

Daniel Amery Interview: ‘It’s not about the money. It’s the principle which is at stake.’

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Student Group Claim spokesman calls for new legislation to be administered in future University contracts.

It was the graduates of 2023 whose experiences were most impacted by the COVID-19 pandemic at university. Three years on, it seems the fight for justice has only just begun.

Daniel Amery was a student who started university during the pandemic and was celebrating his graduation from University College London last week, in a polar opposite setting from the world he started his degree in.

Students and their families were out in droves on the South Bank at the weekend, enjoying the warmth of a late summer heatwave. However, despite the smiles and celebrations, something far more important lay dormant beneath the surface.

Three months earlier, Amery had appeared outside the Royal Courts of Justice with fellow protestors, as over one thousand students had taken UCL to court for permission to sue the university for the lack of compensation they had received, despite the disruptions to the courses.

“My first year of University was effectively all online,” says Amery. “The second year was a hybrid learning experience, with some in-person teaching and some online. My only full year of in-person teaching was my final year, and most of that was so focused on exams, it was hard to really get to know people,” he explained.

“Welcome week was a huge attraction to the university, which was supposed to allow us to make friends early on in the course, but that was all online in breakout rooms. Most people had their cameras turned off; very few spoke. It became more of a hindrance than a help.”

Despite being the first to reach a court hearing, UCL is not the only university being urged to compensate students. Other universities, which include Cardiff, Liverpool, and Birmingham, have responded to students by suggesting that their complaints should be taken directly to the university. If a decision is unable to be reached, then students can report a formal objection to the Office for the Independent Adjudicator for Higher Education (OIAHE).

“It’s not about the compensation for me; I’m not bothered about the money. It’s more the legal issues and principles which are at stake, such as universities being able to avoid legal liability in their contracts by phrasing them in ways that don’t provide concrete contractual terms,” says Amery.

“In any other form of business where you are providing a service for someone, you would have to explicitly legislate your liability. But as universities haven’t had to, it’s hard to find things to bite upon when things do go wrong, as we’ve seen with the pandemic.”

“Usually, when you’re not given things that you’ve paid for, you look in the contract. But as there’s no standardised contract to educate, we are unable to legally demand this.”

In court, UCL argued that they followed government guidelines and “ensured that a high-quality academic experience was provided to students.”

The average graduate will leave university with a debt of more than £40,000. In the ‘no win-no fee’ claim that Student Group Claim is making, students are looking to seek up to £5,000 compensation per person.

Since the hearing, The High Court has ruled that UCL has four months to end the dispute with students through an outside-of-court arrangement. However, if lawyers are unable to come to a settlement, then crucially, the court has recognised that the university can be taken to trial.

This decision would set a precedent for students throughout the country to sue other universities for compensation.

“Ultimately, it’s the fact that online lectures affected the quality of our teaching, and our experience was not what we were promised and paid for,” concludes Amery.

Whether a decision between University College London and their students has been agreed will be announced by the end of next month. If this fails, it is likely that a court date for next year will be set.

However, Amery is hopeful for a court date: “If we are able to take the university to court and find them liable, then we can prevent future generations from also being wrongly treated by universities, which is only a good thing in my opinion.”