Academic Freedom and Free Speech Policy

Version 2 – Approved 12 February 2021
(Reconfirmed as current: 16 March 2023, 11 March 2025)

Purpose:

Academic freedom and free speech are defining values of the University of Tasmania and, consistent with the principles articulated in the Model Code of the *Report of the Independent Review of Freedom of Speech in Australian Higher Education Providers*, should not be restricted nor their exercise burdened, other than by restrictions imposed by law and in this policy.

The University is deeply committed to the promotion and protection of academic freedom, the right of all scholars at the University to engage in the pursuit of knowledge, intellectual enquiry and research, scholarly and creative endeavours, and public discourse. Academic freedom underpins a healthy, pluralistic and democratic society. Affirmed in the University's Statement of Values and enshrined in the *Magna Charta Universitatum* to which the University is a signatory, academic freedom is a right of University scholars and its exercise also entails responsibilities.

Academic freedom is defined by the Australian Government[1] as:

(a) the freedom of academic staff to teach, discuss, and research and to disseminate and publish the results of their research;

(b) the freedom of academic staff and students to engage in intellectual inquiry, to express their opinions and beliefs, and to contribute to public debate, in relation to their subjects of study and research;

(c) the freedom of academic staff and students to express their opinions in relation to the higher education provider in which they work or are enrolled;

(d) the freedom of academic staff to participate in professional or representative academic bodies;

(e) the freedom of students to participate in student societies and associations;

(f) the autonomy of the higher education provider in relation to the choice of academic courses and offerings, the ways in which they are taught and the choices of research activities and the ways in which they are conducted.

1	**Right to academic freedom and freedom of speech**	**Responsible**
1.1	The University values and protects the academic freedom of all its staff and students to teach, discuss, and research and to disseminate and publish the results of their research, and to engage in intellectual inquiry, to express their opinions and beliefs, and to contribute to public debate, in relation to their subjects of study and research.	Vice-Chancellor
1.2	The University values and protects the freedom of speech, which includes all forms of oral, written and creative expression, exercised by staff or students on its campuses and properties, subject only to that freedom being exercised in	Vice-Chancellor

[1] definition from the *Higher Education Support Act 2003*.

	ways that enable others to exercise their freedom of speech, enable the University to discharge its duties to teach and research, and respect the law.	
1.3	The University values and protects its autonomy as a higher education provider in relation to the choice of academic courses and offerings, the ways in which they are taught, and the choices of research activities and the ways in which they are conducted.	Vice-Chancellor
1.4	In entering into affiliation, collaboration or contractual arrangements with third parties and in accepting donations from third parties subject to conditions, the University shall take all reasonable steps to prevent limitations on academic freedom or freedom of speech by any academic staff or student carrying out research or conducting work subject to such arrangements. Should such third parties seek to restrict a staff member's or student's academic freedom the University will actively protect those rights.	Vice-Chancellor
1.5	The University will take active measures to prevent academic freedom or freedom of speech being impeded in any way by foreign interference.	Vice-Chancellor
1.6	The University will support the right of academic freedom and free speech at all universities.	Vice-Chancellor
1.7	Academic freedom and freedom of speech will be exercised within the University in ways that are consistent with the University's legal and ethical obligations to foster the wellbeing of students and staff noting that this does not extend to protecting any person from feeling offended, shocked or insulted by the lawful speech of another.	Vice-Chancellor
1.8	The University has the right and responsibility to determine the terms and conditions upon which it shall permit external visitors and invited visitors to speak on University land and use University facilities and in so doing, will not refuse permission solely on the basis of the content of the proposed speech, but may refuse permission if the content of the speech is or is likely to: • be unlawful; • prejudice the fulfilment by the University of its duty to foster the wellbeing of staff and students (which does not include a duty to protect any person from feeling offended, shocked or insulted by the lawful speech of another); or • involve the advancement of theories or propositions which purport to be based on scholarship or research but which fall below scholarly standards to such an extent as to be detrimental to the University's character as an institution of higher learning.	Vice-Chancellor
1.9	The appropriate exercise of academic freedom and freedom of speech will not constitute misconduct.	Vice-Chancellor

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Definitions and acronyms