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ORAL EVIDENCE

Taken before the

UNOPPOSED BILL COMMITTEE

on the

UNIVERSITY OF LONDON BILL [*LORDS*]

Wednesday 21 November 2018

Before:

The Chairman of Ways and Means (Sir Lindsay Hoyle MP) (Chair)

Emma Dent Coad MP

Hugh Gaffney MP

Chris Green MP

Gordon Henderson MP

MAUREEN BOYLAN MBE, Acting University of London Secretary, appeared as Promoter.

RICHARD BULL of Pinsent Masons appeared as Parliamentary Agent.

GAYLE DITCHBURN of Pinsent Masons was in attendance.

MR DANIEL GREENBERG, Counsel for Domestic Legislation, was also in attendance.

Ordered at 2.10 pm: that Counsel and Parties be called in.



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1. **CHAIR:** Good afternoon. May I welcome everybody? I am Lindsay Hoyle, Chairman of Ways and Means, and I am pleased to be chairing today's Unopposed Bill Committee. My colleagues this afternoon are Emma Dent Coad, Hugh Gaffney, Gordon Henderson and Chris Green.
2. Richard, may I invite you to introduce your colleagues and then address the Committee?
3. **RICHARD BULL:** Thank you, Sir. My name is Richard Bull; I am the Agent for the Bill. Sitting on my immediate left is Ms Maureen Boylan, who is the acting secretary of the University of London. On her right is Mrs Gayle Ditchburn, who specialises in education law at Pinsent Masons. To the extent that I am unable to, they will be able to take any of your questions on policy and fact.
4. Having introduced the team, Sir, I now wish to introduce the university itself—not just because the University of London does not often trouble Parliament with legislation, but because it is vital to understand the nature of the institution in order to appreciate the Bill's main purpose, which is to enable University of London colleges to become universities in their own right. The background that follows is therefore not just scene setting.
5. The University of London was established by charter in 1836, although its history predates that. The university's present charter, awarded in 1863, has been supplemented by a number of Acts of Parliament that prescribe the University's governance arrangements. The current statutory governance arrangements are enshrined in the University of London Act 1994.
6. The University developed as a federal institution whose colleges provided teaching in accordance with a curriculum determined at the centre. For over 100 years, the university was directly funded as a single entity and passed resources out to its colleges, all of which were originally governed by regulations that, again, were determined at the centre.
7. That position is wholly unlike that of the present-day University. While it remains a federal institution, its constituent member institutions are self-governing and autonomous. Most are themselves governed under separate royal charters. They are funded directly through tuition fees and grants from the newly established higher education regulator, the Office for Students, as well as a new body for research funding, UK Research and Innovation.
8. Member institutions set their own academic criteria and in most cases have their own degree-awarding powers. The University itself provides a range of central services to the constituent bodies, including the University library and careers service. The University also has the largest UK provider of distance education around the world. It provides humanities research resources at an internationally significant level through specialist institutes such as the Institute for Historical Research and the Institute of Advanced Legal Studies.
9. As I have indicated, the Bill's main purpose is to give the constituent bodies the opportunity, should they so wish, to become universities in



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their own right. Government policy for UK higher education in recent years has been to allow more, and more diverse, new providers into the field. The Higher Education and Research Act 2017 gives this greater momentum, creating the structure whereby new entrants to the market are more easily able to gain the title and status of a university, but due to the 1994 Act, world-renowned institutions such as UCL, the LSE and King's College are presently denied that opportunity.

10. The University is simply seeking to address an anomaly. It is vital that institutions such as those to which I have referred are not placed at a disadvantage in the international market for students and scholars, which is getting ever more competitive. If they cannot achieve university status while remaining a member of the University of London federation, some might choose to leave, as Imperial did in 2007.
11. None of this policy background, and therefore none of the Bill's purpose, is apparent on the face of the Bill. That is because the process for becoming a university is governed by section 77 of the Further and Higher Education Act 1992 and section 39 of the Teaching and Higher Education Act 1998.
12. Twelve colleges have applied for university status under the arrangements currently in force. Those 12 applications cannot make progress until the Bill is enacted.
13. The Department for Education has required that the Bill be enacted. An email sent by a senior departmental official states: "A federation of universities would require different legislation to replace the existing Act."
14. What is the difficulty with the 1994 Act? It lies in section 2, which defines a University of London college. There is the problem that the term "college" suggests a subsidiary status that is not compatible with university status. There is also the objection that the definition of a college fails to anticipate more than one university in the University of London federal structure. Clause 2 of the Bill addresses both of those concerns by substituting for "college" the term "member institution", which is defined so as to include any constituent member that has the status of, first, a university and, secondly, a college under the University of London statutes.
15. Not all member institutions will want, or be able, to become universities. I say that not all will be able to become universities because not all have degree-awarding powers, which is a requirement for a higher education body to become a university. Whether a member institution is a university in its own right or a college under the statutes, it will enjoy equal membership standing within the University of London federation and, accordingly, the right to receive the same benefits and services. The term "member institution" is relevant to clause 5 of the Bill, which ensures that legal instruments that are entered into by the university—contracts, leases—or that benefit the university, such as a will, are construed so that a now archaic reference to "any school of the University" covers member institutions.
16. I turn now to the second key purpose of the Bill, which is to reform the statute-making powers. The University of London has had statute-making



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and therefore amending powers since the passing of the University of London Act 1898. The statutes set out the objects of the University of London and establish its powers and constitution. The existing requirements for the making of statutes were defined by the 1994 Act and no longer reflect the University's institutional arrangements. Functions are conferred on two bodies, Convocation and the Council; the former no longer exists and the latter has been renamed. Furthermore, the statute-making process itself is unnecessarily protracted and cumbersome, involving the passing of two resolutions by the governing body, and it assumes a direct and contractual relationship with staff and students of the member institutions that no longer exists. The University's view that the arrangements are not fit for purpose is shared by all the member institutions.

17. I turn now to the streamlined procedure that the Bill proposes. Clause 3 confers a general power on the university's governing body, the Board of Trustees, "to alter, revoke or add to" the university's statutes by resolution. A right to propose amendments to the statutes is vested in the Collegiate Council, which is the body with the task of advising the governing bodies on all matters concerning the University. The Collegiate Council comprises all heads of the member institutions. All proposed amendments to the statutes must be put out for consultation to a recognised trade union, to such bodies as the Board of Trustees considers appropriate, and to the Collegiate Council if the proposed amendments do not originate with the council. The resolution must be passed at a meeting of the Board of Trustees at which not less than two thirds of its members are present and by not less than two thirds of those present and voting.
18. Clause 4 of the Bill requires Privy Council approval for any alteration to the statutes. The clause also allows that requirement to be repealed, but only by Order of the Privy Council itself. This is a subject that cropped up on Second Reading, as hon. Members might know, and it merits some contextual explanation. The Privy Council's remit over the approval of university sector constitutional documentation has been prospectively restricted by section 90 of, and schedule 8 to, the Higher Education and Research Act 2017. Once that provision comes into force, higher education corporations and companies limited by guarantee will no longer be required to seek Privy Council approval to the amendment of their governing documentation. If, in line with this policy, the requirement for Privy Council approval for the amendment of statutes of all chartered universities has also ended, the University of London will ask for the wheels to be put in motion for the making of an Order in Council by the Privy Council to place the University of London on an equivalent footing to its chartered counterparts.
19. The Privy Council will make such an order only if it is in line with Government policy for all chartered institutions. That concludes all I wish to say in introducing the Bill.
20. **CHAIR:** Thank you for that; it certainly gives an indication of your wishes and desires. We have some questions for you; Emma, would you like to start?



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21. **EMMA DENT COAD:** Will the promoters explain why, as set out in paragraph 3 of the preamble, the 1994 Act did not contemplate individual institutions obtaining university status, having regard to the then recent changes made by the Further and Higher Education Act 1992?
22. **RICHARD BULL:** The 1994 Act was passed some years ago. The university sector has changed not beyond all recognition, but very substantially in that 24-year period. The way that universities perceive themselves—the way they are marketed internationally—is quite different. University status has greater kudos than perhaps it did in 1994. That is no criticism of the draftsmen in 1994 for not contemplating that some institutions might become universities in their own right—that was not remotely in contemplation in that era.
23. **MAUREEN BOYLAN:** I think that is right; it was a simpler world in higher education. There were polytechnics and universities, but there was not the power of the private market and the international market that has driven higher education in recent years.
24. **EMMA DENT COAD:** Thank you.
25. **CHRIS GREEN:** Mr Bull, the definition of the board appears to contemplate the removal of the trustees by resolution. Given the proposals in clause 3, will the promoters of the Bill confirm whether there is any such intention?
26. **RICHARD BULL:** I am sorry, I did not quite hear the preface to your question.
27. **CHRIS GREEN:** The definition of the board appears to contemplate the removal of the trustees by resolution. Do you have any intention at the moment?
28. **RICHARD BULL:** It is the nomenclature—the name “the Board of Trustees”. I do not think there is any intention by the university to change the name of its executive body.
29. **MAUREEN BOYLAN:** Certainly not. I am not sure I have understood the question.
30. **RICHARD BULL:** What the Bill does, as the 1994 Act did, is to contemplate that at some point there may be changes to the nomenclature. It is a mechanism to enable that. It is future-proofing, in essence. It allows those changes, should they be desirable. It allows the university to avoid the need to come to Parliament cap in hand for further powers if that is warranted.
31. **CHRIS GREEN:** It is just the labelling.
32. **RICHARD BULL:** Yes.
33. **CHAIR:** That’s a very good point. You are reassuring us that the trustees, as it stands, will remain in place.
34. **RICHARD BULL:** There is no intention to alter the Board of Trustees. There will always have to be an executive body in the University of London. The name—



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35. **CHAIR:** Sorry; I do not want to labour this point, but at the moment it is a board of trustees. Am I right?
36. **RICHARD BULL:** Correct.
37. **CHAIR:** Will it remain a board of trustees or become something different? Will it replicate what you have now?
38. **MAUREEN BOYLAN:** It will continue as is, in fact. It is nomenclature. Across universities, these groups are sometimes called councils, and sometimes they are called the governing body or the governing board. It is simply to avoid confusion in future.
39. **CHAIR:** Whatever label you wish to put it under, it will have the same powers and the same ability, and they will continue forever as we know them?
40. **RICHARD BULL:** One can never say never about anything, Sir, but—
41. **CHAIR:** In the long term.
42. **RICHARD BULL:** In the medium and long term, there is no intention of changing the name of the governing body.
43. **CHAIR:** No, that is not what we are asking about. On the name, we said we could accept any label—you just accepted that you may play with the label—
44. **RICHARD BULL:** But there will always be a governing body.
45. **CHAIR:** It is not about its name; it is about its powers and its ability.
46. **RICHARD BULL:** Yes.
47. **CHRIS GREEN:** So whatever their name is—the trustees or anything else—there is no intention to remove them?
48. **RICHARD BULL:** Absolutely not.
49. **CHRIS GREEN:** Has there been any consideration of removing them?
50. **MAUREEN BOYLAN:** No. The university of course is a charity, and it must have trustees.
51. **CHRIS GREEN:** Yes. So at some point an alternative to the trustees may be considered, but that has not actively been considered?
52. **MAUREEN BOYLAN:** No, not at all.
53. **CHAIR:** Just a quick one on that, because it is quite interesting. A trustee has to be appointed under the system you have in place now. Will that system remain in place? Will the term be the same? What is the change between a present trustee and a future trustee, if any?
54. **MAUREEN BOYLAN:** There are no changes at all in any of the systems proposed.
55. **CHAIR:** Including for appointments?
56. **MAUREEN BOYLAN:** No, not at all.
57. **CHAIR:** So there is no change?



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58. **MAUREEN BOYLAN:** No.
59. **CHRIS GREEN:** If the Collegiate Council is unhappy with its treatment under clause 3, what remedies are available to it?
60. **RICHARD BULL:** The Collegiate Council and the Board of Trustees work in harmony as a matter of practice. As a matter of law, clearly, in the end, it is the Board of Trustees, as the executive body, that ultimately holds sway. It will be required to have regard to the representations on the statutes that come from the Collegiate Council, but ultimately it is the Board of Trustees that has the final say.
61. **CHRIS GREEN:** So any concerns by the Collegiate Council would have to be considered—
62. **RICHARD BULL:** They would have to be taken into account.
63. **CHRIS GREEN:** There would be no outside mechanisms for any concerns to be raised?
64. **RICHARD BULL:** Oh, a sort of arbitration? No, that is not what is proposed. It is not what subsists now and it is not what we are proposing. But as I say, the two bodies work very much in harmony.
65. **GORDON HENDERSON:** Under clause 3, which is the power to make statutes, subsection (3)(c) provides that the Board of Trustees should consult “such other persons as it considers appropriate”. I have a couple of questions about that. Who will actually determine who is appropriate? What happens if somebody else—perhaps someone who is deemed inappropriate—expresses a wish to be consulted? That may or may not be students or some other body. How will such people be able to influence the decision-making process? Or has that not been thought about?
66. **GAYLE DITCHBURN:** The board may, for example, wish to consult the Office for Students, which is the new regulator for higher education. When looking at putting through amendments to the statutes, it may wish to check that they would meet the regulatory requirements for ongoing registration as a registered provider of higher education.
67. **GORDON HENDERSON:** That leads to another observation. If you felt that the student body was an appropriate body to consult, bearing in mind the importance of the changes you are expecting to make, why have you not listed them as an appropriate body rather than saying “such other persons as it considers appropriate”? Why aren’t they listed? You have listed an official trade union, but you have not mentioned the students. I find that odd.
68. **GAYLE DITCHBURN:** It would be highly unusual for a university to seek the views of the students in relation to its constitutional documents. That would be unheard of within the sector.
69. **GORDON HENDERSON:** With all due respect, it would also be usual for the body to consult the trade union. You have mentioned the trade union, but you have not mentioned the students. That is the point I make.
70. **RICHARD BULL:** As a point of background, if I might explain, the Bill when it was deposited did not refer specifically to the trade unions. The



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trade unions were, however, cited in the 1994 Act. We sought to have a much more flexible arrangement for consultation. As I say, we did not specify the trade unions.

71. It was, however, when we appeared in the House of Lords that we were challenged on that point. It was felt that it was appropriate to offer an amendment to make that clear, because it would ordinarily have been the case that trade unions would be—one cannot really think of any example where the trade union body would not be—consulted. There was no reason to exclude the trade unions so we offered an amendment to address the matter, but as a point of fact it was the promoter's intention that they would not be specified when the Bill was deposited.
72. **GORDON HENDERSON:** So it was our friends in the Lords who forgot students, was it?
73. **MAUREEN BOYLAN:** I think this is also the unusual nature of the University of London. The students are not our students. The students belong to the colleges. They are registered at the colleges, so there are 120,000 students in the federal university. They are not ours; they belong to UCL, LSE and the other member institutions.
74. **GORDON HENDERSON:** They are still the people who you are actually teaching, or there would be no point in having the university at all. You are educating. That is what the University is for, and the people you are educating are students, are they not?
75. **MAUREEN BOYLAN:** The colleges are educating them, rather than the university.
76. **GORDON HENDERSON:** But it isn't the colleges coming forward with this Bill; it is the university.
77. **RICHARD BULL:** To answer your very first question, I think you asked who on the board would—
78. **GORDON HENDERSON:** Who determines who is approved?
79. **RICHARD BULL:** Well, I imagine the board would have advisers and officers who will give thought to that, and make a recommendation to the board about who it is appropriate to consult. I would imagine that to be the mechanism that would determine how the board would reach its conclusion.
80. **GAYLE DITCHBURN:** To pick up the point about the students and whether it is appropriate to consult the wider student body in relation to making the statutes, I think it is important to look at what is actually in the statutes of the University of London. It is very much the internal mechanics and management of the university.
81. It covers matters such as the charitable objects of the university, its powers, who is the chancellor and vice-chancellor and who they are within the university structure, the composition of the Board of Trustees, and how the Collegiate Council is comprised and what its functions are. They are not necessarily things that the student body would have a direct interest in, and of course it would make it a more convoluted process to



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- make statutes if there was that wider consultation piece with the student body.
82. **CHAIR:** Can I just take that a little bit further? You consult the unions. The unions represent the staff, presumably. So are the staff not employed by each university?
83. **MAUREEN BOYLAN:** The University does employ its own staff.
84. **CHAIR:** Yes, exactly. So in the same way, you treat the students differently from the staff.
85. **MAUREEN BOYLAN:** But they are different.
86. **CHAIR:** Of course they are different. I am talking about consultation. The umbrella covers everybody. If it covers staff, it must cover students and the interests of everybody.
87. **MAUREEN BOYLAN:** I am sorry; I'll try to get it clear. The statutes relate only to the central University, not to the federation and the great complex piece—just to the central University. The central University has staff. The central University has a couple of hundred students, not 120,000 students. That is the difference.
88. **CHAIR:** All I am saying is that there is consultation with the staff from each university in order to achieve what you have got here today.
89. **MAUREEN BOYLAN:** No.
90. **CHAIR:** You have not done that.
91. **GAYLE DITCHBURN:** No, it would be the staff of the university—the University of London's directly employed staff would be consulted.
92. **CHAIR:** Rather than everybody below. So the federal staff haven't been consulted.
93. **GAYLE DITCHBURN:** No.
94. **CHAIR:** Just the University of London staff.
95. **MAUREEN BOYLAN:** The member institutions have been as entities, but not individual staff.
96. **RICHARD BULL:** Although the trade unions were consulted. They were consulted about the Bill.
97. **MAUREEN BOYLAN:** Yes.
98. **CHAIR:** Which trade unions? Just those of the University of London?
99. **RICHARD BULL:** The two trade unions that are recognised by the University of London were consulted.
100. **CHAIR:** Which represent the federation?
101. **GAYLE DITCHBURN:** The staff of the University of London.
102. **CHAIR:** Just the staff. What about the student unions? Were they consulted or not?
103. **MAUREEN BOYLAN:** There isn't a student union for the central part.



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104. **GORDON HENDERSON:** With my contractual background, whenever I see sentences such as “persons as it considers appropriate” I know they are weasel words that can sometimes be changed and interpreted how you want to interpret them. I apologise for probing so far on that.
105. **RICHARD BULL:** No, it is a perfectly reasonable question. It is a fairly common formulation in legislation. Whether that is a good or bad thing, I choose not to comment on, but it is a fairly frequent formulation.
106. **CHAIR:** Have you any worries yourselves about it? I think we have opened up a little can of worms. Your answers are not quite sitting comfortably. So the Collegiate Council: it sits there. How do individual or niche student interests get considered? How do they influence the collegiate decision making?
107. **MAUREEN BOYLAN:** The student voice and student representation is within each college—within each member institution.
108. **CHAIR:** I understand that, but you want an overarching control of the universities, so that they can feed in. There is a council above everybody. Is that not what you are after? Your new Board of Trustees?
109. **MAUREEN BOYLAN:** The same Board of Trustees. The unchanged Board of Trustees.
110. **CHAIR:** It is still there. So it makes decisions that can affect the umbrella—everybody under the umbrella.
111. **GAYLE DITCHBURN:** No, just the centre.
112. **CHAIR:** So its decisions don’t go beyond the centre, and decisions within the centre do not reflect the federation.
113. **GORDON HENDERSON:** They do, because you’ve changed the name.
114. **CHAIR:** I know that, but I want them to say that.
115. **MAUREEN BOYLAN:** I think that is absolutely key to why we are looking for these changes. We are talking about 18 autonomous organisations here. That is why the governing bodies of all the member institutions feel that it is so inappropriate that our statutory changes trickle through their procedures, because they are third parties to it. They don’t feel it appropriate that in their governing bodies they talk about our statutory activities. The Collegiate Council is the voice of the heads of the colleges, and they feed into that directly.
116. **CHAIR:** So what you are saying is that it gives them a way to express their view, which they do not have at the moment.
117. **MAUREEN BOYLAN:** It is a different way—a more direct way.
118. **CHAIR:** I would wonder why we were doing it if it was not an improvement. Is it better?
119. **MAUREEN BOYLAN:** It is more efficient and more direct, yes.
120. **CHAIR:** So everybody has signed up to it—that is what you are saying. Everybody thinks that it is a great idea and that it is going to work, and everybody’s interests will be served.



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121. **MAUREEN BOYLAN:** Yes, and they have all written explicitly to say that.
122. **CHAIR:** I know that a lot of letters have come in that support that.
123. **RICHARD BULL:** The trade unions were untroubled by the fact that originally it was proposed that they would not be explicitly required to be consulted on the Bill, yet the fact is that the statutes touch very directly on staff—that is where they bite. I have a copy of the statutes with me, and they refer to the promotion of equal opportunities and to unlawful and discriminatory behaviour. They relate, not exclusively but primarily, to the staff. That is the justification for why there should be an explicit requirement to consult the trade unions as the representatives of the staff. With the student body, it is not of the same order because the statutes do not impact on them in remotely the same way.
124. **CHAIR:** You have all these supporting letters—that is what you are saying. Did you get any that did not support it? You are telling me how good it is and that everybody supports it. That is great—that is what I would be saying—but did anybody not support it? Were there any letters that said that?
125. **MAUREEN BOYLAN:** None at all. They all actively welcomed it.
126. **CHAIR:** Excellent. That sounds more reassuring.
127. **HUGH GAFFNEY:** What guarantee is there that the Government will promote the relevant Order in Council to repeal clause 4 when the relevant provisions of the 2017 Act have commenced and been implemented?
128. **RICHARD BULL:** There is no guarantee that the Government will do so, but that is their current policy. I have heard no suggestion that they have resiled from that policy, which is their current intention.
129. **HUGH GAFFNEY:** On that basis, then, why was a repeal not linked as an automatic consequence of the commencement of the implementation of the relevant provisions of the 2017 Act?
130. **RICHARD BULL:** Are you asking why this was not provided for in the 2017 Act? Well, the mechanism is—
131. **HUGH GAFFNEY:** Why was it not an automatic consequence of the Bill? Why was the repeal not directly triggered by the Bill?
132. **RICHARD BULL:** As I explained in my opening remarks, we want to be in line with Government policy, so we anticipated that there was likely to be a change. As I indicated in an earlier answer, this is future-proofing, but if the Government does not follow through on that policy, it would be appropriate—as it is for all chartered universities at present—to have the safeguard of Privy Council approval for the statutes.
133. **HUGH GAFFNEY:** Could an effect of clause 5 be to convert a contract that presently applies to a single institution into a contract that applies to a number of different institutions, each of which will probably have acquired larger administrative units in the natural course of events? If so, is it fair to use a technical, consequential revision of this kind to alter the effect of the contract without an opportunity for a renegotiation of terms?



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134. **RICHARD BULL:** It is a fairly interesting question. I would have thought that, administratively, it is right—but I think the question perhaps supposes a greater change than that for which clause 5 provides. The clause is simply to do with contracts that refer to an institution that is currently a “school of the University”. Should that party to a contract change to become a university in its own right, the contract should be interpreted accordingly. I do not think that greater contractual obligations are envisaged as a result of this provision. It is a saving provision, if you like—it ensures, as Ms Boylan has just said, that nothing changes.
135. **HUGH GAFFNEY:** If that is the case, have the article 1, protocol 1 implications of the European convention on human rights been considered? Was that point put expressly to the Attorney General when seeking consent to the promoter’s ECHR statement?
136. **RICHARD BULL:** You will have seen that we have made our statement about the compatibility with the convention, and the Attorney General has issued his report in the name of the Solicitor General, Mr Robert Buckland—I do have that. The obligations on a promoter are to deposit the Bill, and we have done that. The process by which the Attorney General arrives at his conclusion on the terms of the Bill are a matter for his Department and, of course, the Attorney General is looking at the Bill’s aspects of dealing with a charitable body. It was actually the then Education Minister, Mr Jo Johnson, who looked at the question of compatibility with the ECHR. The process by which he arrived at his conclusion is, I think, something for the Department, rather than for the promoter. The promoter’s obligation, as I say, is just to deposit the Bill; it is for the Department to reach its conclusions on it. We have counsel’s opinion, which deals with such issues. That opinion, or advice, of Mr John Jolliffe has been provided to Parliament. His conclusion, if I may say so, was that the Bill is compatible with all of the provisions of the ECHR.
137. **EMMA DENT COAD:** What does clause 7 achieve that would not be achieved by silence?
138. **RICHARD BULL:** It puts beyond doubt that the statutes in force that have been most recently made will continue in force hereafter. As a matter of statutory interpretation, it may be that the statutes currently in force would remain in force. I am sure that there is a case to be made for that. However, this clause puts the matter beyond doubt.
139. **EMMA DENT COAD:** Was there doubt?
140. **RICHARD BULL:** If there were to be any doubt, this would address that doubt. As a matter of interpretation, I think it is a fair comment that this provision is not wholly necessary, but it gives the reassurance to anyone who is not familiar with the principles of statutory interpretation that the statutes currently in force will remain in force.
141. **CHAIR:** You said that Imperial left. When did it leave?
142. **RICHARD BULL:** I think it was in 2007 that it left.
143. **CHAIR:** What were its reason at the time for leaving?
144. **RICHARD BULL:** One of the reasons—I think there were a number—was



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- that it did not have the status of a university as part of the federation of colleges.
145. **CHAIR:** So that was 2007, but it has taken us until 2018 for everyone else to wake up to what Imperial could see.
146. **MAUREEN BOYLAN:** No, this is the third time that we have tried to move this process forward.
147. **CHAIR:** Imperial left; was there a danger that others would have left?
148. **MAUREEN BOYLAN:** They are very invested in being members of the federal University, but there has to be a danger that they could, because gaining their own university status is very important to them. If that becomes more beneficial than being a member of the federal University, it could happen.
149. **CHAIR:** Will Imperial rejoin your club?
150. **MAUREEN BOYLAN:** We have told Imperial that the door is open. It has not come through the door.
151. **CHAIR:** You have given us a load of strengths and reasons. Is there a weakness to what you are asking us to do?
152. **RICHARD BULL:** You really would not expect me to inform you of a weakness.
153. **CHAIR:** So there are weaknesses! It is even worse that you are not telling us!
154. **RICHARD BULL:** You would not expect me to—it is an unfair question.
155. **CHAIR:** Of course I would—a good, honest man like yourself.
156. **RICHARD BULL:** I am, and of course there is no weakness to this case at all. We have been as transparent as we can be, both in our answers and in our explanation throughout the process. I hope you are all satisfied by that, Sir.
157. **CHAIR:** You worried me at first, but at least you managed to row back from where you jumped in. I thank you for your responses to the questions put to you. As no one else wants to add anything, we will now deliberate in private. I ask members of the public and everyone else to leave.

The Committee deliberated in private at 2.53 pm.

The Committee resumed at 3.08 pm.

158. **CHAIR:** May I thank you for your time this afternoon? My colleagues and I have considered carefully. We are keen to ensure that the purpose of the Act is clear to all and does not remove existing protections. I would therefore like you to read the three undertakings into the record, please.



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159. **RICHARD BULL:** I am grateful. The University is very happy to give those undertakings, which I will read into the record as you suggest.
160. The first relates to the definition of "the Board" in clause 2. We undertake that it is not intended to allow more than a change in nomenclature, despite the words "or...other body".
161. Secondly, we undertake that all affected student bodies will be given an opportunity to participate in the consultation on the statutes under clause 3.
162. Thirdly, we undertake that clause 5 will not be relied upon to alter the effect of a contract so that it applies to individual institutions, where it was previously general to the whole institution.
163. **CHAIR:** Will you please put in that writing? Will you send me a letter confirming those undertakings?
164. **RICHARD BULL:** I will be glad to do so, Sir.
165. **CHAIR:** I am happy for the Bill to proceed. May I ask Maureen Boylan to prove the preamble?

MAUREEN BOYLAN

Examined by RICHARD BULL

166. **RICHARD BULL:** Are you Maureen Boylan?
167. **MAUREEN BOYLAN:** I am.
168. **RICHARD BULL:** Are you the acting secretary of the University of London?
169. **MAUREEN BOYLAN:** I am.
170. **RICHARD BULL:** Do you hold responsibility for the promotion of the Bill on behalf of the University of London, which is promoting the Bill?
171. **MAUREEN BOYLAN:** I do.
172. **RICHARD BULL:** Have you read the preamble to the Bill?
173. **MAUREEN BOYLAN:** I have.
174. **RICHARD BULL:** Is it true?
175. **MAUREEN BOYLAN:** It is.
176. **CHAIR:** Thank you for your attendance today and for answering our questions. We now have a much fuller picture of what is involved in the Bill. Thank you for those undertakings. We will watch the progress with interest.

The Committee adjourned at 3.10 pm.