

**UNIVERSITY OF CAMBRIDGE**

**COURT OF DISCIPLINE**

**REASONED DECISION**

***The University v Mr Owen Holland, 14 March 2012***

1. *Reasons for the Finding of Guilt*

The Court considered the respective credibility of the Senior Proctor and the Defendant. The Court found the Senior Proctor to be a witness of truth and accepted his evidence without reservation. The Court found the Defendant to be evasive and lacking in both credibility and frankness in relation to parts of his evidence, for example, when seeking to explain the meaning of some of the wording in the epistle to David Willetts. Where his evidence was in conflict with that of the Senior Proctor and Professor Goldhill the Court rejected his evidence and accepted theirs.

In reaching its finding, the Court found the following facts proved beyond reasonable doubt:

- (a) that the Defendant was involved in the composition of the 'call and response' epistle to Mr Willetts and transcribed it into typescript;
- (b) that the Defendant was the ringleader in the delivery of the 'call and response' epistle to Mr Willetts which began as soon as Mr Willetts arrived at the lectern to commence his lecture;
- (c) that the Defendant joined in the first 'Out, Out, Out' response call in the chant of 'Willetts, Willetts, Willetts / Out, Out, Out' that immediately followed the end of the delivery of the 'call and response' epistle;
- (d) that the Defendant joined the occupation of the stage once that occupation was established;
- (e) that by his conduct the Defendant intentionally impeded the freedom of speech of Mr Willetts and others within the Precincts of the University.

2. *Reasons for the Sentence*

In determining the appropriate sentence, the Court took account of all the evidence in the case and all points raised in mitigation and, in particular, considered the following matters:

- (a) the Defendant had chosen to contest the charge and so was not entitled to the discount on sentence which would have been available to him had he pleaded guilty. No expression of remorse, apology or acceptance of the gravity of his conduct had been forthcoming, either before or after the finding of guilt;

- (b) the Defendant had been the ringleader in the 'Epistle to David Willetts' protest which the Court considered to be a grave incident which impeded freedom of speech and caused a frightening and tense atmosphere in the Lady Mitchell Hall on the evening of 22 November 2011 such that some members of the audience left the auditorium and the Defendant's conduct had been wholly incompatible with that expected of a member of the University. The incident had been planned in advance and executed in a way which took the authorities by surprise and could not properly be regarded as nothing more than a tedious interruption. The Court considered the Defendant to be a sophisticated young man whose actions were intentional and deliberate throughout;
- (c) impeding freedom of speech in the circumstances of this case was a very serious matter for the University of Cambridge and that, accordingly, the sentence should be such as to punish the Defendant; but, by not bringing his academic career in Cambridge to a permanent end, to allow his rehabilitation; and also play a part in deterring others who might be tempted to act in a similar way in future.

3. *Decision on the Reporter Notice*

The Court considered with care the Defendant's request for anonymity and the submissions put forward by the Defendant's Representative in this regard. Nevertheless, the Court decided that because of the gravity of this particular case and the circumstances in which freedom of speech had been impeded it was in the interest of the University and the public that the Defendant's name should be published in the *Reporter Notice* about the outcome of the case.

Signed:



His Honour Colin Colston QC (Chairman of the Court of Discipline)

On behalf of: His Honour Colin Colston QC (Chairman of the Court of Discipline)  
 Mr Max Beber (Member of the Court)  
 Mrs Nicky Blanning (Member of the Court)  
 Professor Ian Hutchings (Member of the Court)  
 Dr Kate Plaisted Grant (Member of the Court)

Dated: 20 March 2012 (corrected 27 March 2012)

Court of Discipline  
 University of Cambridge  
 University Offices  
 The Old Schools  
 Trinity Lane  
 Cambridge CB2 1TN

**NOTE**

On 20 March 2012 the Chairman of the Court of Discipline exercised his power under Rule 6 of the Rules of Procedure (*Statutes and Ordinances*, 2011, p.204) and ordered that if – but only if – the Defendant has commenced an appeal to the Septemviri against the decision of the Court of Discipline within 28 days from 20 March 2012 the sentence of the Court of Discipline should not take effect until the conclusion of the proceedings of the Septemviri in relation to any appeal.