

Freedom of Speech Policy

Section 1 - Purpose

(1) This Policy sets out the University's commitment to Freedom of Speech and implementing the principles of the Model Code for the Protection of Freedom of Speech and Academic Freedom in Australian Higher Education Providers, prepared in 2019 by the Independent Review of Freedom of Speech in Higher Education Providers (Model Code).

Background

(2) This Policy supplements and is intended to be consistent with the Macquarie University Academic Senate [Academic Freedom Statement](#), specific University policies and procedures, and the University's [Enterprise Agreements](#) as amended from time to time.

Scope

(3) This Policy applies to all staff and students of Macquarie University as well as its decision-making bodies and their officers, its student representative bodies, clubs and societies, and its controlled entities.

(4) The Policy also applies to situations where invitations are made by staff or students of the University to visiting speakers, and situations where external visiting speakers approach the University asking to speak to staff or students.

Section 2 - Policy

(5) The University stands for, promotes and defends the right of all people to have access to knowledge, education, and open debate.

(6) The University is committed to the Freedom of Speech of staff and students of the University on the basis that this contributes fundamentally both to the development of knowledge and the growth of a well-informed community.

(7) Freedom of Speech includes the freedom of staff, without constraint imposed by reason of their employment by the University, to make lawful public comment on any issue in their Personal Capacities.

(8) Freedom of Speech must be exercised lawfully. For example, it must not be defamatory, it must not involve racial vilification, and it must not wrongly reveal confidential information, personal information, or proprietary information.

(9) The University has a responsibility to prevent acts which could involve unlawful speech, or which could unreasonably disrupt the learning, teaching and research activities of the University. The University also has a responsibility to consider the safety and wellbeing of staff and students.

(10) The University's responsibility for the safety and wellbeing of staff and students includes:

- a. taking reasonable and proportionate action so that no one is exposed to speech which a reasonable person would conclude was both intended and likely to humiliate or intimidate;
- b. maintaining laws and University policies which prohibit discrimination on the basis of race, gender, sexuality,

religion, and political belief; and

- c. ensuring that no one is subject to threatening or intimidating behaviour as a result of exercising Freedom of Speech.

(11) The University's responsibility does not extend to a duty to protect any person from feeling offended, shocked, or insulted by the lawful speech of another.

(12) The University will not disadvantage or subject its staff or students to less favourable treatment solely for exercising their right to Freedom of Speech, including no threats to the security of employment for its staff, regardless of the nature of that employment.

(13) The University is committed to Freedom of Speech in the development and administration of its policies and practices in accordance with this Policy.

Section 3 - Procedures

(14) Nil.

Section 4 - Guidelines

(15) Nil.

Section 5 - Definitions

(16) Commonly defined terms are located in the University [Glossary](#). The following definitions apply for the purpose of this Policy:

- a. Speech extends to all forms of expressive conduct including both verbal and written communication as well as to visual communication, performance and other works of art and may involve communication via social media or other digital platforms.
- b. Freedom of Speech includes the right to lawful protest.
- c. Personal Capacity means Speech where there is no implied or explicit identification with the University, including no use of a University title or resource.

Status and Details

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Responsible Executive	Rorden Wilkinson Deputy Vice-Chancellor (Academic)
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