

Professor Hugh Brady,
Vice-Chancellor,
University of Bristol

Andrew Waller
The Noise Pages
www.thenoisepages.com

By email

7 February 2019

Dear Prof. Brady,

The University's Comments About The Noise Pages

I refer to the comments about my website that are quoted in the latest issue of the Epigram student newspaper, attributed to a university "spokesperson".

Several aspects of these comments, and Epigram's depiction of them, are wrong or misleading. I am therefore asking you to help set the record straight so that your student body is properly informed on an important topic that crucially affects relations between the university and its students on the one hand, and the wider community on the other. I will also be writing to Epigram.

I take issue with many aspects of the articles, including the university's contribution to them. However, in this letter, I will focus on these three aspects:

- The Page 1 headline of the print edition, "Uni condemns The Noise Pages for privacy breaches", implies I am breaking the law, which is not true. It is also not an accurate reflection of the university's comments, as quoted in the article.
- The articles (both in print and now online) misunderstand issues of privacy, a misconception that appears to gain sustenance from the university's comments.
- The articles fail to provide any indication that the university deplores anti-social behaviour by its students. It has always been my understanding that the university is strongly against this behaviour, but the absence of any mention of that fact will, I think, worry anyone in the community who reads these articles.

The problems of noise disturbance have been going on for a very long time and are causing harm and distress to many residents—some of whom are the university's own staff. Attempts at resolution are consuming time, money and effort within both the university and the community. However, we cannot expect to make progress unless the issues are clearly understood.

I hope you will agree, once you have had chance to review my comments overleaf, that the matters I have highlighted should be publicly clarified by the university.

Yours sincerely,

(signed)

Andrew Waller

Epigram articles of 4 February 2019, print edition, Issue 334, pages 1, 5 and 9.

1 Headline

The Page 1 headline of the print edition reads: “Uni condemns The Noise Pages for privacy breaches”. No doubt this is Epigram’s choice of words. The question is, does the university regard this as an accurate statement of its position, bearing in mind the comments below? If the university does not, will it make its views known to Epigram?

For my part, I object to the headline for the following reasons:

- (a) the phrase “privacy breaches” carries a strong imputation of law-breaking, having been associated with cases such as the Facebook/Cambridge Analytica scandal
- (b) despite its use in the headline, the phrase “privacy breaches” does not appear anywhere in the text; nor does anything resembling it
- (c) the only use of the word “privacy” in the university’s comments is in a context expressing approval, not condemnation
- (d) any concern about privacy, whether in your comments or Epigram’s reporting, is in any case misconstrued, for the reasons I explain in the next section.

If the university agrees the headline is inappropriate, I ask you to request a correction, or at least a clarification, both online and in the next print edition.

2 Privacy

There has been no breach of students’ privacy other than by their own actions. If you live at “6 Acacia Avenue” and hold a loud party that keeps your neighbours awake, you advertise your presence to the world and invite public attention to your anti-social behaviour, including the address at which it takes place.

Privacy vanishes the moment the amplifiers are turned up and sound is broadcast into the street. The fact that the activity is now in the public domain is the whole point; had the noise been confined to the private domain—the students’ house—there would be no issue, no complaints, and no website. It is only after activity has become public in this way that I write about it on The Noise Pages, usually based on reports from people who were disturbed.

I have never named the students involved in these cases, nor published information that identifies an individual. I did for a time publish house numbers, and some people have claimed that is “personal data” within the meaning of the Data Protection Act. In November, I discussed this in great detail with the Information Commissioner’s Office, which regulates data use. I also had the benefit of a legal opinion by a lawyer who subscribes to my website. I am confident my use of data now and then meets legal requirements and there is no “privacy breach” in my reporting.

The university’s only quoted reference to privacy is in a comment welcoming the removal of house numbers as “a positive step towards respecting students’ safety and privacy”. This is open to misinterpretation and unfortunately may have helped to inspire Epigram’s headline.

I suggest it would be helpful to students if the university were to point out a basic reality: If students

invite public attention in the way described, it is difficult subsequently to fend off criticism by appealing to privacy concerns.

3 The University's Position on Anti-Social Behaviour

A key aspect of the university's comments throughout these articles is not what was said, but what wasn't. The university had a chance to address the student body through its newspaper, and, whatever else was discussed, to provide a clear injunction against the behaviour at the core of the issue. But there is no such statement. (If the university provided such a comment and Epigram ignored it, I hope you will ask them to rectify that omission.)

Epigram quotes the university saying it "takes its commitment to the community very seriously and is exploring options to support communities experiencing noise disturbance". But absent any elaboration, this suggests your policy is limited to coping with the consequences of anti-social behaviour, not tackling the behaviour at its roots. No student reading this would conclude that their university wants them to change their ways.

If it is your policy (as I believe) that anti-social behaviour should stop, it must be called out in the clearest of terms at every opportunity. I suggest something along these lines:

It is university policy that students should not disturb their neighbours, whether by holding loud parties or other noisy behaviour. Those who do so are breaking the university's rules (to which they are contractually bound), their tenancy agreements (ditto) and the law of the land. They also cause harm and distress to other residents.

Given that the Epigram articles have left the university's position open to doubt, I hope you will issue a statement along those lines as soon as possible, so that students can act appropriately and residents can be spared many hours of lost sleep.

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As an aside, the university expresses a wish that "concerns or complaints ... be raised with us directly". I have done this many times. On 6 July 2018, for example, I sent Lynn Robinson, Deputy Registrar, an email headed "A Proposal for Action on Student Parties" suggesting ways the university could intervene to close down student parties, based on its existing disciplinary powers. Apart from an acknowledgment of receipt, I have received no response. I continue to think it would be cheaper and more effective than the options you are apparently considering.

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