

# ***Mini-digests of confidential documents published by Unileaks.***

In partnership with  
Support the Whistleblower At Nottingham (S.W.A.N.)  
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## ***1. Untruths to Home Office came straight from senior management.***

Untruths and inaccuracies generated within senior circles of Nottingham circulated and eventually were passed on, faithfully, to the Home Office. Take for example the Universities public claim that Sabir was arrested for interfering with police investigation [[here](#) and [here](#)]. The university claims that “it was the police’s views” that Sabir was impeding which is why he was arrested. This is not true. The police never said this to Sabir or the media.

Internal emails also reveal how senior management talked of “the steps the student [Sabir] took to impede the investigation”. This came to be presented to the Home Office and the Department of Business, Skills and Innovation [[here](#)] where it was asserted that Sabir attempted to “interfere with the process of the police removing the computer” [[here](#)]. What is clear is that this claim did not originate with the police. Sabir was actually arrested under section 41 of the Terrorism Act 2000 for the ‘commission, preparation or instigation of an act of terrorism’ after he was escorted to a nearby car park [[here](#) – page 3]. He fully cooperated with the police at all times.

The fabrication can be traced to an internal security report written by the head of Security, Gary Steven’s [[here](#)]. He later admits, in the presence of the Registrar, that the defamatory assertion was based on his own ‘impression’ [[here](#) – page 3]. No attempt has ever been made to rectify these statements.

Another incorrect public statement made by the University related to the al-Qaeda training manual found on Yezza’s computer. It was stated that the ‘more dangerous’ version of the manual was found on campus when compared to those found on Amazon. Again the Home Office was told an incredibly similar story: “it is important to note that the Training Manual found WAS NOT [sic] the version you can purchase on Amazon’ (original emphasis) [[here](#)]. BUT, the manual ‘found’ on Yezza’s computer [[here](#)] that Sabir sent was ‘exactly’ the same as the Amazon version [[here](#)]. In fact the complete, more detailed, ‘more dangerous’ version of the manual was available through the library [[here](#)]. Internal emails show how members of the Management Board were eager to break the ‘Amazon defense’ by publishing “specific information about the existence of different [al-Qaeda training] manuals” [[here](#)]. What should we take from all this

information? Were they interested in the truth and well-being of the arrestees or protecting their brand?

The Vice Chancellor wrote in his *Times Higher* article that the university simply called the police after a ‘risk assessment’ [\[here\]](#) and claimed that ‘no judgment was made by us’ [\[here\]](#). However, both Sabir and Yezza appeared to have been pre-judged, indeed, defamed. In an email sent from Professor Diane Birch, the only ‘law professor’ on the entire Management Board, to the Management Board continued to refer to Sabir and Yezza as “the suspects” after their release, even though they had been totally cleared from terrorism allegations [\[here\]](#). Prof. Birch also stated that Sabir’s sending of three academic documents to Yezza was “not at all covert, dishonest or likely to provoke suspicion. Disgraceful” [\[here\]](#). All of these University distortions seeped into central government departments, helping to cement what Dr. Thornton calls an Orwellian lie (p.94): “And if all others accepted the lie which the Party imposed – if all records told the same tale – then the lie passed into history and became truth. *George Orwell*”

## ***2. Defamation vs. Academic Freedom: University members threaten academic body with litigation to silence Dr. Thornton.***

University of Nottingham staff wrote to the British International Sociological Association (BISA) and threatened to take legal action against them [\[here\]](#) if they did not take down Dr. Thornton’s article. Like other participants, Dr. Thornton had just presented his work at BISA’s annual conference in Manchester when, under threat from those named in the report, the paper was taken down. Here and elsewhere those implicated have refrained or been unable to challenge the substantive aspects of Dr. Thornton’s report. For example, the sender of this email Dr. Philip Crowley was previously engaged in ‘confidential gossip’ when Sabir ‘bombed’ on his final assessment some time after his release [\[here\]](#). This exchange took place **an hour** after Sabir’s assessment had been marked. The sender of the initial ‘gossip’, Dr. Mathew Humphrey, clearly took steps to access this information and then work out that Sabir was, overall, 0.2 per cent shy of qualifying for a PhD. Sabir’s academic performance was also being closely monitored by senior management and the Head of Security, Mr. Gary Stevens [\[here\]](#). When Sabir decided to leave the University due to untoward pressure senior figures sent celebratory emails [\[here\]](#). New documents [coming soon] show that Sabir was singled out by management following his arrest despite the fact he was innocent of any crime or wrongdoing. Why? This is another reason why an inquiry is needed.

Those that are named in Thornton’s research are offended, they are entitled to compile their own research paper and argue their points, but, the university does not have the right to suspend him. Such actions may be illegal under not only whistle-blowing laws but also human rights laws protecting freedom of expression. *For example, see the key case in this regard: [Sorguc v. Turkey](#), European Court of Human Rights (ECHR) (Application no. 17089/03) 23 June 2009.*

Case digest of [Sorguc v. Turkey](#): ”Liability for academic criticism of individual a violation of Article 10: The finding of a domestic court that an academic was liable for

defaming an individual amounted to a violation of Article 10 when the implied criticism of him came in the context of an academic explaining his views on the appointment and promotion of academics at his university, as they had a sufficient basis in fact and concerned a matter of public interest.”

### ***3. ‘Office for Security & Counter-Terrorism’ (OSCT) & ‘Strategic Communications Unit’ (RICU ) was monitoring dissenters & critical voices, including journalists.***

Interestingly, staff and students who spoke out in support of Yezza and Sabir came to have their media quotations logged by the Research, Information and Communications Unit (RICU). RICU is a strategic communications unit located within the ‘Office for Security & Counter-Terrorism’ (OSCT), itself an off-shoot of the Home Office. [[see here – Annex B, pp. 8-13](#)]. Why were RICU only making a record of the critical voices of the university and the police? See especially [p. 13 of this document](#) where a ‘list’ was made of the critical ‘commentators’ & journalists. Apart from the mention of the Uni. of Nottingham Press Spokesperson (name not given but was Mr Jonathan Ray), why has a list of all critical voices been logged by RICU/OSCT/Home Office?

### ***4. A University without oversight- Dr Thornton’s multiple attempts to whistle-blow***

As Universities are brought further in to the fold of counter terrorism under the revised *Prevent* strategy, what hurdles might be in store? The case of the suspension of Dr. Thornton and the ‘Nottingham Two’ provides one glaring example – a complete lack of oversight and accountability. Here are all the persons and Government bodies that Dr. Thornton attempted to disclose his findings to before going public:

1. Internal complaints mechanism– conducted by the Chief Financial Officer [[here](#)]
2. Directly to the Vice Chancellor [[here](#)]
3. English universities funding body, HEFCE [[here](#)]
4. Parliamentary Ombudsman [[here](#)]
5. Department for Business Innovation and Skills [[here](#)]
6. Police, Human Rights Commission, Independent Police Complaints Commission: [[here](#)]
7. One email that Dr. Thornton had sent to Special Branch of the Metropolitan Police was released [[here](#)] as part of a Freedom of Information request that he made to the University. In other words, either it was sent to the university by Special Branch OR Dr. Thornton’s email communications were being intercepted and monitored by the university.

Nowhere were his complaints taken seriously. *Prevent* is sowing the seeds of disaster if it continues to empower the unaccountable black box that is the modern British University. As was seen in the Nottingham case, the University’s image and interests were put ahead of the liberty and well-being of its staff and students. What this information also highlights is Dr. Thornton’s status as a legal protected whistleblower was neglected. He

formally complained to almost everybody/person proscribed under the Public Interest Disclosure Act 1998 and the university's own whistle-blowing code [\[here\]](#). Dr Thornton should have therefore been protected from acts of victimisation such as suspension and disciplinary hearings which are still ongoing (9 thus far!).

### ***5. One Standard for the Arrested Student Another for Everyone Else***

Publicly the anti-terror arrests may have seemed reasonable to those listening to the Vice Chancellor talking about 'terrorist material' for which others had been prosecuted for [\[here\]](#). The Registrar also stated these documents had 'no valid reason whatsoever to exist' [\[here\]](#). Likewise the Registrar met with Rizwaan Sabir privately and stated he was "informed by the Police that it was illegal for you [Sabir] to possess this type of material" [\[here\]](#). However, the police said it was 'the University authorities' who 'made clear' that Sabir should not have the document [see [here](#)] and according to a police document [\[here\]](#) that decision was made by a Professor of Romance languages – a non-expert. Better still, ALL of the so-called 'terrorist material' were freely available to anyone with a library card [\[here\]](#) or access to high street bookshops such as [Blackwells](#), [Waterstone's](#) or [Amazon](#). Despite this the University drafted a letter (within 24 hours of Sabir's arrest) to suspend him as a student and exclude him from campus [\[here\]](#).

### ***6. What Collective Risk Assessment? Despite repeated claims, documents show no such thing occurred***

Following the arrests, the Vice Chancellor publicly stated in a Times Higher article that 'we' made a 'risk assessment' before calling in the police after finding the documents [\[here\]](#). This would have been in accordance with government guidelines [\[here\]](#). On the University website he even wrote of the 'collective' decision to call the police in [\[here\]](#). However, in internal communications, the Registrar says it was *he alone* who made the decision to call the police [\[here - page 4\]](#). What's more, the Registrar admits that he never read the documents in question [\[here - page 2\]](#). The University does not have evidence to suggest that a risk assessment was conducted [\[here - see point a\]](#). Someone is telling lies! Privately the VC also communicated to the Dept. for Universities that there was no 'collective' decision to call the police [\[here - page 2, 3rd bullet point\]](#).

### ***7. Blaming the Student For the Terror Arrests***

A meeting between Sabir, the Registrar and the Head of Security was called to reportedly check on his welfare post-release [\[here\]](#). However in the meeting Sabir was brow-beaten and blamed for causing this incident. Sabir's use of 'academic' material for his research was also compared to 'the use of child pornography' by the Registrar. He was told he could have been fined or suspended for misusing the computer facilities, but the university would let him off this time. See the meeting transcript (19 pages!) [\[here\]](#) and the Registrar's letter to Sabir summarising the meeting [\[here\]](#).

## *8. Covert Filming of Protesters Calling for Dr Thornton's reinstatement (Image) and VIDEO (new)*

### *9. Smearing the Students Name*

Dr Thornton asked the Chief Constable of Nottingham Constabulary to investigate the fact that the Registrar had written to Sabir to say that he had 'been informed by the police that it was illegal for you [ie, Sabir] to possess this type of material in the UK' [\[here\]](#). The Registrar repeated this assertion no less than three times in the 15 July meeting he held with Sabir [\[here\]](#) and no less than three times in the letter to Sabir which summarised the meeting [\[here\]](#). An internal University investigation, however, had found that the Registrar had NOT been told this by any police officer [\[here\]](#). To Dr Thornton this was clearly a case of the Registrar 'misrepresenting the police'. However, he received a reply from the Force Solicitor of Nottinghamshire Constabulary stating that they saw no impropriety in the Registrar's actions [\[here\]](#) see: pp.10-11 of PDF]. It seems that the Registrar misrepresented the words of the Police, but was never investigated.

### *10. Student is forced out and academics celebrate*

Following his release senior management and, more worryingly, the Head of Security, Mr. Gary Stevens, were kept informed of Sabir's academic progress [\[here\]](#). The Head of Security, for reasons unknown, requested Sabir's undergraduate results from Manchester Metropolitan [\[here\]](#). Why was security interested in these results? Were they looking for something? Sabir's dissertation was sent out to two external examiners despite the fact his internal markers were in agreement on his marks (78%). It turns out the externals were given the different marking criteria and awarded him 63%. The internal marks were completely ignored. Even the external examiner offered to "enter into dialogue on [the marks]" [\[here\]](#) but this did not happen. Sending a student's work to **one** external when both internal markers are in agreement is not provided for in University policy and completely ignoring the marks from internal markers is a definite breach of guidelines – you can read the relevant page [\[here\]](#). When Dr. Thornton raised the alarm on this he was disciplined for defamation and the University concluded that it "found no evidence of malpractice" [\[here\]](#). The leaked documents reveal that the decision to send Sabir's dissertation to external markers was actually taken months **before** he even wrote it. Earlier, in an email to the Registrar and the Head of Security (!), Steven Dudderidge (Director of Student Operations and Support) wrote: "Politics [School of] will arrange for his marks to be considered by the external examiners"[\[here\]](#) – note that he used plural. The email clearly shows that his academic situation was being monitored. And there is plenty of evidence that it was not in the interest of his welfare.

When Sabir completed his final assessment some time after his release the Deputy head of the School of Politics Dr. Philip Crowley was engaged in 'confidential gossip'. He learned that Sabir 'bombed' on this assessment [\[here\]](#). This exchange took place **an**

**hour** after Sabir's assessment had been marked. The sender of the this 'gossip', Dr. Mathew Humphrey, clearly took steps to access this information and then work out that Sabir was, overall, 0.2 per cent shy of qualifying for a PhD thanks in part to his lowered dissertation mark. When Sabir decided to abandon his PhD studies and leave due to this untoward treatment, staff in the School of Politics sent celebratory emails and comments. For example, the University Exams Officer wrote: "Fingers crossed. Best thing for all concerned" [\[here\]](#). The Head of the Politics Department wrote: 'Nice to have some good news!' [\[here\]](#) and declared that he was 'both delighted and astonished!! What on earth are the ESRC [Sabir's new PhD funders] thinking – but then who cares?!' [\[here\]](#). All of this suggests that the close monitoring of this student was out of concern for his welfare.

See Dr. Thorntons report p95-104 for a more evidence [\[here\]](#)

### ***11.Registrar misrepresents police position to public, no action taken***

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### ***12.Monitoring of Arab/Muslim themed 'Events on Campus'***

The university's security staff, from at least 2008, kept a log of all activities on campus that had an Arab/Muslim theme. One page of this database, released by a request under the Data Protection Act, was entitled 'Events on Campus' [\[here\]](#). The list included talks, seminars and stalls revolving around issues to do with Palestine, anti-terrorism and Middle Eastern arts & performance, as well as events organised by the 'Centre for the Study of Social and Global Justice' as well as the renowned 'Human Rights Law Centre'. The Head of Security, Gary Stevens, was responsible for the upkeep of this log. Throughout the leaks he consistently spells Rizwaan Sabir's name as "RiSwaan Sabir" – this also suggests that Stevens, a former Police Officer, had some personal input into this 'list'. Security have also [admitted](#) that they regularly film student protesters but "rejected any notion that the university secretly filmed students on campus" however we beg to differ. We at (S.W.A.N) have released a video which was taken on May 14 at a protest calling for the reinstatement of Dr. Thornton and public inquiry that shows a covert security staff member filming protesters [\[see video\]](#). The Palestinian Society have also complained of being singled out, their speakers are vetted and their events disrupted – in Jan 2011 a student reported a snow memorial spelling GAZA to be offensive and security duly destroyed it [\[video here\]](#).

When Rizwaan Sabir filed an Freedom of Information request to the UoN to get more pages and details about this “events on campus” log, the university accused him of being “vexatious” and claimed that his requests “demonstrate[d] an obsession with this topic [ie, of his arrest & surrounding issues]” [\[here\]](#) by the ‘Governance Manager’, Sam Kingston. Kingston is ALSO the individual who told Dr Pauline Eadie – accused by Rod Thornton of malpractice in regards to Sabir herself – that the filing of FoI and Data Protection Requests on the ‘Nottingham Two’ anti-terror arrests was “ridiculous” and “hope[d] there won’t be anymore” [\[here\]](#). This is all whilst the university claimed to the press, including to Newsnight on Monday (06.06.11) that they behaved “ethically, fairly and with transparency” [\[here\]](#).

### ***13. Senior Management passing confidential information for ‘cover-up publication’***

Dr Thornton had sent the Registrar an email to ensure the he understood the basic issues of the arrests to ensure he refrained from making erroneous public statements [\[here\]](#). However, two “junior members” of staff – Drs Sean Matthew & Macdonald Daly – produced a booklet presenting a particularly rosy picture of the arrests titled *Academic Freedom and the University of Nottingham*. Uni-leaked documents reveal that the Registrar and university management (which includes the Press Spokesman, Jonathan Ray) had provided them with private correspondence of Dr. Thornton [\[here\]](#). Drs Daly and Matthews openly admit that they had “been able to discuss the issues [surrounding the arrests] with university senior management since virtually day one [of the arrests], and had found them to be quite forthcoming with information, of which they had a good deal” [\[here – p.35\]](#). They continue: “Whenever we asked senior management for information ... we were never denied it”[\[here – p.36\]](#). Dr. Thornton also details (p72) how management passed on private information about Hicham Yezza’s studies and employment records. Of course the university is a public institution, and like any public institution, it has a duty under the provisions of the Data Protection Act 1998 to process and hold data lawfully – ie, to abide by rules of confidentiality and privacy [\[here\]](#). By admitting that the university shared personal communications with them, especially the email that Dr Thornton had sent to the Registrar in confidence, is evidence that the university management behaved unlawfully. (See p.66-75 for more info on the Mac & Matthews issue).

### ***14. The Power of Unileaks***

The publication of documents presents a barrier to those who try to muddy the waters. We give one such example from complaints that have been made against Dr. Thornton following the publication of his whistleblowing paper. This latest complaint by the Head of School of Politics and International Relations, Prof. Heywood, [\[here\]](#) asserts that the paper “contains many errors of fact and interpretation”. He begins his analysis with this segment of Dr. Thornton’s report (p4-5):

Thornton: “As I say, the concerns I have been raising within the university have led to disciplinary action against myself. ... There were, though, some interesting new ones. I am now charged, for instance, with not providing correct copies of my course reading lists to my School’s Office Manager. These were “incorrect” in that on one occasion I did “not add [my] office hours to the front page”; I had also infringed School policy by having “more than 12 essays on the module guide”, and I was accused of not submitting my reading lists “on the correct template”. All of these disciplinary “charges” were, of course, acts of genuine oversight on my part.”

In his complaint, Prof. Heywood leads his diagnosis of inaccuracies with the following observation: “Not a single one of these comments [above] appears in any part of the letter of complaint I sent to the Registrar” [\[here\]](#). If we look at the document Dr. Thornton refers to [\[here\]](#) we see why : the ‘comments’ were *enclosed* with the Professors letter to the Registrar, they did not “appear” in the letter. Dr. Thornton’s case still stands. This helps shows the strength of Dr. Thornton’s research which stands up to scrutiny even from those implicated in it.

### ***15. Al-Qaeda Training Manual” is available in the University of Nottingham Hallward Library***

The ‘Al Qaeda Training Manual’ is obtainable from all British universities through the inter-library loan system (class mark HV6431). This particular [book form](#) contains a more complete version than the version used by Sabir for his postgraduate research.

Numerous books within the University of Nottingham’s library system contain substantial extracts from the “al-Qaeda Training Manual”, one notable example being Walter Laquer’s book entitled *Voices of Terror: Manifestations and Writings of Al Qaeda* (class mark HV6431.V6) [\[here\]](#)

Most importantly, Dr Rod Thornton, Nottingham University’s foremost academic expert on terrorism and counter-insurgency himself donated two copies of the al-Qaeda training manual to the university library that were purchased from [Blackwells](#) and [Amazon](#) respectively.

However, these are now being withheld from the university’s shelves and catalogues. In effect, senior management have prevented them from being shared with the university community. As such, they have actively participated in an act of censorship and, in doing so, have contravened [UNESCO guidelines, which state](#) that university libraries should “not [be] subject to *censorship* or other forms of intellectual interference” [\[see point 11 here\]](#).

What is apparent from the leaked documents is that no senior manager bothered to check whether the Training Manual was an available and widely referenced library book [see digest on the so-called “[risk assessment](#)”]. No one within senior management even read the al-Qaeda Training Manual to see what it contained [\[here- page 2\]](#).

## ***16. No Transparency, no privacy: missing documents and the mysterious email.***

The University told Newsnight on Monday (06.06.11) that they behaved “ethically, fairly and with transparency” [[here](#)]. This is not what the documents show. Take for instance the internal investigation by Chief Financial Officer (CFO) into the handling of the arrests [[here](#)] triggered by a complaint from Dr. Thornton. The Registrar is interviewed and asked about his role in calling the police – almost all of the entire interview is redacted [[here](#)]. Incidentally the CFO also sits on the Board of Management with the Registrar. The University is currently under investigation by the Information Commissioner’s Office for alleged failures to disclose information and unwarranted redactions. The gaps in Freedom of Information releases are glaring. The Vice Chancellor’s letters to the Home Office are nowhere to be found. Emails to and from the Professor who declared the library materials illegal were never disclosed [see p.45 of Dr. Thornton’s paper]. Legal advice obtained by the University with regards to the arrests is also being withheld [[here](#)]. When Sabir attempted to follow up on such information gaps he was labelled ‘obsessive’ by the University Governance Team; they declared that these were “matters that the University considers closed” [[here](#)]. Three years after the arrests, Sabir is still being stopped by the police using anti-terror powers under the anti-terror legislation [[3 examples here](#)] and there has been no independent investigation into the affair. More worrying is how Dr. Thornton obtained his own private email messages under the Freedom of Information Act. In one example, Dr. Thornton sent an email to Special Branch in London, but this email was later released to him when he made an FoI request [[here](#)]; it was held in the Registrar’s Office. Either it was sent to the university by Special Branch OR Dr. Thornton’s email communications were being intercepted and monitored by the university. The University say they behaved “ethically, fairly and with transparency”. We at S.W.A.N. beg to differ.

**END**

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