

## Being called as a witness

To ensure that the University community is one in which we can live and work with one another in an environment of dignity and respect, a “good standard of conduct” is expected from students at all times. Any student whose behaviour does not meet these standards may be dealt with through the University's Regulations Governing Student Discipline full details of which can be found by clicking the following link: [Regulations Governing Student Discipline](#).

If you are identified as a possible witness to inappropriate behaviour which could be deemed as misconduct (by either the victim or the accused) you may be invited to discuss the allegation and present your version of events. The University has an obligation to investigate allegations of misconduct and it is vital that information is gathered quickly, fully and accurately, to ensure that the matter is dealt with fairly and appropriately. Although it is not compulsory that you provide evidence it would be appreciated if you can assist in the investigation.

Please note this guidance relates to inappropriate behaviour on the part of students and in relation to ‘non-academic’ misconduct. There are separate processes for dealing with academic misconduct which can be found at <http://www.southampton.ac.uk/studentadmin/appeals/>.

### **Being called as a witness:**

If you have been identified as a person who may have been witness to misconduct you will be contacted by the University in writing and may be required to submit a statement or attend a discipline meeting to explore the matter. A decision will have been made to ascertain if the allegation falls within the scope of the Student Discipline Regulations to be investigated as Misconduct or Serious Misconduct or to be referred to alternative Regulations.

The initial contact will provide sufficient detail to outline the nature of the accusation to provide you with an opportunity to present your version of events. You may be asked to provide a statement either in writing or at a discipline meeting. Where appropriate, special arrangements may be made to minimise contact between you and certain named parties i.e. the victim and/or the accused. Usually you will be expected to respond to the request and/or attend a discipline meeting within five (5) days of the notification.

### **What happens in an Investigation meeting?**

An Investigation Meeting is an opportunity for the appointed investigator(s) of the case to understand your version of events and collect a statement and evidence.

Following an investigation, the Investigator may recommend a course of No Action or refer the allegation to a Discipline Hearing or Full Committee of Student Discipline.

### **What protection will the University give me?**

The University cannot accept anonymous witness statements so you will need to provide your identity when commenting on an incident. Under the principles of Natural Justice the accused has the right to a clear understating of the allegation, including witness statements and their source, in order to respond properly. We appreciate that this may be difficult but it is a key principle in allowing a fair process for your defence. Should a case progress to a discipline hearing you may be asked to attend at the same time as the accused and/or those who have made the allegation. In very exceptional circumstances consideration may be taken to not disclose their identity.

### **Support during the process:**

You may be accompanied to discipline meetings and/or hearings throughout the process by a member of the University community as set out in Section 7.3. The [SUSU Advice Centre](#) can also offer advice and support through the process.

Where the incident is a potential criminal offence or where the nature of the incident could lead to others being at risk of harm the University and the Students' Union may be legally obliged to disclose information to other colleagues within the University or to the police (please see Criminal Behaviour below).

### **What happens in a discipline hearing?**

If a Hearing is needed, you may be required to attend a discipline hearing.

A hearing will normally be chaired by the chair of the Student Discipline Committee. The duration of a hearing will vary from case to case and will be proportionate to the severity of the case, the facts in dispute and the number of witnesses to be called.

During a discipline hearing the University will go through the allegation(s) and the evidence gathered. You may be asked to answer questions on your statement but you will not normally be cross-examined by the accused and/or those who have made the allegation. The University may adjourn a hearing if further investigations are needed or witnesses contacted.

### **What level of proof is required?**

The University will review the evidence and information provided to reach a decision based on the "balance of probabilities". To clarify, it is more likely than not that the allegation is true in whole or in part given the information that is available.

## **What are the possible outcomes?**

Where it is found that the allegation is proven to be true (on the balance of probabilities) then normally a penalty will be imposed on the perpetrator(s). The available penalties are set out in Section 9.

## **Criminal Behaviour:**

The University will assist the police with any resulting investigations. Our internal processes cannot normally consider a criminal matter directly. In such cases the University will normally wait until the criminal justice process has concluded before considering whether to pursue any disciplinary action of its own however the University may take the action of excluding the accused from all or part of campus subject to periodic review of the case. The internal process should not be seen as an alternative way of addressing criminal behaviour.

## **Further Information:**

The student discipline process is administered by The Central Student Discipline Team who can be contacted on:

Email: [student.discipline@southampton.ac.uk](mailto:student.discipline@southampton.ac.uk)  
Postal: The Student Discipline Team  
Building 37, Highfield Campus

The Student's Union Advice Centre can offer advice and support to students throughout the student discipline process and can be contacted on:

Website: [SUSU - Help & Support - Home](#)  
Email: [advice@susu.org](mailto:advice@susu.org)  
Tel: +44 (0)23 8059 2085  
Postal: The Advice Centre  
Southampton University Students' Union  
Building 40, Level 3, Highfield Campus