2008.

Tuesday 27 May 2008

Within the University there are currently a number of emails and documents circulating which again contain inaccurate and misleading information about the police investigation at University Park campus, which concluded last week. The University has a responsibility to ensure all staff and students receive an accurate account of recent events. During the course of the police enquiries we were restricted by law about what could be shared. And the University did not at any stage name either of the people involved, nor did it reach any conclusions about their actions before police investigations concluded.

Given statements being made externally, and in response to some emails sent internally, we wish to make the following sequence of events clear:

A member of staff conducting everyday university business discovered that an individual within the School's administrative team - who is not an academic and not a registered student - was in possession of the 'al Qaeda Training Manual'. In any circumstances and in any organisation (including our University) discovery of such material -being held for non-academic purposes by a clerical member of staff - would prompt reasonable anxiety.

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Given the University's public duty and its duty of care to staff, and students, this material was quite properly brought to the attention of the Registrar by the member of staff's Head of School.

The Vice-Chancellor, Registrar and senior management of the University decided the police were the only appropriate investigating authority to determine why this material was being held by a non-academic member of staff.

Despite numerous assertions to the contrary in recent emails and statements to the press issued by individuals both within and outside the institution, the police inquiry was measured, thorough and low key. From the outset the police described it as a low-level operation, but one judged necessary in law. There was no armed police involvement.

The first arrest made by police involved a student (from another School in a different Faculty) who attended the scene and was, in their view, impeding their inquiries. This student, it was later established, had sent a copy of the al Qaeda Training Manual to the member of clerical staff in question. When the latter was eventually traced by the police, he too was arrested.

The police spent six days investigating this matter. They had to examine substantial quantities of information and also establish the nature and scope of the relationships and sequence of events. The University had no formal power to speed up or end this process. The investigations concluded with police satisfied they understood why this material had been sent to a clerical member of staff. Both individuals were then released without charge.

The administrative member of staff was immediately re-arrested in connection with immigration laws. As an overseas national he has failed to produce evidence of his eligibility to work in the United Kingdom. The University is no different from other employers and is prevented in law from employing foreign nationals who do not have permission to work here. The institution has contacted him, and his defence team, to request any information which contradicts evidence that he was working at the University whilst ineligible for employment. The University is continuing to liaise with the immigration authorities and making efforts to maintain contact with the individual. U

Much has been said on the matter of academic freedom, and whether recent events are in conflict with it. The University has always fully embraced the principle and continues to do so. The University is already addressing issues raised by these events through the ongoing work of the Research Committee.

All members of the University can be reassured that we take very seriously our duty to ensure students and staff are free to study and work in a safe, secure and tolerant environment. Anyone who wishes to express a view is encouraged to email registrars@nottingham.ac.uk