



Student Protest Communication Framework

Purpose

The purpose of this Communications Framework is to ensure that the fundamental rights of students at Massey University (“the University”) to protest on the University campus is balanced with the requirement for the University to provide a safe workplace for staff and students, and to protect University property and the ability to continue University functions. This document should be read and interpreted with this purpose in mind.

Policy

It is the view of both the University and the Massey University Students’ Association (“MUSA”) that meaningful and genuine communication throughout a protest action can ensure the safety of students, staff, the media and University property.

Authority

This Communications Framework exists between the University and MUSA and comes into effect prior to and during protest actions organised by MUSA representatives. It is expected that both parties will follow the guidelines presented within this document to the best of their abilities.

Principles

The principles governing this Communications Framework are:

- The right for students’ voices to be put forward and heard.
- The right for students to protest in a manner which:
 - Is non-violent;
 - Ensures the safety and well being of University staff, students and others lawfully on the University’s Campus;
 - Does not threaten or damage the University Campus or any University property; and
 - Is lawful and not in breach of University Regulations.
- The right for appointed student representatives to be able to engage with significant decision makers on matters of protest.
- The right for the University to continue its functions in order to meet its obligations under the Student Contract.

These principles are supported by both the University and MUSA. Both parties acknowledge that violation of any of the above principles will be a breach of the agreement as a whole.

Notification of contact person(s)

Student protests are rarely a hierarchal activity with an identifiable leader, and decisions are usually made by consensus. However, MUSA representatives will take all possible steps to work with the protest group in determining protest representatives who will be responsible for communicating with the University on behalf of the protest group. This shall be no more than 3 persons. As soon as practicable, these people will be identified to University officials.

It is also expected that the University will identify to MUSA and/or the protest group representatives who will be communicating and negotiating on behalf of the University. This person(s) should identify both their position(s) in the University and their powers to act.

It is accepted by both parties that a reasonable amount of time may be required to take information back to other parties for discussion.

Negotiations

The University and MUSA or the protest group representatives undertake to negotiate in good faith at the earliest point in time to address student concerns that may lead to student protest and to de-escalate any protest. The first intervention in circumstances which do not involve a breach of the principles of this framework will be dialogue between the University and MUSA or protest group representatives.

In order to facilitate negotiations a proviso should be made for the representatives of both groups to meet in a neutral area that can be easily accessed from the protest area. Both MUSA and/or the protest group representatives and the University should present clear requests and the likely repercussions of failure to fulfil these requests.

After each negotiation session, the representatives may be required to report back to the main protest body and/or the University senior management where decisions are then made.

The outcome of these negotiations should be recorded in writing for the avoidance of confusion.

The University shall use its best endeavours to inform the protest group of the nature and timing of the invoking of repercussions (including, for example, involvement of Police to give effect to a trespass notice), however, if the principles set out in this Communications Framework are not followed then the parties can cease or not enter into, as the case may be, negotiations with the other party.

Media Access

The University will support reasonable freedom of access by the media (including student media) to report on events.

Fairness and Good Faith

In entering into this Communications Framework both MUSA and the University recognise that it is impractical to make provision for every contingency that may arise during pre-protest and protest action on the University's campus or in respect of any individual's intentions and objectives. Accordingly the University and MUSA undertake and agree to operate with fairness and in good faith with respect to the matters contained in this Communications Framework and shall use their best endeavours in the case of the University to provide an appropriate forum and procedure for student views to be received and voices to be heard by the University from and by student protest representatives and in the case of MUSA to take all reasonable steps to ensure that any protest action will only proceed pursuant to the principles set out in this Communications Framework.



Massey University
(Deputy Vice-Chancellor – PN and EXM)

This Communications Framework is dated



Massey University Students'
Association (President)

29 SEPTEMBER 2004.