

# FREE SPEECH ON CAMPUS AUDIT 2018

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# Australian Catholic University

## Policies

### **Bullying in the Working or Learning Environment Statement<sup>1</sup>**

- 3. The following types of behaviour, where directed towards the individual and repeated or occurring as part of a pattern of behaviour, may amount to bullying:
  - abusive, offensive or demeaning language
  - displaying written or pictorial material which degrades or offends an individual
  - making phone calls or sending letters or emails that are abusive, threatening or offensive
- This list is not exhaustive. Other types of behaviour may also constitute bullying.

Rating: **Red**

### **Discrimination and Harassment<sup>2</sup>**

- 6.3 Harassment can be a single incident, or repeated behaviour, and can occur even if the behaviour is not intended to offend. Silence does not mean that the behaviour is acceptable to the other person.
- 6.4 Examples of behaviours that may amount to harassment include:
  - Offensive communications including digital communications (Facebook, twitter, e-mails), written, images and telephone.

Rating: **Red**

### **Acceptable Use of IT Policy<sup>3</sup>**

- 3.4. Users may not encroach on others' use of the ACU IT Facilities, including computer resources by using them inappropriately. Such activities would include, but are not limited to:
  - knowingly accessing or sending sexually explicit, pornographic or otherwise offensive material;

Rating: **Amber**

### **Student Conduct and Discipline Policy<sup>4</sup>**

- 3.1. All ACU students are expected to behave in a way that:

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1 [https://www.acu.edu.au/\\_\\_data/assets/pdf\\_file/0013/22234/Bullying\\_in\\_the\\_Working\\_or\\_Learning\\_Environment\\_Statement\\_080414.pdf](https://www.acu.edu.au/__data/assets/pdf_file/0013/22234/Bullying_in_the_Working_or_Learning_Environment_Statement_080414.pdf)

2 [https://www.acu.edu.au/policies/hr/equal\\_opportunity/discrimination\\_and\\_harassment](https://www.acu.edu.au/policies/hr/equal_opportunity/discrimination_and_harassment)

3 [https://handbook.acu.edu.au/handbooks/handbook\\_2018/general\\_information/acceptable\\_use\\_of\\_it\\_policy](https://handbook.acu.edu.au/handbooks/handbook_2018/general_information/acceptable_use_of_it_policy)

4 [http://handbook.acu.edu.au/handbooks/handbook\\_2018/general\\_information/student\\_conduct\\_and\\_discipline/student\\_conduct\\_and\\_discipline\\_policy](http://handbook.acu.edu.au/handbooks/handbook_2018/general_information/student_conduct_and_discipline/student_conduct_and_discipline_policy)

- a. allows reasonable freedom to others to pursue their studies, research, duties, community engagement and other lawful University activities, and to participate in the life of the University;
- 5. Misconduct includes, but is not limited to, conduct or behaviour by a student or of a group of persons which includes a student that:
  - a. impairs the reasonable freedom of others to pursue their studies, research, duties, community engagement and other University activities and to participate in the life of the University;

Rating: **Green**

### **Policy - Intellectual freedom**

- *No policy on academic freedom and/or free speech.*

# Australian National University

## Policies

### Discipline Rule 2018<sup>5</sup>

- (2) For this instrument, a person subjects another person (also the person harassed) to another form of harassment if the person engages in conduct that:
  - (a) is offensive, humiliating or intimidating to the person harassed, but is not sexual harassment; and
  - (b) is engaged in by the person in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated.
- (3) For subsections (1) and (2), the circumstances to be taken into account include, but are not limited to, the following:
  - (a) the sex, age, sexual orientation, gender identity, intersex status, marital or relationship status, religious belief, race, colour, or national or ethnic origin, of the person harassed;
  - (b) the relationship between the person harassed and the person who made the advance or request or who engaged in the conduct;
  - (c) any disability of the person harassed;
  - (d) any other relevant circumstance.

Rating: **Red**

### Guideline: Social media participation by ANU students

- 5. Post meaningful, respectful comments. In other words, no spam, and no remarks that are off-topic or offensive.

Rating: **Red**

### Procedure: Prevention of discrimination, harassment and bullying<sup>6</sup>

- Bullying is repeated unreasonable and inappropriate behaviour in the workplace or education environment which comprises behaviour that intimidates, offends, degrades, insults or humiliates an employee or student and is a risk to health and safety. This can be physical or psychological behaviour. Legitimate comment, criticism and advice, including relevant negative comment or feedback provided in a reasonable manner from supervisors or academics on the work, study performance or behaviour of an individual or group, does not constitute bullying

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<sup>5</sup> <https://www.legislation.gov.au/Details/F2018L00319>

<sup>6</sup> [https://policies.anu.edu.au/ppl/document/ANUP\\_000623](https://policies.anu.edu.au/ppl/document/ANUP_000623)

Rating: **Amber**

### **Policy: Code of conduct<sup>7</sup>**

- The University recognises the concept and practice of academic freedom as central to the proper conduct of teaching, research and scholarship.
- Academic and professional staff are expected to use this freedom in a manner that is consistent with a responsible and honest search for knowledge and its dissemination.
- Academic freedom does not extend to behaviour that is harassing, disruptive and intimidating or that interferes with the academic or work performance or freedom of others.

Policy rating: **Green**

### **Policy - Intellectual freedom**

- *No policy on academic freedom and/or free speech.*

### **Actions**

#### **Ideology ousts news editor at ANU paper<sup>8</sup>**

- Student Nick Blood said he was an earlier victim of Woroni's "institutionalised discrimination" when the editorial board called for opinion pieces to "break the echo chamber" following the election of US President Donald Trump. Five students sent in contributions for what was called the "Echo 360" project, which were in turn sent to each other for comments. But then the process stopped, Blood said, when "something strange happened". The sub-editor in charge of the section said there was a concern about "a lack of diversity with the authors we had so far". Blood questioned the sub-editor and established the perceived problem was "not about diversity of opinion" of the contributions, but the fact that they all came from white male students.

Rating: **Red**

#### **Another uni opts to kick Islamic fundamentalist group Hizb ut-Tahrir off campus<sup>9</sup>**

- Islamic fundamentalist group Hizb ut-Tahrir has been banned from speaking about its radical views at another Australian university.

Rating: **Red**

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<sup>7</sup> [https://policies.anu.edu.au/ppl/document/ANUP\\_000388](https://policies.anu.edu.au/ppl/document/ANUP_000388)

<sup>8</sup> <http://www.theaustralian.com.au/news/nation/ideology-ousts-news-editor-at-anu-paper/news-story/a4b66914ef30e963d5954c0cc415d609>

<sup>9</sup> <http://www.dailytelegraph.com.au/news/nsw/another-uni-opts-to-kick-islamic-fundamentalist-group-hizb-uttahrir-off-campus/news-story/e3d0142082b88cd44eaabad32790417c>

### **Incident at university pharmacy highlights a divided Chinese community<sup>10</sup>**

- “the pharmacist on duty at the time said that she felt intimidated, and allowed him to throw out the newspapers”

Rating: **Amber**

### **Western civilisation course at the ANU sparks uproar<sup>11</sup>**

- An unprecedented scholarship program to encourage the study of Western civilisation is facing a backlash from within the first university selected to participate, with staff and students accusing the philanthropic group behind it of pushing a “racist” and “radically conservative agenda”.

*Note: The Australian National University is not obliged to partner with an external organisation such as the Ramsey Centre, however the public opposition to ‘conservative’ ideas indicates a closed view towards a diversity of views at the ANU*

Rating: **Amber**

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<sup>10</sup> <https://www.woroni.com.au/words/incident-at-university-pharmacy-highlights-a-divided-chinese-community/>

<sup>11</sup> <https://www.theaustralian.com.au/higher-education/western-civilisation-course-at-the-anu-sparks-uproar/news-story/e1beddf1284efd16e7d9d3df995d654f>

# Bond University

## Policies

### Student Handbook: Part 3 - Bond University Discipline Regulations<sup>12</sup>

- Definitions: Bullying – Repeated inappropriate behaviour that is unsolicited, intimidating, unwelcome, uninvited and unreciprocated, which may cause distress to a person and/or create an intimidating, hostile or offensive environment.
- (2) Dealing with Others at the University or External to the University
  - Bullying, on the site or in the course of any University affiliated activity, that is offensive, intimidating, humiliating and/or threatening

Rating: **Red**

### Social Media Policy (COR 4.03)<sup>13</sup>

- 2.1.6.1. Online, personal and business personas are likely to intersect. Bond University respects the free speech rights of all of its stakeholders, but staff and students must remember that the community, colleagues and supervisors may have access to the online content they post. Staff and students should keep this in mind when publishing information online as information originally intended just for friends and family can be forwarded on. Under no circumstances should offensive comments be made about Bond University colleagues or students on the internet. This may amount to cyber-bullying and could be deemed a disciplinary offence.
- 2.1.4.1. Staff and students should be polite and respectful of all individuals, cultures and communities when interacting online. In particular, be sensitive to cultural issues associated with Indigenous and religious groups such as customs related to deceased people. Debate is healthy, but always be sure to do so in a logical and calm manner. Exercise caution on sensitive topics that could cause offence.

Rating: **Amber**

## Policies – Free speech, academic freedom

- *No policy on academic freedom and/or free speech.*

*Note: Bond University's Academic Freedom Policy (COR 1.12) is not publically accessible.*

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<sup>12</sup> <https://bond.edu.au/files/676/Student%20Handbook.%20Part%203%3A%20Discipline%20Regulations.pdf>

<sup>13</sup> <https://bond.edu.au/files/927/COR403.pdf>

# Carnegie Mellon University

## Policies

### **Student Rights and Responsibilities**<sup>14</sup>

- Students who engage in disruptive behaviour, criminal activities, ethnic intimidation, sexual harassment, moral turpitude, violations of School procedures, or violations of university regulations will be subject to disciplinary action, including possible expulsion.

Rating: **Amber**

### **Policy - Intellectual freedom**

- *No policy on academic freedom and/or free speech.*

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<sup>14</sup> [https://www.australia.cmu.edu/assets/docs/general/student\\_rights\\_and\\_responsibilities\\_cmua\\_march\\_2013.pdf](https://www.australia.cmu.edu/assets/docs/general/student_rights_and_responsibilities_cmua_march_2013.pdf)

# Central Queensland University

## Policies

### STUDENT BEHAVIOURAL MISCONDUCT<sup>15</sup>

- 6.1 CQUniversity is committed to creating and maintaining a community in which students, staff, employers, and clients can work together in an environment that is free of violence, harassment, intimidation, and exploitation. Students have a responsibility to:
  - avoid behaviour that could offend, embarrass, intimidate, or threaten others

Rating: **Red**

### USE OF INCLUSIVE LANGUAGE<sup>16</sup>

- Extended list of appropriate and inappropriate language (i.e. Never use the term 'victim' or 'sufferer'; Instead of Polio victim Use Person who had polio; Instead of Full-blood Aborigines, half-caste, part-Aboriginal Use Aborigine, Aboriginal and/or Torres Strait Islander people/person; Instead of The old Use Older people; Avoid 'Offensive' jokes)

Rating: **Amber**

### Policy - Intellectual freedom

- *No policy on academic freedom and/or free speech.*

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<sup>15</sup> <https://www.cqu.edu.au/policy?collection=policy&form=policy&query=STUDENT+BEHAVIOURAL+MISCONDUCT>

<sup>16</sup> <https://www.cqu.edu.au/policy?collection=policy&form=policy&query=USE+OF+INCLUSIVE+LANGUAGE&sort>

# Charles Darwin University

## Policies

### **Social Media Policy**<sup>17</sup>

- This document governs the use of and access to social media for professional and personal purposes by members of the University community
  - Offensive or objectionable material means any material which infringes socially accepted standards of good taste or good manners, such as insulting or aggressive language directed at another person or persons. This includes, but is not limited to, pornographic material, threats, racist remarks, and disturbing images;
    - Unacceptable use: Use profane or offensive language, content or objectionable material that:
      - Promotes, fosters, or perpetuates discrimination on the basis of race, creed, colour, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation;

Rating: **Red**

### **Students – Grievances with Staff or Other Students Procedures**<sup>18</sup>

- Bullying has the meaning ascribed to it by the CDU and Union Enterprise Agreement. For better understanding, bullying refers to persistent or ongoing behaviours directed towards an individual or group that a reasonable person, having regard to the circumstances, would find offensive, intimidating, humiliating or threatening and that potentially or actually affects health and wellbeing;

Rating: **Amber**

### **Email Acceptable Use Policy / Email General Use Procedures**<sup>19</sup>

- Users of University email services are expected to respect the standards of courtesy and professionalism that apply to all University communications and to avoid aggressive or abusive messages, messages that could reasonably be viewed by others as offensive or objectionable, or messages containing content that is obscene.

Rating: **Amber**

### **Identifying Unacceptable Use of Information and Communication Technologies Procedures**<sup>20</sup>

- Creation, solicitation, acquisition, transmission or public display of material, which is, or could reasonably be perceived as being, obscene, defamatory, discriminatory, offensive, objectionable

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17 <http://www.cdu.edu.au/governance/doclibrary/pol-059.pdf>

18 <https://www.cdu.edu.au/governance/doclibrary/pro-095.pdf>

19 <https://www.cdu.edu.au/governance/doclibrary/pol-010.pdf> <http://www.cdu.edu.au/governance/doclibrary/pro-015.pdf>

20 <http://www.cdu.edu.au/governance/doclibrary/pro-043.pdf>

in nature, or likely to cause distress to some individuals. If the material is a legitimate part of education and/or research, appropriate warning should be given if displayed or transmitted;

Rating: **Amber**

### **Code of Conduct**<sup>21</sup>

- Intellectual freedom (as defined by Article 19 of the Universal Declaration of Human Rights) means everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers;
  - We will ensure that accountability is practised by: Ensuring that intellectual freedom is exercised through the responsible and honest search for knowledge and its dissemination

Rating: **Green**

### **Policy - Intellectual freedom**

- *No policy on academic freedom and/or free speech.*

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<sup>21</sup> <http://www.cdu.edu.au/governance/doctrinary/cod-001.pdf>

# Charles Sturt University

## Policies

### **ANTI-RACISM POLICY**<sup>22</sup>

- (1) The purpose of this Policy is to raise awareness of and compliance with Charles Sturt University's commitment to providing a work and study environment that is culturally inclusive and free from racial discrimination and harassment. Racism is best understood when acknowledging the context of power, oppression and privilege.
- (3) c. Harassment - refers to unwelcome behaviour that makes a person feel belittled, intimidated, offended or apprehensive and, taking into account all the circumstances, could reasonably have been anticipated to have this effect.
- (7) The University will ensure that course design, curriculum content, teaching methodologies and student experience are racially sensitive and culturally inclusive.
- (8) The University will encourage research and community service activities that raise awareness of and promote cultural diversity and inclusiveness.

Rating: **Red**

### **HARASSMENT AND BULLYING PREVENTION GUIDELINES**<sup>23</sup>

- (30) Bullying behaviours may include but are not limited to:
  - abusive or offensive language, insults, ridicule, sarcasm or intimidating remarks;

Rating: **Red**

### **STUDENT CHARTER**<sup>24</sup>

- (2) All members of the University community are expected to value:
  - d. social justice including ethical practice and global citizenship;
  - e. economic, social and environmental sustainability, including the responsible stewardship of resources

Rating: **Red**

### **INDIGENOUS AUSTRALIAN CONTENT IN COURSES POLICY**<sup>25</sup>

- (3) This document sets out the Policy on the University's requirements for, and expectations of, the incorporation of Indigenous Australian content in all undergraduate and professional entry courses within Charles Sturt University.
- (12) b. The School of Indigenous Australian Studies will teach all subjects/modules of Indigenous Australian Studies in all courses at the University.

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22 <https://policy.csu.edu.au/document/view-current.php?id=403>

23 <https://policy.csu.edu.au/document/view-current.php?id=225>

24 <https://policy.csu.edu.au/document/view-current.php?id=268>

25 <https://policy.csu.edu.au/document/view-current.php?id=385>

- (12) c. The School of Indigenous Australian Studies will teach all subjects/modules of Indigenous Australian Studies in all courses at the University (as defined in clause 7).

Rating: **Red**

### **Harassment and Bullying Prevention Policy<sup>26</sup>**

- (4) a. Harassment - refers to unwelcome behaviour that:
  - i. makes a person feel offended, belittled, intimidated or apprehensive; and that
  - ii. a reasonable person, taking into account all the circumstances, would expect to cause offence, intimidation or apprehension.

Rating: **Amber**

### **Equal Opportunity Policy<sup>27</sup>**

- (8) Harassment refers to unwelcome behaviour that makes a person feel belittled, intimidated, offended or apprehensive and that, taking into account all the circumstances, could reasonably have been anticipated to have this effect.

Rating: **Amber**

### **RESPONSIBLE INVESTMENT GUIDELINES<sup>28</sup>**

- In regards to industries, the following will be considered as areas that the University would see as being in conflict with its values; manufacture of tobacco; gambling; pornography and prostitution; manufacture and distribution of armaments; and coal seam gas.

Rating: **Amber**

### **Policy - Intellectual freedom**

- *No policy on academic freedom and/or free speech.*

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26 <https://policy.csu.edu.au/view.current.php?id=00224>

27 <https://policy.csu.edu.au/view.current.php?id=00223>

28 <https://policy.csu.edu.au/view.current.php?id=00360>

# Curtin University

## Policies

### Student Conduct<sup>29</sup>

- What is harassment?
  - Harassment is any form of unwanted or unwelcome behaviour that is offensive to you. It may range from mildly unpleasant remarks to physical violence. It can include repeated unwelcome advances, requests, or comments that cause you worry or anxiety.
- How do I know if my behaviour is causing offence?
  - check your behaviour and language by asking if it's offensive to anyone
- Bullying or cyber bullying
  - You are feeling intimidated or offended by the repeated behaviour of another person or group of people towards you—either in person or by email, phone, chat rooms or social networking sites such as Facebook and MySpace

Rating: **Red**

### Bullying – Guidance for the Person Accused<sup>30</sup>

- If another person were to witness the behaviour, would they consider it to be offensive, humiliating, intimidating or threatening?

Rating: **Red**

### The Residence Handbook<sup>31</sup>

- OFFENSIVE MATERIAL: Displaying or distributing printed, electronic or audiovisual material considered to be offensive by Management will result in the offending material being removed and further action taken depending on the type, nature and severity of the offence.

Rating: **Red**

## Policy - Intellectual freedom

### Intellectual Freedom Policy<sup>32</sup>

- 2.1. The University will recognise and protect the right of all staff and students at the University to freely and honestly engage in critical enquiry, scholarly endeavour and public discourse, and to participate in public debate without censorship or fear of professional disadvantage or penalty

Rating: **Green**

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29 <https://complaints.curtin.edu.au/local/docs/StudentConduct.pdf>

30 [https://hr.curtin.edu.au/local/docs/Bullying\\_\\_Guidance\\_for\\_the\\_Person\\_Accused\\_v5.pdf](https://hr.curtin.edu.au/local/docs/Bullying__Guidance_for_the_Person_Accused_v5.pdf)

31 [http://life.curtin.edu.au/local/docs/Residence\\_Handbook.pdf](http://life.curtin.edu.au/local/docs/Residence_Handbook.pdf)

32 [https://policies.curtin.edu.au/local/docs/policy/Intellectual\\_Freedom\\_Policy.pdf](https://policies.curtin.edu.au/local/docs/policy/Intellectual_Freedom_Policy.pdf)

# Deakin University

## Policies

### Student Bullying<sup>33</sup>

- You have the responsibility to:
  - avoid any behaviour that may offend, humiliate, intimidate, exclude or cause injury to others.
- Bullying is repeated, unreasonable behaviour directed towards a person or group, that creates a risk to health and safety.
  - Unreasonable behaviour means behaviour that a reasonable person, having regard to all the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating, intimidating or threatening.
  - Repeated behaviour means an established pattern of behaviour and not a single incident.
  - Risk to health and safety includes risk to the mental or physical health of the person.
- You have the responsibility to:
  - avoid any behaviour that may offend, humiliate, intimidate, exclude or cause injury to others.
- Examples of bullying
  - Repeated behaviours that constitute bullying include:
    - verbal or written abuse in emails or other forms of electronic communication, including abusive, insulting, belittling, intimidating or offensive language; spreading rumours; teasing; displaying offensive posters or graffiti
- Cyber-bullying can take many forms including:
  - abusive or offensive messages or images on mobile phones, social media or online discussion boards

Rating: **Amber**

### Bullying and cyber bullying<sup>34</sup>

- You have the responsibility to: avoid any behaviour that may offend, humiliate, intimidate, exclude or cause injury to others.

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<sup>33</sup> [http://www.deakin.edu.au/\\_\\_data/assets/pdf\\_file/0011/190766/Student-Bullying-fact-sheet.pdf](http://www.deakin.edu.au/__data/assets/pdf_file/0011/190766/Student-Bullying-fact-sheet.pdf)

<sup>34</sup> <http://www.deakin.edu.au/students/health-and-wellbeing/counselling/topics-to-explore/healthy-relationships/bullying-and-cyber-bullying>

- Bullying is repeated, unreasonable behaviour directed towards a person or group, that creates a risk to health and safety.

Rating: **Amber**

### **CONDITIONS OF INFORMATION TECHNOLOGY USE<sup>35</sup>**

- 2. ICT Users may not:
  - knowingly display or store electronic material that is offensive, sexually explicit, or racially, religiously or sexually intolerant unless prior approval has been granted for the purpose of research or study

Rating: **Amber**

## **Policy - Intellectual freedom**

### **ACADEMIC FREEDOM POLICY<sup>36</sup>**

- (4) The University recognises and values the right to academic freedom as central to its endeavours in scholarship, teaching and research and is committed to its promotion and protection within the University. It supports the right of its scholars to engage in critical inquiry and robust and unfettered critical debate. It recognises and promotes a diversity of opinion and the right to express that opinion freely.

Rating: **Green**

## **Actions**

### **Deakin student union clashes with club over anti-Abbott T-shirts<sup>37</sup>**

- Deakin Young Socialist Alliance members have accused the Deakin University Student Association of double standards and censoring their political views after being asked to remove T-shirts critical of Prime Minister Tony Abbott last Tuesday. The shirts were emblazoned with the Rosie the Riveter feminist image with the text "Up Yours Abbott".

Rating: **Red**

### **Tony Abbott cancels visit to university to avoid protesters<sup>38</sup>**

- Prime Minister Tony Abbott has cancelled a visit to a Victorian university, an event expected to be targeted by protesters in the wake of the federal budget.

Rating: **Red**

35 <https://policy.deakin.edu.au/download.php?id=92&version=2&associated>

36 <https://policy.deakin.edu.au/document/view-current.php?id=27>

37 <http://www.geelongadvertiser.com.au/news/deakin-student-union-clashes-with-club-over-antiabbott-tshirts/news-story/3267410fc336d8df428d7f8789ccfa62>

38 <http://www.smh.com.au/federal-politics/political-news/tony-abbott-cancels-visit-to-university-to-avoid-protesters-20140520-38mly.html>

# Edith Cowan University

## Policies

### Prevention of Harassment, Bullying and Discrimination<sup>39</sup>

- 3. Definitions:
  - Harassment: Unacceptable conduct that consists of unwelcome and uninvited comments or actions that intimidate, offend, humiliate or embarrasses a person or a group of persons. Equal opportunity laws prohibit harassment on the grounds of sex, race and/or disability.

Rating: **Red**

### EDITH COWAN UNIVERSITY LANDS AND TRAFFIC BY-LAWS<sup>40</sup>

- PART 4 – USE BY PERSONS OF UNIVERSITY LANDS
  - Prohibited acts on University lands
    - 4.1 No person shall on University lands – (c) use abusive or insulting language or do or engage in any offensive, indecent or improper act, conduct or behaviour;

Rating: **Red**

## Policy - Intellectual freedom

- No policy on academic freedom and/or free speech.

## Action

### Students protesting against ban ordered out<sup>41</sup>

- STUDENTS protesting against a policy prohibiting political groups were asked to leave the ECU Joondalup campus last month.

Rating: **Red**

### Backlash over Murdoch Uni's decision to host 'dangerous nutrition expert'<sup>42</sup>

- But a petition calling to ban her from speaking at the university soon gathered more than 200 signatures, and ECU officials then called off the event.

Rating: **Red**

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39 <http://policysearch.ecu.edu.au/WebDrawer.PolicySearch/Record/641/file/document>

40 <http://policysearch.ecu.edu.au/WebDrawer.PolicySearch/Record/172/file/document>

41 <https://www.communitynews.com.au/joondalup-times/news/students-protesting-against-ban-ordered-out/>

42 <http://www.watoday.com.au/wa-news/backlash-over-murdoch-unis-decision-to-host-dangerous-nutrition-expert-20170608-gwn8ji.html>

# Federation University

## Policies

### **Social Media Guidelines**<sup>43</sup>

- It is not appropriate and may even be illegal to post comments or respond to comments about the University or individuals which could be considered offensive, defamatory, harassing, threatening, discriminatory, intimidating or otherwise inappropriate.

Rating: **Red**

### **Use of Computing and Communication Facilities Policy**<sup>44</sup>

- It is prohibited to use Electronic Communication Services to libel, to send or subscribe to pornographic material, to harass, threaten other individuals, unlawfully vilify or to transmit offensive language or images;
- Inappropriate use includes, but is not limited to: Staff or Students may not intentionally create, transmit, distribute, or store any offensive information, data or material that violates Australian or State regulations or laws. The University reserves the right to audit and remove any illegal material from its computer resources without notice.
- Social Media: Inappropriate use of social media that results in negative perception of the University, it's staff or students, or not in line with the Social Media Guidelines may be subject to disciplinary action in accordance with this policy.

Rating: **Red**

### **Equal Opportunity and Valuing Diversity**<sup>45</sup>

- Is a form of discrimination and refers to a wide range of deliberate and unintentional behaviours, based on an attribute as listed above, which are unwelcome and uninvited and which are reasonably likely, in all the circumstances, to humiliate, intimidate or offend. It includes behaviour which may be written, printed, verbal, non-verbal or physical (including transmission or display of inappropriate electronic communications, use of social media).

Rating: **Red**

### **Student Grievance Policy**<sup>46</sup>

- Bullying: Means repeated, unreasonable behaviours directed towards a student or a group of students that creates a risk to health and safety, including but not limited to:
  - Abusive, insulting or offensive language;
  - Behaviour or language that frightens, humiliates, belittles or degrades;
- Intimidating, harassing, threatening, offensive or vexatious behaviour will not be tolerated.

Rating: **Amber**

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43 [http://policy.federation.edu.au/community\\_engagement\\_and\\_development/media/socialmedia/ch02.php](http://policy.federation.edu.au/community_engagement_and_development/media/socialmedia/ch02.php)

44 [http://policy.federation.edu.au/information\\_management\\_and\\_infrastructure/web\\_services/it/ch01.php](http://policy.federation.edu.au/information_management_and_infrastructure/web_services/it/ch01.php)

45 [http://policy.federation.edu.au/corporate\\_governance/equity/equal\\_opportunity/ch01.php](http://policy.federation.edu.au/corporate_governance/equity/equal_opportunity/ch01.php)

46 [http://policy.federation.edu.au/learning\\_and\\_teaching/academic\\_progress/standard\\_10/ch05.php](http://policy.federation.edu.au/learning_and_teaching/academic_progress/standard_10/ch05.php)

## **Policy - Intellectual freedom**

- *No policy on academic freedom and/or free speech.*

# Flinders University

## Policies

### Equal Opportunity Policy<sup>47</sup>

- Unlawful harassment means any form of behaviour that takes place in circumstances in which a reasonable person, having regard to all circumstances, should have anticipated that the person, or group of people, who is (are) subject to the harassment would be offended, humiliated or intimidated. The behaviour in question must be perceived to relate to one or more of the grounds of discrimination as listed in Appendix A.
- Appendix A:
  - sex or gender
  - sexuality or gender identity
  - pregnancy
  - breastfeeding
  - marital or domestic partnership status
  - caring responsibilities
  - identity of spouse or domestic partner
  - disability
  - race, colour, descent, national or ethnic origin
  - age
  - political opinion
  - religious conviction or religious dress
  - personal association with a person who is identified by any of the listed attributes
  - social origin
  - medical record
  - criminal record
  - trade union activity
  - on any other ground which the Council shall after due consideration determine to be a basis of discriminatory practice
  - any combination of the above

Rating: **Red**

### Policy Against Racism<sup>48</sup>

- Individual racism involves specific acts of racist behaviour by individuals or groups. This can include language or actions of a racist nature which are offensive, degrading, intimidating or embarrassing;

Rating: **Red**

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47 <http://www.flinders.edu.au/ppmanual/equal-opportunity/equal-opportunity.cfm>

48 <http://www.flinders.edu.au/ppmanual/equal-opportunity/against-racism.cfm>

### **No Bullying at Flinders<sup>49</sup>**

- Definition
  - Bullying defines persistent or ongoing behaviours directed towards an individual or group that a reasonable person, having regard to the circumstances, would find offensive, intimidating, humiliating or threatening and that potentially or actually affects health and wellbeing.

Rating: **Amber**

### **IT Acceptable Use Policy<sup>50</sup>**

- E-mails containing sexist, racist, offensive or abusive material are not acceptable under any circumstances;
- Create or transmit any material that could reasonably be deemed offensive, obscene or indecent, intimidating or distressing (other than for approved teaching, research or incident investigation purposes);
- Acceptable use of IT permits the personal use of University IT Resources provided it does not: Damage the reputation or operations of the University; and

Rating: **Amber**

### **Cultural Diversity and Inclusive Practice Toolkit<sup>51</sup>**

- Discussion of appropriate / inappropriate language

Rating: **Amber**

### **Policy - Intellectual freedom**

- *No policy on academic freedom and/or free speech.*

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49 <http://www.flinders.edu.au/ppmanual/equal-opportunity/no-bullying.cfm>

50 <http://www.flinders.edu.au/ppmanual/computing/ict-guide.cfm>

51 <http://www.flinders.edu.au/cdip/toolkit/>

## Actions

### **Bjørn Lomborg's \$4m centre rejected by Flinders University academics**<sup>52</sup>

- Academics at Flinders University have delivered a withering rejection of the university's plan to host a Bjørn Lomborg-run research centre with \$4m of federal government money, labelling the Dane "infamous" for his views on climate change.

Rating: **Amber**

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<sup>52</sup> <http://www.theguardian.com/world/2015/jul/28/bjrn-lomborgs-4m-centre-rejected-by-flinders-university-academics>

## Policies

### Information Technology Code of Practice<sup>53</sup>

- You should not use the University IT resources to create, download, distribute, store or display any offensive or illegal material.
- Material that has the potential to cause offence or would normally be regarded as inappropriate should not be used unless a genuine reason exists (i.e. to support teaching, learning or research activities) and the reason for the use must be documented and approved by the relevant supervisor. Such access should not occur on publicly accessible terminals.

Rating: **Amber**

### Student Sexual Assault, Harassment, Bullying & Discrimination Policy<sup>54</sup>

- 3.2 Harassment and Sexual Harassment
  - Harassment is repeated behaviour that is directed at an individual or group of students or staff and is offensive, humiliating, intimidating or threatening. The behaviour is often unwelcome and makes it difficult for effective work or study to be conducted.
  - Harassment occurs in circumstances where a reasonable person would have expected that the behaviour was going to be offensive, humiliating or intimidating and may be sexual in nature or based on gender, race, disability, sexual orientation or a range of other factors listed in the Queensland Anti-Discrimination Act (1991).
- 3.3 Bullying
  - The Department of Education and Training Queensland defines bullying as repeated verbal, physical, social or psychological behaviour that is harmful and involves the misuse of power by an individual or group towards one or more persons.

Rating: **Amber**

*Note: While the definition of harassment in itself includes a reasonable person test, it is concerning that the policy refers other factors listed in Queensland Anti-Discrimination Act (1991) which includes (i) religious belief or religious activity and (j) political belief or activity. This amounts to a blasphemy-law type restriction on offending someone on the basis of religion, and undermines political debate by preventing causing offence on the basis of someone's political belief. While the inclusion of religion and political belief is not uncommon in state based anti-discrimination law, these laws do not include religious or political belief in the attributes on which you cannot offend a person.*

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<sup>53</sup> <https://policies.griffith.edu.au/pdf/Information%20Technology%20Code%20of%20Practice.pdf>

<sup>54</sup> <https://policies.griffith.edu.au/pdf/Student%20Sexual%20Assault%20Harassment%20Bullying%20and%20Discrimination%20Policy.pdf>

## **Policy - Intellectual freedom**

- No policy on academic freedom and/or free speech.

# James Cook University

## Policies

### **Bullying, Discrimination, Harassment, and Sexual Misconduct Policy**<sup>55</sup>

- Harassment occurs when a person, or a group of people, is intimidated, insulted or humiliated because of one or more characteristics, or from working in a hostile or intimidating environment that makes a person feel offended, humiliated or intimidated, and where that reaction is reasonable in the circumstances. Harassment can arise as the result of a single incident as well as repeated incidents (for example, hazing).
- The grounds for which a complaint may be made under this policy include discrimination and harassment based on one or more of the following characteristics:
  - Sex or gender
  - Relationship status, pregnancy, breastfeeding, parental status and family responsibility
  - Sexuality or gender identity
  - Disability or impairment
  - Race, accent, colour, national or ethnic origin, nationality, ethnicity, descent or ancestry, or immigration
  - Age
  - Religious or political belief or activity
  - Trade union activity
  - Lawful sexual activity, or
  - Personal association with or relation to any person who is identified on the basis of any of the above attributes.

Rating: **Red**

### **Information Communication Technology Acceptable Use Policy**<sup>56</sup>

- 1.5 University ICT Services must not be used in any manner, which the University considers to be inappropriate, this may include, but is not limited to:
  - iii. knowingly downloading, storing, distributing or viewing of offensive, obscene, indecent, or menacing material. This could include, but is not limited to, defamatory material, material that could constitute racial or religious vilification,

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<sup>55</sup> <https://www.jcu.edu.au/policy/corporate-governance/discrimination-and-harassment-policy-and-procedure>

<sup>56</sup> <https://www.jcu.edu.au/policy/information-and-communications-technology/information-communication-technology-acceptable-use-policy>

discriminatory material, material that incorporates gratuitous violence or frequent and highlighted bad language;

Rating: **Amber**

### **Social Media Policy**<sup>57</sup>

- The University will examine postings on external Social Media sites of which it becomes aware, that threaten or incite harm to its Staff, Students and Affiliates, or facilities, or any postings that threaten the University's reputation, particularly when the posting is false or misleading. The University will take action to the extent possible where it considers a posting breaches this or any other Policy.

Rating: **Amber**

### **Policy - Intellectual freedom**

- *No policy on academic freedom and/or free speech.*

## **Actions**

### **James Cook University students expelled from St Mark's Residential College over music competition skit**<sup>58</sup>

- TWO James Cook University students have been expelled from their residential college after poking fun at the college's religious values in a music competition.

Rating: **Red**

### **'Trigger warnings' of the authoritarian Left**<sup>59</sup>

- ousting of climate sceptic scientist Bob Carter from his adjunct professorship at Queensland's James Cook University

Rating: **Red**

### **Fears uni may sack marine scientist over comments on reef health**<sup>60</sup>

- Outspoken marine scientist Peter Ridd has landed in hot water with James Cook University following a high-profile book tour in which he questioned the quality of Great Barrier Reef science.

Rating: **Red**

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57 <https://www.jcu.edu.au/policy/corporate-governance/social-media-policy>

58 <http://www.townsvillebulletin.com.au/news/james-cook-university-students-expelled-from-st-marks-residential-college-over-music-competition-skit/story-fnjfzs4b-1226739912683>

59 <http://www.dailytelegraph.com.au/news/opinion/trigger-warnings-of-the-authoritarian-left/news-story/1d50b6582b3ab9965aa7d9691be34c7f>

60 <http://www.theaustralian.com.au/higher-education/fears-uni-may-sack-marine-scientist-over-comments-on-reef-health/news-story/5d70061c8df6015abfcb07552de461df>

### **Marine science rebel Peter Ridd sacked by James Cook University**<sup>61</sup>

- Peter Ridd has been sacked by James Cook University for speaking to The Australian and breaking a gag order to expose disciplinary action being taken against him after he criticised the quality of Great Barrier Reef science.

Rating: **Red**

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<sup>61</sup> <http://www.theaustralian.com.au/higher-education/fears-uni-may-sack-marine-scientist-over-comments-on-reef-health/news-story/5d70061c8df6015abfcb07552de461df>

# La Trobe University

## Policies

### STUDENT BEHAVIOURS POLICY<sup>62</sup>

- (9) At La Trobe University, students must:
  - Not engage in unacceptable behaviour such as violence, discrimination, harassment, bullying, violence, vilification and victimisation. This includes any behaviour which may be perceived as:
    - verbally abusing a person or using offensive language
- (14) For the purpose of this Policy and Procedure:
  - a. Bullying is the repeated, unreasonable and less favourable treatment of a person. It includes behaviour that intimidates, offends, degrades or humiliates a person and may create a risk to their health and safety. Bullying can:
    - Take many forms, including jokes, teasing, nicknames, emails, pictures, text messages, social isolation or ignoring people, or unfair work practices;
    - Involve many different forms of unreasonable behaviour, which can be obvious (direct) or subtle (indirect);
    - Be intentional, where someone's actions are intended to humiliate, offend, intimidate or distress, whether or not the behaviour resulted in that effect; and
    - Be unintentional through engaging in behaviour that results in humiliation, offence, intimidation, distress and could reasonably have been expected to cause that effect.
  - c. Harassment is when uninvited or unwelcome behaviour causes someone, or a group of people, to feel intimidated, insulted or humiliated. It can occur in a single incident or a series of incidents. Harassment may also be experienced as a result of witnessing behaviour not directed to that person e.g. overhearing an unacceptable joke. Each person perceives things differently as their values and experiences are unique to them. As such, they may react differently to how someone might expect.

Rating: **Red**

### CHARTER OF STUDENT RIGHTS AND RESPONSIBILITIES<sup>63</sup>

- (6) c. Engaging in positive behaviours and using language which does not cause offence, physical/ emotional injury or intimidation to another person;

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<sup>62</sup> <https://policies.latrobe.edu.au/document/view.php?id=60>

<sup>63</sup> <https://policies.latrobe.edu.au/document/view.php?id=225>

Rating: **Red**

### **Policy - Intellectual freedom**

- *No policy on academic freedom and/or free speech.*

### **Actions**

#### **La Trobe University rejects anti-transgender speaker from holding event at Art Institute on View Street<sup>64</sup>**

- LA Trobe University's LGBTQ community has welcomed the university's decision not to allow anti-transgender speaker Babette Francis to host a talk at one of its venues.

Rating: **Red**

#### **La Trobe University Student Union Condemns Bettina Arndt on Campus<sup>65</sup>**

- The La Trobe University Student Union strongly condemns Bettina Arndt, the views she represents, and the University's decision to re-authorise the event, "Betting Arndt: Is There A Rape Crisis On University Campuses?".

Rating: **Amber**

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<sup>64</sup> <https://www.bendigoadvertiser.com.au/story/5610770/la-trobes-rejection-of-anti-transgender-event-welcomed/>

<sup>65</sup> <https://www.bendigoadvertiser.com.au/story/5610770/la-trobes-rejection-of-anti-transgender-event-welcomed/>

# Macquarie University

## Policies

### **DISCRIMINATION, BULLYING AND HARASSMENT PREVENTION POLICY<sup>66</sup>**

- 4 Definitions:
  - Harassment: any type of behaviour, explicit or implicit, verbal or non-verbal that is unwelcome, offensive, abusive, belittling or threatening.
  - Offensive: any conduct or language which a reasonable person would regard as insulting or humiliating in the circumstances.

Rating: **Red**

### **Student Code of Conduct<sup>67</sup>**

- Freedom of expression
  - Every member of the University community and associate of the University has a right to freedom of expression. It is not misconduct under this code of conduct for a person to exercise that right. This code of conduct must be interpreted in a manner which is consistent with that right.
- Misconduct
  - (g) do anything which may endanger the physical or mental health, safety or well being of any person (including the student);
  - (k) conduct himself or herself in an offensive manner or use offensive language, on or near, or within view or hearing from University premises or whilst engaged in University activities, without a reasonable excuse;
- Definitions and Interpretation
  - “offensive” means in respect of any conduct or language, anything which a reasonable person would regard as offensive in the circumstances and includes, in the case of conduct or language directed at any person, anything which a reasonable person would consider insulting or humiliating in the circumstances;
  - “bullying” means any unwelcome act directed at a person that: (a) would cause a reasonable person in the circumstances to be humiliated, intimidated or seriously offended; (b) place a reasonable person in the circumstances in fear of physical or emotional harm to himself or herself or of damage to his or her property; or (c) create a hostile or demeaning environment for a reasonable person in the circumstances; and includes bullying either in person or via the internet, email or other electronic means;

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<sup>66</sup> <https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policies/discrimination-bullying-and-harassment-prevention>

<sup>67</sup> <https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policies/student-code-of-conduct>

Rating: **Amber**

### **Acceptable Use of IT Resources<sup>68</sup>**

- 2 SCHEDULE
  - 'Misuse' includes, but is not limited to:
    - (e) the deliberate or reckless creation, transmission, storage, downloading, or display of any offensive or menacing images, data, or other material, or any data capable of being resolved into such images or material, except in the case of the appropriate use of Information Technology Resources for properly supervised University work or study purposes;

Rating: **Amber**

### **Policy - Intellectual freedom**

#### **Academic Freedom Statement<sup>69</sup>**

- Academic freedom is the principle that staff and students should be free to conduct research, undertake learning and teaching, communicate, and publish, subject to the standards of scholarship without unreasonable interference and restriction.

### **Actions**

#### **Universities Of The Closed Mind<sup>70</sup>**

- Hunter declared he would not attend because of 'the Human Rights abuses currently occurring in Gaza'. Hunter was joined by other academics who proudly announced their support for the Boycott Divestment Sanctions against Israel, asserting Israel's responsibility for 'gross human rights abuses'.

Rating: **Amber**

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68 <https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policies/acceptable-use-of-it-resources>

69 <https://www.mq.edu.au/about/about-the-university/governance/academic-senate/academic-freedom-statement>

70 <https://ipa.org.au/publications-ipa/universities-of-the-closed-mind>

# Monash University

## Policies

### **Social Media: Student Use Procedures**<sup>71</sup>

- 4. Specific Prohibitions
  - When using social media in the context of education or research training, and when making identifiable personal use of social media, students must not:
    - make any comment or post material that is, or might be construed to be, racial or sexual harassment, offensive, obscene (including pornography), defamatory, discriminatory towards any person, or inciting hate;
    - make any comment or post material that might otherwise cause damage to the University's reputation or bring it into disrepute;

Rating: **Red**

### **Civil Disturbance Policy**<sup>72</sup>

- The university strives to maintain an environment that is safe for all and conducive to learning. It recognises and encourages freedom of expression and the right to peaceful protest; however, these activities are acknowledged as quite distinct from unlawful acts of civil disturbance which may threaten the safety and/or security of any person or property within the precincts of the university.
- Definitions:
  - Breach of the Peace: Includes conduct which, if committed, may amount to an unlawful act or acts including, but not limited to assault, threatening or offensive behaviour, riot or obstruction

Rating: **Red**

### **Equal Opportunity Policy**<sup>73</sup>

- Harassment: is unwelcome conduct that might reasonably cause a person to be offended, humiliated or intimidated because they have a protected attribute.
  - Protected attribute:
    - – age;
    - – carer and parental status;
    - – disability; – employment activity;
    - – gender identity (which includes gender expression);
    - – industrial activity;
    - – Intersex status;
    - – lawful sexual activity and sexual orientation;

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71 [https://www.monash.edu/\\_\\_data/assets/pdf\\_file/0008/787373/Social-Media\\_Student-Use-Procedures.pdf](https://www.monash.edu/__data/assets/pdf_file/0008/787373/Social-Media_Student-Use-Procedures.pdf)

72 [https://www.monash.edu/\\_\\_data/assets/pdf\\_file/0003/783525/Civil-Disturbance-Policy.pdf](https://www.monash.edu/__data/assets/pdf_file/0003/783525/Civil-Disturbance-Policy.pdf)

73 [https://www.monash.edu/\\_\\_data/assets/pdf\\_file/0011/783722/Equal-Opportunity-Policy.pdf](https://www.monash.edu/__data/assets/pdf_file/0011/783722/Equal-Opportunity-Policy.pdf)

- – marital status or relationship status;
- – physical features;
- – political belief or activity;
- – pregnancy and breastfeeding;
- – race;
- – religious belief or activity;
- – sex;
- – expunged homosexual conviction; or
- – personal association with someone who has, or is assumed to have, one of these personal characteristics.

Rating: **Red**

#### **Information Technology Acceptable Use Procedure<sup>74</sup>**

- 4.2. Appropriate standards of civility should be used when using e-mail and other messaging services to communicate with other staff members, students or any other message recipients. When using the email or messaging system users must not send:
  - Offensive, Intimidating or Humiliating Emails: University IT Resources must not be used to humiliate, intimidate or offend another person/s based on their race, gender, or any other attribute prescribed under anti-discrimination legislation.

Rating: **Amber**

#### **Acceptable Use of Information Technology Facilities by Students Procedures<sup>75</sup>**

- 8.6. Anti-discrimination
  - Laws and the University Equal Opportunity Policy prohibit sexual harassment and discrimination, vilification or victimisation on grounds such as race, gender, sexual preference, disability, or status as a parent or carer. University ICT facilities must not be used to humiliate, intimidate or offend others on the basis of their race, gender, or any other attribute prescribed under anti-discrimination legislation.

Rating: **Amber**

### **Policy - Intellectual freedom**

- No policy on academic freedom and/or free speech.

### **Actions**

#### **Monash University suspends lecturer over quiz question<sup>76</sup>**

- Monash University has confirmed it has suspended a lecturer after Chinese students complained about a quiz that suggested Chinese officials were truthful only when drunk.

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74 [https://www.monash.edu/\\_\\_data/assets/pdf\\_file/0008/1092779/Information-Technology-acceptable-Use-Procedure.pdf](https://www.monash.edu/__data/assets/pdf_file/0008/1092779/Information-Technology-acceptable-Use-Procedure.pdf)

75 [https://www.monash.edu/\\_\\_data/assets/pdf\\_file/0008/783872/Acceptable-Use-of-Information-Technology-Facilities-by-Students-Procedures.pdf](https://www.monash.edu/__data/assets/pdf_file/0008/783872/Acceptable-Use-of-Information-Technology-Facilities-by-Students-Procedures.pdf)

76 <http://www.theaustralian.com.au/higher-education/monash-university-suspends-lecturer-over-quiz-question/news-story/2bc64598623c5a0718c8fc808ef2ef14/>

Rating: **Red**

**Monash Uni to introduce 'trigger warnings,' Australian first<sup>77</sup>**

- Melbourne's Monash University is set to become Australia's first university to introduce anti-intellectual trigger warnings, an investigation by Generation Liberty has revealed.

Rating: **Amber**

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<sup>77</sup> <http://generationliberty.ipa.org.au/breaking-monash-uni-introduce-trigger-warnings-australian-first/>

# Murdoch University

## Policies

### **Murdoch University By-Laws<sup>78</sup>**

- 7. Assault and Abuse
  - (1) Any person who:
    - (b) uses abusive or insulting language or engages in any offensive, indecent or improper act, conduct or behaviour; or
  - (2) Every person offending against this By-law shall be liable for every such offence to a penalty of \$50.

Rating: **Red**

### **Email and Electronic Messaging Policy<sup>79</sup>**

- 1. Email and Electronic Messaging Systems Use:
  - 1.5. Emails and other electronic messages should not contain content which may be considered offensive, harassing, obscene or threatening.

Rating: **Amber**

### **Electronic Collaboration and Social Media Policy<sup>80</sup>**

- No individual may post, share or distribute any content on any University electronic collaboration or social media system that:
  - a. is illegal, objectionable, defamatory, offensive or threatening;

Rating: **Amber**

### **Non-Discriminatory Language Guidelines for students and students<sup>81</sup>**

- Discussion of appropriate / inappropriate language

Rating: **Amber**

## **Policy - Intellectual freedom**

- *No policy on academic freedom and/or free speech.*

## **Actions**

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78 <https://policy.murdoch.edu.au/dotNet/documents/?docid=1551&public=true>

79 <https://policy.murdoch.edu.au/dotNet/documents/?docid=1994&public=true>

80 <https://policy.murdoch.edu.au/dotNet/documents/?docid=244&mode=view>

81 [http://our.murdoch.edu.au/Student-life/\\_document/Equity/5317-Language\\_GuidelinesBrochure.2009-versionpdf.pdf](http://our.murdoch.edu.au/Student-life/_document/Equity/5317-Language_GuidelinesBrochure.2009-versionpdf.pdf)

### **Backlash over Murdoch Uni's decision to host 'dangerous nutrition expert'**<sup>82</sup>

- Backlash over Murdoch Uni's decision to host 'dangerous nutrition expert'.
- "Murdoch University, as an institution of learning, works to promote critical thinking and learning through discussion, debate and exposure to alternatives points of view. One way to achieve this is to welcome other voices on campus in the form of guest speakers or visiting lecturers," he said.

Rating: **Green**

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<sup>82</sup> <http://www.watoday.com.au/wa-news/backlash-over-murdoch-unis-decision-to-host-dangerous-nutrition-expert-20170608-gwn8ji.html>

# Queensland University of Technology

## Policies

### A/8.5 Grievance resolution procedures for discrimination related grievances<sup>83</sup>

- 8.5.8 Definitions
  - Harassment is a form of discrimination. It refers to offensive behaviour and it may be based on one of the grounds referred to above, or may be motivated by other factors. Harassment can take many forms and can range from the subtle to the obvious. It may occur on one occasion or be a part of a pattern.
  - Harassment includes, but is not limited to: making denigrating oral, written or e-mail comments, name-calling, or jokes; displaying or distributing denigrating written or pictorial material, graffiti, clothing or badges; threatening, bullying, intimidating or excluding a person because of their gender, race, culture, disability, or sexuality, for example expressing stereotypes, that is assumptions about a person, because of, for example, their gender, race, culture, disability, or sexuality using University facilities to recruit students or staff to organisations or groups which advocate unlawful discrimination or harassment downloading hate sites, pornography or offensive screensavers from the internet advocating or inciting hatred towards, physical attacks upon, or discrimination against people (because of, for example, their gender, race, culture, disability or sexuality).

Rating: **Red**

### F/1.11 Acceptable use of information and communications technology resources

- 1.11.8 Incidental personal use
  - QUT recognises that ICT resources may be used for incidental personal use. Incidental personal use must be infrequent and minor, and must not breach this policy or interfere with University business operations or, in the case of staff users, with the performance of that staff member's duties. Incidental personal use of the University's ICT resources does not include any of the following:
    - personal observations using inappropriate or offensive language
- 1.11.12 Definitions
  - Unacceptable material includes material in any format that is one or more of the following:
    - defamatory, harassing or abusive, including personal observations using unacceptable or offensive language
    - offensive, as judged against accepted community standards for material on public display in a workplace or learning environment.

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83 [http://www.mopp.qut.edu.au/A/A\\_08\\_05.jsp](http://www.mopp.qut.edu.au/A/A_08_05.jsp)

Rating: **Amber**

**Policy - Intellectual freedom**

- No policy on academic freedom and/or free speech.

**Action**

**Racial stoush erupts over QUT computer lab<sup>84</sup>**

- A woman employed in a top Queensland university's indigenous unit is seeking almost \$250,000 in damages from jobless students, academics and others in a new legal challenge relying on Australia's racial discrimination laws.

Rating: **Red**

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<sup>84</sup> <http://www.theaustralian.com.au/higher-education/racial-stoush-erupts-over-qut-computer-lab/news-story/b80de339339f2d5588839ac06f3c8909>

# RMIT University

## Policies

### **Student Conduct Regulations<sup>85</sup>**

- 4. General Misconduct
  - (1) A student commits general misconduct if the student:
    - c) behaves in a manner which is disorderly, indecent, offensive or detrimental to the University's interests and reputation

Rating: **Red**

### **Acceptable use of information and communication technology standard<sup>86</sup>**

- 2. You must not create, access, transmit or otherwise deal with content which is illegal or which may reasonably be regarded as objectionable, defamatory or offensive and which may expose the University to legal liability.

Rating: **Amber**

## **Policy - Intellectual freedom**

- No policy on academic freedom and/or free speech.

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85 <https://www.rmit.edu.au/about/governance-and-management/statutes-and-regulations/student-conduct-regulations>

86 <https://www.rmit.edu.au/about/governance-and-management/policies/information-technology-policy/acceptable-use-of-technology-standard>

# Southern Cross University

## Policies

### **HARASSMENT, BULLYING AND DISCRIMINATION POLICY<sup>87</sup>**

- (6) Harassment is unwelcome behaviour that intimidates, offends or humiliates an individual, or group of people, on the basis of race, colour, sex, age, sexual orientation, disability or other attribute protected by any state of federal anti-discrimination legislation.
- (8) Harassment may be repeated or a one-off incident.
- (9) Harassment includes but is not limited to:
  - d. offensive communications including digital communications such as Facebook, Twitter and e-mails; and
- (15) Bullying is defined as repeated and unreasonable behaviour directed towards a person or a group of persons that creates a risk to health and safety.
- (16) Unreasonable behaviour includes behaviour that is victimising, humiliating, intimidating or threatening. Whether a behaviour is unreasonable can depend on whether a reasonable person might see the behaviour as unreasonable in the circumstances.
  - b. yelling, screaming or offensive language;

Rating: **Red**

### **Student Rights and Responsibilities Charter<sup>88</sup>**

- Responsibilities Every student has the responsibility...
  - (1.6) to observe community standards of behaviour with respect and civility to respect academic freedom and alternative points of view when participating in debate.

Rating: **Green**

### **Policy - Intellectual freedom**

- *No policy on academic freedom and/or free speech.*

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87 <https://policies.scu.edu.au/view.current.php?id=00039>

88 <https://policies.scu.edu.au/view.current.php?id=00101>

# Swinburne University of Technology

## Policies

### People, Culture and Integrity > 5. Unacceptable behaviour<sup>89</sup>

- Bullying behaviour is that which a reasonable person in the circumstances would expect to victimise, humiliate, undermine, threaten, degrade, offend or intimidate a person.
- 5.5. Harassment and vilification
  - Harassment is any form of behaviour that is not wanted, is not asked for and that a reasonable person would consider likely to create a hostile or uncomfortable workplace by humiliating, intimidating or offending another person because of an attribute protected by the law
  - Attributes protected under Federal and Victorian laws include: Age Breastfeeding Carer status Disability or impairment (including disease or illness) Employment activity Gender identity Industrial activity Irrelevant criminal record Lawful sexual activity Marital status Parental status Physical features Political belief or activity Pregnancy or potential pregnancy Race, colour, nationality, ethnic or national origin Religious belief or activity Same sex relationships Gender Sexual orientation Social origin.

Rating: **Red**

### Student General Misconduct Regulations 2012<sup>90</sup>

- 4. General misconduct
  - It is general misconduct if a student—
    - while on University premises, using University facilities or services or engaging in University activities engages in improper behaviour, including—
      - use of abusive or offensive language;
      - access, display, download, upload or broadcast of offensive material;

Rating: **Red**

### IT acceptable use guidelines<sup>91</sup>

- Users must not use the systems to engage in offensive, unlawful or illegal behaviour.

Rating: **Amber**

### Social media guidelines<sup>92</sup>

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89 <http://www.swinburne.edu.au/policies-regulations/policies/people-culture-integrity/unacceptable-behaviour/>

90 <http://www.swinburne.edu.au/policies-regulations/statutes-regulations/student-general-misconduct/>

91 <http://www.swinburne.edu.au/about/leadership-governance/policies-regulations/procedures-guidelines/acceptable-use-guidelines/>

92 <http://www.swinburne.edu.au/about/leadership-governance/policies-regulations/procedures-guidelines/social-media-guidelines/#students>

- Students should take care when posting comments and information to social media to:
  - Protect and uphold the reputation and goodwill of the university.

Rating: **Amber**

### **Policy - Intellectual freedom**

- No policy on academic freedom and/or free speech.

# Torrens University Australia

## Policies

### Student Conduct Policy<sup>93</sup>

- Harassment: is repeated, unwelcome and unsolicited behaviour or comments aimed at a person or group that makes that person or group feel offended, humiliated or threatened.
- 6.2 Courtesy and respect
  - Students are expected to:
    - refrain from behaviour that could reasonably be considered offensive to others.

Rating: **Red**

### Policy - Intellectual freedom

- *No policy on academic freedom and/or free speech.*

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<sup>93</sup> [https://laureate-au.blackboard.com/bbcswebdav/institution/Groupwide/Policy%20and%20Procedures/TUA%20Policies%20and%20Procedures/TUA%20PL\\_AC\\_014%20Student%20Conduct%20Policy.pdf](https://laureate-au.blackboard.com/bbcswebdav/institution/Groupwide/Policy%20and%20Procedures/TUA%20Policies%20and%20Procedures/TUA%20PL_AC_014%20Student%20Conduct%20Policy.pdf)

# University of Adelaide

## Policies

### Student Misconduct Rules<sup>94</sup>

- Examples of misconduct include but are not limited to:
  - Publishing material which is abusive, offensive, vilifying, harassing or untrue about the University, any of its faculties, schools or programs, any member of the University community or any of the University's controlled entities or affiliates, in any forum or medium, including (but not limited to) print, internet, social networking, email and broadcasting forums;
  - Engaging in disorderly conduct in contravention of the University By-Laws, including interrupting academic activities of the University by means of noise or unseemly behaviour; assaulting, threatening, or attempting to assault or threaten any other person; and using abusive or indecent language or engaging in offensive, indecent or improper acts, conduct or behaviour;

Rating: **Red**

### Equal Opportunity Policy<sup>95</sup>

- Harassment: is unwelcome conduct that might reasonably cause a person to be offended, humiliated or intimidated because they have a particular attribute. Harassment can also occur if someone is working in a 'hostile' - or intimidating - environment. The behaviours can be overt or subtle, verbal, non-verbal or physical.

Rating: **Red**

### Policy - Intellectual freedom

- *No policy on academic freedom and/or free speech.*

## Action

### Christine Cronau, author of *Bring Back the Fat*, banned from lecturing at South Australian universities<sup>96</sup>

- Christine Cronau, author of *Bring Back The Fat*, has moved to a venue at Hallett Cove after protests against planned appearances at the University of Adelaide and the University of South Australia.

Rating: **Red**

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94 <http://www.adelaide.edu.au/policies/33/?dsn=policy.document;field=data;id=50;m=view>

95 <https://www.adelaide.edu.au/policies/4183/?dsn=policy.document;field=data;id=7745;m=view>

96 <http://www.adelaidenow.com.au/news/south-australia/christine-cronau-author-of-bring-back-the-fat-banned-from-lecturing-at-south-australian-universities/news-story/527e8c545c37a717a2bbb08a9cbc9b5>

### **Reports of Adelaide Uni Chinese students threatened with being reported to embassy in Canberra<sup>97</sup>**

- CHINESE students at the University of Adelaide have been threatened with being reported to the Chinese embassy in Canberra for allegedly campaigning against communism during student elections, according to reports.

Rating: **Amber**

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<sup>97</sup> <https://www.adelaidenow.com.au/news/south-australia/reports-of-adelaide-uni-chinese-students-threatened-with-being-reported-to-embassy-in-canberra/news-story/3672ae7a8cfdd40c085324738f95376f>

# University of Canberra

## Policies

### University of Canberra (Student Conduct) Rules<sup>98</sup>

- (3) Non-academic misconduct means the following conduct:
  - (h) engaging in behaviour offensive to:
    - i. a member of the Council, the Committee or any other authority, committee, board or other body of the University established under a Statute; or
    - ii. an officer or employee of the University; or
    - iii. a student or group of students; or
- (4) Serious Misconduct means academic or non-academic misconduct and includes but is not limited to the following conduct:
  - (b) behaviour that is considered unlawful, discriminatory, sexually inappropriate, bullying, harassing, threatening, offensive, invades another's privacy or causes any person to fear for their personal safety;

Rating: **Red**

### Human Rights and Discrimination Policy<sup>99</sup>

- Harassment: Harassment includes offensive, belittling or threatening behaviour toward an individual or group of employees

Rating: **Red**

### Policy - Intellectual freedom

- *No policy on academic freedom and/or free speech.*

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<sup>98</sup> [https://www.canberra.edu.au/\\_\\_data/assets/pdf\\_file/0008/1379069/University-of-Canberra-Student-Conduct-Rules-2017.pdf](https://www.canberra.edu.au/__data/assets/pdf_file/0008/1379069/University-of-Canberra-Student-Conduct-Rules-2017.pdf)

<sup>99</sup> [https://www.canberra.edu.au/Policies/PolicyProcedure/Download/17/Human\\_Rights\\_and\\_Discrimination\\_Policy](https://www.canberra.edu.au/Policies/PolicyProcedure/Download/17/Human_Rights_and_Discrimination_Policy)

# University of Divinity

## Policies

### **STATEMENT OF RIGHTS, RESPONSIBILITIES, AND CONDUCT OF MEMBERS OF THE UNIVERSITY<sup>100</sup>**

- All members of the University have the right to be safe and to feel safe in University and College environments. Bullying or harassment in any form - spiritual, sexual, or discriminatory - is wrong and not permitted.

Rating: **Amber**

### **INFORMATION AND CYBER SECURITY POLICY<sup>101</sup>**

- Users must not:
  - j) use IT assets to access, view or distribute material that is offensive or to engage in behaviour that discriminates against, harasses, bullies or defames others

Rating: **Amber**

### **Policy - Intellectual freedom**

- *No policy on academic freedom and/or free speech.*

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100 <https://www.divinity.edu.au/wp-content/uploads/2013/12/Statement-of-Rights-and-Responsibilities.pdf>

101 <https://divinity.edu.au/wp-content/uploads/2016/11/Information-and-Cyber-Security-Policy.pdf>

# University of Melbourne

## Policies

### **Provision and Acceptable Use of IT Policy (MPF1314)**<sup>102</sup>

- 5.22. Use for any purpose other than an authorised purpose is considered to be misuse, for example:
  - (d) the deliberate or reckless creation, transmission, storage, downloading, or display of any offensive or menacing images, data or other material, or any data capable of being resolved into such images or material, except in the case of the appropriate use of facilities for properly supervised University work or study purposes;

Rating: **Amber**

### **Student Conduct Policy (MPF1324)**<sup>103</sup>

- 4.2. As members of the University community, students must conduct themselves in a manner consistent with the standards of behaviour that promote the good order and management of the University. Accordingly, students must:
  - (d) comply with the Appropriate Workplace Behaviour Policy where relevant and treat others fairly and equitably, and not engage in harassing, bullying or discriminatory behaviour;

Rating: **Green**

### **Appropriate Workplace Behaviour Policy (MPF1328)**

- Bullying means repeated behaviour that a reasonable person, having regard to all the circumstances, would anticipate to be humiliating, intimidating, undermining or threatening and which causes a risk to health and safety. Bullying does not include reasonable management action.

Rating: **Green**

## Policy - Intellectual freedom

### **Academic Freedom of Expression Policy (MPF1224)**<sup>104</sup>

- Right to academic freedom of expression
  - 4.1. A core value of the University of Melbourne is to preserve, defend and promote the traditional principles of academic freedom in the conduct of its affairs, so that all scholars at the University are free to engage in critical enquiry, scholarly endeavour and public discourse without fear or favour.
  - 4.2. Accordingly, the University supports the right of all scholars at the University

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<sup>102</sup> <https://policy.unimelb.edu.au/MPF1314>

<sup>103</sup> <http://policy.unimelb.edu.au/MPF1324>

<sup>104</sup> <https://policy.unimelb.edu.au/MPF1224>

to search for truth, and to hold and express diverse opinions. It recognises that scholarly debate should be robust and uninhibited. It recognises also that scholars are entitled to express their ideas and opinions even when doing so may cause offence. These principles apply to all activities in which scholars express their views both inside and outside the University.

- 4.3. The liberty to speak freely extends to making statements on political matters, including policies affecting higher education, and to criticism of the University and its actions.
- 4.4. Scholars at the University should expect to be able to exercise academic freedom of expression and not be disadvantaged or subjected to less favourable treatment by the University for doing so.

Rating: **Green**

## **Actions**

### **The academics who hate free speech**<sup>105</sup>

- Conservative students launch a membership drive and a posse of Melbourne University cry “Racists!” and have them thrown off campus.

*Note: University of Melbourne vice-chancellor Glyn Davis has questioned the validity of this event. In addition to this account, the incident has been confirmed by two additional witnesses. Nevertheless, considering the historic nature of the incident, it has been downgraded to an Amber incident.*

Rating: **Amber**

### **Student protesters disrupt lecture by former federal Liberal MP Sophie Mirabella at Melbourne University**<sup>106</sup>

- Former federal Liberal MP Sophie Mirabella has been escorted from a lecture at Melbourne University after it was apparently overrun by protesters.

*Note: Mirabella was subsequently able to return to the lecture theatre after the disruption.*

Rating: **Amber**

### **Uni holds workshops on ‘male privilege’**<sup>107</sup>

- “By asking men to tone down ‘Australian banter’ and to ‘speak like women’, the (student union) is simultaneously discriminating against men and patronising women,” Dr d’Abrera said. “The workshops are a direct assault on masculinity and are designed to make men feel ashamed of being men.”

Rating: **Amber**

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105 <https://quadrant.org.au/opinion/qed/2013/04/the-academics-who-hate-free-speech/>

106 <http://www.smh.com.au/federal-politics/political-news/student-protesters-disrupt-lecture-by-former-federal-liberal-mp-sophie-mirabella-at-melbourne-university-20140519-38ix3.html>

107 <http://www.theaustralian.com.au/higher-education/university-holds-workshops-on-male-privilege/news-story/11beb4c070b5f975926066bd729551a6>

# University of New England

## Policies

### **STUDENT BEHAVIOURAL MISCONDUCT RULES<sup>108</sup>**

- (10) Specific acts of behavioural misconduct include the following:
  - f. Abuse, threats, intimidation, harassment, coercion, deceit or other conduct (whether by physical, verbal or electronic means) in a context substantially connected to the University that:
    - i. threatens or endangers the health, freedom or safety of any person;;
    - ii. obstructs a UNE Representative or Student in the performance of their duties, or
    - iii. interferes with teaching, research or related activity, the ability of a UNE Representative or Student to pursue their studies, examinations, official meetings, graduation or other proceedings of the University.

Rating: **Green**

## Policy - Intellectual freedom

### **INTELLECTUAL FREEDOM STATEMENT<sup>109</sup>**

- (6) Intellectual freedom is the freedom to conduct research, teach, learn, speak, and publish, subject to the norms and standards of scholarly inquiry, without interference or penalty, wherever the search for truth and understanding may lead.
- (7) The University upholds this freedom as a fundamental principle to be applied in decision making, within the limits of the University's resources. It reflects the University's commitment to free and responsible enquiry as essential to the conduct of a free and democratic society and to the quest for intellectual, moral and material advancement through informed comment and debate.
- (8) Intellectual freedom carries with it the duty to use the freedom in a reasonable manner consistent with a responsible and honest search for, and dissemination of, knowledge and truth.

Rating: **Green**

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108 <http://policies.une.edu.au/view.current.php?id=00215>

109 <https://policies.une.edu.au/document/view-current.php?id=283>

# University of New South Wales

## Policies

### **STUDENT MISCONDUCT PROCEDURE<sup>110</sup>**

- Bullying: Repeated unreasonable or less favourable treatment of a person by another in order to intentionally hurt, offend, intimidate, threaten or gain power over another person. Bullying behaviour may be physical or psychological.
- Harassment: Unwelcome behaviour that is offensive, belittling or abusive to another person or group of people.

Rating: **Red**

### **Equity, Diversity and Inclusion Policy<sup>111</sup>**

- Harassment is unwelcome conduct on the basis of certain protected attributes that could reasonably be anticipated to cause a person to be offended, humiliated or intimidated.
- Protected attributes or characteristics under Australian federal, state and territory laws include:
  - Family/carer -related characteristics: including marital or relationship status, pregnancy or potential pregnancy, breastfeeding and family or carer responsibilities.
  - Gender and LGBTIQ (Lesbian, Gay, Bisexual, Transgender, Intersex, Queer or Questioning) - related characteristics: including sex (male or female), sexual orientation, gender identity, transgender status and intersex status.
  - Age-related characteristics: including age and age-specific characteristics.
  - Disability -related characteristics: including physical, mental, intellectual, psychiatric, sensory, neurological or learning disabilities and impairments; HIV/AIDS status; and medical record. UNSW is required to consider whether any reasonable adjustments could be made to enable a person with a disability to perform their role or for a person to apply for and receive an education.
  - Race-related characteristics: including race, colour, descent, national extraction, nationality, descent or national or ethnic origin, and in some circumstances also immigrant status.
  - Other characteristics: irrelevant or spent criminal record, irrelevant medical record, political opinion, religious conviction, social origin, profession, trade, occupation or calling, trade union activity, characteristics that are generally imputed to a person with a protected attribute and association (as a relative or otherwise) with a person with a protected attribute.

Rating: **Red**

### **Acceptable Use of UNSW Information and Communication Technology (ICT) Resources Procedures<sup>112</sup>**

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<sup>110</sup> <https://www.gs.unsw.edu.au/policy/documents/studentmisconductprocedures.pdf>

<sup>111</sup> <https://www.gs.unsw.edu.au/policy/documents/equitystatement.pdf>

<sup>112</sup> <https://www.gs.unsw.edu.au/policy/documents/ictprocedure.pdf>

- Preparing, storing, displaying or sending racist, pornographic, threatening, harassing or other offensive or illegal material. \$480

Rating: **Amber**

### **Diversity Toolkit**<sup>113</sup>

- Telling the right stories
  - Less appropriate: "Aboriginal people have lived in Australia for 40,000 years", "Captain Cook "discovered" Australia"
  - More appropriate: "... since the beginning of the Dreaming/s", "Invasion", "Colonisation", "Occupation"
- Dreaming and spirituality
  - Less appropriate: "Dreamtime", "However, many Aboriginal people do still use the word "Dreamtime", and this usage must be respected."
  - More appropriate: "The Dreaming", "The Dreamings"

Rating: **Amber**

### **Policy - Intellectual freedom**

- *No policy on academic freedom and/or free speech.*

### **Actions**

#### **'Marriage' deemed offensive by UNSW lecturers**<sup>114</sup>

- One of the country's top universities has warned maths students not to use the term 'marriage' when referring to a well-known theorem because the word may cause 'offence.'

Rating: **Red**

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113 <https://teaching.unsw.edu.au/diversity-toolkit>

114 <http://www.skynews.com.au/news/top-stories/2017/09/26/unsw-lecturer-deems--marriage--offensive.html>

# University of Newcastle

## Policies

### Promoting a Respectful and Collaborative University: Diversity and Inclusiveness Policy<sup>115</sup>

- 8.2 Harassment
- Harassment means any unwelcome behaviour that intimidates, offends, or humiliates, an individual, or group of people, and occurs because of race, colour, nationality or ethnic origin, religion, sex, pregnancy (actual, presumed and/or breastfeeding) marital status, age, disability, transgender status, homosexuality, sexual preference, carer's responsibilities, trade union activity or association, political opinion or irrelevant criminal record or some other characteristic specified under anti-discrimination or human rights legislation.

Rating: **Red**

### Attachment 1: Examples of Harassment, Bullying, Discrimination and Victimisation<sup>116</sup>

- A broad range of repeated behaviours may constitute either direct or indirect bullying, including, but not limited to:
  - ii. yelling, screaming or offensive language;
- Behaviour which may constitute harassment may include, but is not limited to:
  - iv. making offensive telephone, electronic mail, or other electronic communications;

Rating: **Red**

### Social Media Communication Guideline<sup>117</sup>

- When chatting about University staff, students or business on an internal or external and personal social media channel, act according to the values of honesty, fairness, trust, accountability and respect as set out in the University's Code of Conduct.
  - ii. Be respectful. Never be aggressive or post content that is offensive or defamatory.

Rating: **Red**

### Inclusive Language Guidelines<sup>118</sup>

- Guidelines on appropriate language usage.

Rating: **Amber**

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115 [http://www.newcastle.edu.au/about-uon/governance-and-leadership/policy-library/document?RecordNumber=D13\\_30464P](http://www.newcastle.edu.au/about-uon/governance-and-leadership/policy-library/document?RecordNumber=D13_30464P)

116 <https://policies.newcastle.edu.au/download.php?id=199&version=2&associated>

117 [https://www.newcastle.edu.au/about-uon/governance-and-leadership/policy-library/document?RecordNumber=D12\\_37837P](https://www.newcastle.edu.au/about-uon/governance-and-leadership/policy-library/document?RecordNumber=D12_37837P)

118 <https://policies.newcastle.edu.au/document/view-current.php?id=140>

## Policy - Intellectual freedom

- No policy on academic freedom and/or free speech.

## Actions

### **China consulate involved in Newcastle Uni Taiwan row**<sup>119</sup>

- The incident at the university, where a lecturer came under fire last week for listing Taiwan and Hong Kong as separate countries, is the fourth prominent case since May where academic staff or Australian universities have been targeted and their actions or teaching material attacked on Chinese social media.

Rating: **Amber**

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<sup>119</sup> <http://www.theaustralian.com.au/national-affairs/china-consulate-involved-in-newcastle-uni-taiwan-row/news-story/14dceb31c1e72807c9f006936784c601>

# University of Notre Dame Australia

## Policies

### **CODE OF CONDUCT FOR STUDENTS ENROLLED AT THE UNIVERSITY OF NOTRE DAME AUSTRALIA**<sup>120</sup>

Once a student enrolls in the University, he or she is expected to observe the following obligations:

- (v) Avoid behaviour that could be perceived as harassment, intimidation, discrimination on any basis, bullying or threatening in any other way.

*Note: Not forbidden to undertake offensive behaviour, though does prevent behaviour “could be perceived” as harassment, intimidation, discrimination*

Rating: **Red**

### **POLICY: EMAIL AND INTERNET USAGE**<sup>121</sup>

- Use of the University’s email and internet system in the following manner is Strictly Prohibited.
  - Creating or exchanging messages that are offensive, harassing, obscene or threatening.

Rating: **Amber**

## Policy - Intellectual freedom

### **Statement: Academic Freedom**<sup>122</sup>

- The principle of academic freedom is a foundation of the mission and the culture of the University. Promoting an environment of genuine academic freedom requires fully respecting freedom of conscience; it also allows the community of scholars who are central to the University to pursue teaching, research, communication and publishing in accordance with academic standards of scholarship, without unreasonable interference or restriction.

*Note: This policy does not apply to students.*

Rating: **Green**

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120 [https://www.notredame.edu.au/\\_\\_data/assets/pdf\\_file/0010/2035/CODE-OF-CONDUCT-Students.pdf](https://www.notredame.edu.au/__data/assets/pdf_file/0010/2035/CODE-OF-CONDUCT-Students.pdf)

121 [https://www.notredame.edu.au/\\_\\_data/assets/pdf\\_file/0020/2099/POLICY-Email-and-Internet-Usage.pdf](https://www.notredame.edu.au/__data/assets/pdf_file/0020/2099/POLICY-Email-and-Internet-Usage.pdf)

122 [https://www.notredame.edu.au/\\_\\_data/assets/pdf\\_file/0007/2104/academic-freedom-policy-statement.pdf](https://www.notredame.edu.au/__data/assets/pdf_file/0007/2104/academic-freedom-policy-statement.pdf)

# University of Queensland

## Policies

### 1.70.06 Discrimination and Harassment<sup>123</sup>

- Harassment/bullying may be subtle or overt and includes, but is not limited to, the following forms of behaviour:
  - Abusive and offensive language or shouting,
  - Sarcasm or ridicule,

Rating: **Red**

### 1.70.03 Racism<sup>124</sup>

- Race-based harassment - Some examples of race-based harassment include ridicule (e.g. name calling, use of derogatory slang, racist jokes), physical or emotional intimidation (e.g. physical threats or abuse, display of threatening or offensive slogans or graffiti).

Rating: **Red**

### 6.20.01 Acceptable Use of UQ ICT Resources<sup>125</sup>

- 6. Acceptable Use of ICT Resources
  - Offensive and Inappropriate Material: Knowingly downloading, storing, distributing and viewing of offensive, obscene, indecent, pornographic, or menacing material. This could include, but not limited to pornography, hate sites, gratuitous violence and sites using frequent and highlighted bad language.

Rating: **Amber**

## Policy - Intellectual freedom

### 1.50.03 Intellectual Freedom, Academic Freedom<sup>126</sup>

- Intellectual freedom includes the rights of all staff, affiliates and volunteers to:
  - (a) hold and express opinions about the operations of the University and higher education policy more generally;
  - (b) pursue critical and open inquiry and (where appropriate) to teach, assess, develop curricula, publish and research;
  - (c) participate, in a personal capacity, in public debates about political and social issues;

*Note: This policy does not apply to students.*

Rating: **Green**

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123 <https://ppl.app.uq.edu.au/content/1.70.06-discrimination-and-harassment>

124 <https://ppl.app.uq.edu.au/content/1.70.03-racism>

125 <https://ppl.app.uq.edu.au/content/6.20.01-acceptable-use-uq-ict-resources#Guidelines>

126 <https://ppl.app.uq.edu.au/content/1.50.03-intellectual-freedom-academic-freedom>

## Action

### **CENSORSHIP: Student union bans pro-life activities**<sup>127</sup>

- The student union at the University of Queensland has banned the Newman Society from conducting pro-life activities on campus.

Rating: **Red**

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<sup>127</sup> <http://newsweekly.com.au/article.php?id=3460>

# University of South Australia

## Policies

### Code of Conduct for Students<sup>128</sup>

- verbal harassment—can overlap with any of the other forms of harassment, but also includes offensive language, slander, offensive notes or graffiti

Rating: **Red**

### University By-Laws<sup>129</sup>

- Disorderly or Offensive Behaviour
  - 7.1 No person shall:
    - use any indecent language or be guilty of any offensive or disorderly conduct on (the) University grounds;

Rating: **Red**

### Equal opportunity<sup>130</sup>

- Unwelcome behaviour or language that has the effect of offending, intimidating, or humiliating a person on the basis of their sex, marital status, pregnancy, sexuality, race, disability, age, or political or religious belief, in circumstances which a reasonable person, having regard to all the circumstances, would have anticipated that the person harassed would be offended, humiliated, or intimidated.

Rating: **Red**

### Anti-racism<sup>131</sup>

- Racially based conduct that subjects a staff member or a student to discrimination on the basis of race (see definition of 'race' above) or has the purpose or effect of substantially interfering with an individual's work or study performance or creating an intimidating, hostile or offensive work or study environment.

Rating: **Red**

### Student complaints resolution<sup>132</sup>

- Bullying means the repeated unreasonable ill treatment of a person by another or other people. It consists of offensive, abusive, belittling or threatening behaviour directed at an individual or group that a reasonable person would expect to create a risk to the emotional, mental or physical health of the person(s) affected or targeted.

Rating: **Amber**

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128 <https://i.unisa.edu.au/contentassets/ab1012bb9efc477cba6ebb1109d0793d/code-of-conduct-for-students.pdf?1540427089413>

129 <https://i.unisa.edu.au/policies-and-procedures/act-statutes-and-by-laws/by-laws/>

130 <https://i.unisa.edu.au/policies-and-procedures/university-policies/corporate/c-2/>

131 <https://i.unisa.edu.au/policies-and-procedures/university-policies/corporate/c-21/>

132 <https://i.unisa.edu.au/siteassets/policies-and-procedures/docs/c-17.5-student-complaint-resolution-v.5.1esos.pdf>

## Policy - Intellectual freedom

- No policy on academic freedom and/or free speech.

## Actions

### **Christine Cronau, author of *Bring Back the Fat*, banned from lecturing at South Australian universities**<sup>133</sup>

- Christine Cronau, author of *Bring Back The Fat*, has moved to a venue at Hallett Cove after protests against planned appearances at the University of Adelaide and the University of South Australia.

Rating: **Red**

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<sup>133</sup> <http://www.adelaidenow.com.au/news/south-australia/christine-cronau-author-of-bring-back-the-fat-banned-from-lecturing-at-south-australian-universities/news-story/527e8c545c37a717a2bbbf08a9cbc9b5>

# University of Southern Queensland

## Policies

### Prevention of Discrimination, Bullying and Harassment Procedure<sup>134</sup>

- 4.2.6 Age-based Harassment
  - circulating ageist cartoons or literature, displaying offensive age related material on walls, online or on computer screens.
- Harassment: Unlawful harassment occurs when a person is made to feel intimidated, insulted or humiliated because of their race, colour, national or ethnic origin; sex; disability; sexual preference; or some other characteristic specified under antidiscrimination or human rights legislation. Harassment may include behaviour, comments or images which a reasonable person would consider to be offensive, humiliating, intimidating or threatening. Harassment includes all forms of sexual harassment.

Rating: **Amber**

### Student Code of Conduct Policy<sup>135</sup>

- Harassment: Unlawful harassment occurs when a person is made to feel intimidated, insulted or humiliated because of their race, colour, national or ethnic origin; sex; disability; sexual preference; or some other characteristic specified under antidiscrimination or human rights legislation. Harassment may include behaviour, comments or images which a reasonable person would consider to be offensive, humiliating, intimidating or threatening. Harassment includes all forms of sexual harassment.

Rating: **Amber**

### Harassment and Discrimination Complaint Resolution for Students Policy and Procedure<sup>136</sup>

- Bullying: Bullying involves the repeated unreasonable ill-treatment of a person by another or others. It is a form of Harassment and Discrimination consisting of offensive, abusive, belittling or threatening behaviour directed at an individual or a group.
- Harassment: Unlawful Harassment occurs when a person is made to feel intimidated, insulted or humiliated because of their race, colour, national or ethnic origin; sex; disability; sexual preference; or some other characteristic specified under anti-Discrimination or human rights legislation. Harassment may include behaviour, comments or images which a reasonable person would consider to be offensive, humiliating, intimidating or threatening. Harassment includes all forms of Sexual Harassment.

Rating: **Amber**

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<sup>134</sup> <https://policy.usq.edu.au/documents/13238PL>

<sup>135</sup> <http://policy.usq.edu.au/documents/142753PL>

<sup>136</sup> <http://policy.usq.edu.au/documents/13333PL>

## **Policy - Intellectual freedom**

- *No policy on academic freedom and/or free speech.*

# University of Sunshine Coast

## Policies

### **Anti-Discrimination and Freedom from Bullying and Harassment (Students) - Governing Policy**<sup>137</sup>

- Detailed below are examples of behaviours, whether intentional or unintentional, that may be regarded as bullying if they are repeated, unreasonable and create a risk to health and safety. This is not an exhaustive list – however, it does outline some of the more common types of behaviours. Examples include:
  - Abusive, insulting or offensive language or comments
- Harassment is any form of behaviour that is unwelcome, unsolicited, unreciprocated and usually (but not always) repeated. It is behaviour that is likely to offend, humiliate or intimidate. Harassment can be based on any of the attributes listed under the definition of discrimination and for example can include sexual, disability, racial, or gender based harassment.

*Note: The definition of bullying is an 'Amber' rating, however the lack of reasonable person check and inclusion of 'in totality amounts the policy to a 'Red' ranking.*

Rating: **Red**

### **Social Media – General Guidelines**<sup>138</sup>

- When using social media in the context of education or research training, and when making identifiable private use of social media\*, you must not:
  - make any comment or post material that is, or might be construed to be, racial or sexual harassment, offensive, obscene (including pornography), defamatory, discriminatory towards any person, or inciting hate
  - make any comment or post material that creates, or might be construed to create, a risk to the health or safety of a student, contractor, staff member or other person, including material that amounts to bullying, psychological or emotional violence, coercion, harassment, sexual harassment, aggressive or abusive comments or behaviour, and/or unreasonable demands or undue pressure

Rating: **Red**

### **Acceptable Use of Information Technology Resources - Governing Policy**<sup>139</sup>

- 1.12.2 The University cannot protect individuals against the existence or receipt of materials that they may find offensive. However the University may initiate appropriate action against the originator of the material if they have violated University policies or the law.

Rating: **Amber**

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<sup>137</sup> <http://www.usc.edu.au/explore/policies-and-procedures/anti-discrimination-and-freedom-from-bullying-and-harassment-students-governing-policy>

<sup>138</sup> <http://www.usc.edu.au/explore/policies-and-procedures/social-media-general-guidelines>

<sup>139</sup> <https://www.usc.edu.au/explore/policies-and-procedures/acceptable-use-of-information-technology-resources-governing-policy>

## **Policy - Intellectual freedom**

- No policy on academic freedom and/or free speech.

# University of Sydney

## Policies

### University of Sydney (Campus Access) Rule 2009<sup>140</sup>

- 5. Offensive Conduct While on University Lands Any person, who remains upon the University lands after being requested by a University representative to leave those lands and while remaining upon those lands conducts himself or herself in such a manner as would be regarded by reasonable persons as being, in all the circumstances, offensive will have their licence to access those lands terminated by way of a Termination of License Notice.

Rating: **Amber**

### BULLYING, HARASSMENT AND DISCRIMINATION PREVENTION POLICY 2015<sup>141</sup>

- Bullying is repeated and unreasonable behaviour directed towards a person or group of people that creates a risk to health and safety.
  - (a) Repeated behaviour is behaviour which occurs more than once and may involve a range of behaviours over time.
  - (b) Unreasonable behaviour is behaviour that a reasonable person, having regard for the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating, intimidating or threatening
- If the criteria in subclause 7(1) are met, the following may be considered to be examples of bullying:
  - (a) verbal abuse or threats, including yelling, insulting or offensive language;

Rating: **Amber**

### Advertising on Campus<sup>142</sup>

- The Facilities Management Office is entitled to refuse or remove at its discretion any sign which is offensive, conflicts with University objectives or has been the subject of a complaint.

Rating: **Amber**

## Policy - Intellectual freedom

### Charter of Academic Freedom<sup>143</sup>

- The University of Sydney declares its commitment to free enquiry as necessary to the conduct of a democratic society and to the quest for intellectual, moral and material advance in the

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140 <https://sydney.edu.au/policies/showdoc.aspx?recnum=PDOC2011/143&RendNum=0>

141 <http://sydney.edu.au/policies/showdoc.aspx?recnum=PDOC2011/168>

142 <https://sydney.edu.au/policies/showdoc.aspx?recnum=PDOC2011/145&RendNum=0>

143 <https://sydney.edu.au/policies/showdoc.aspx?recnum=PDOC2011/64&RendNum=0>

human condition.

Rating: **Green**

## Action

### **Board blocks BroSoc**<sup>144</sup>

- The formation of the Brotherhood Recreation and Outreach society has been blocked by the USU Board

Rating: **Red**

### **Badar banned: Uni cancels SUMSA speaker**<sup>145</sup>

- A Q&A-style event to be hosted by the Sydney University Muslim Students Association (SUMSA) entitled 'Grill a Muslim' last week was cancelled at the personal request of Vice-Chancellor Michael Spence.

Rating: **Red**

### **Australia university ousts Chinese academic amid cries of Beijing interference**<sup>146</sup>

- A China-born academic has been forced out of a leading Australian university for posting online politically charged remarks about his countrymen, re-igniting accusations Beijing is using its presence inside global campuses to exert soft power.

Rating: **Red**

### **Sydney University accused of bias after lecturers likened conservative politicians to Nazis**<sup>147</sup>

- A second-year student ended up pulling out of the subject, The Holocaust, History and Aftermath, after he was prevented from presenting his class assignment on modern instances of anti-Semitism.
- The 22-year-old, who was afraid to be named for fear of reprisals, said he was told by the tutor not to explain how anti-Israel sentiment can be linked to anti-Semitism.

Rating: **Red**

### **Lyle Shelton, August 2016**<sup>148</sup>

- @Sydney\_Uni disapproves of what you say & cancels your speaking venue with 1 day of notice in response to anti-free speech bullies.

Rating: **Red**

### **Uni of Sydney Union in hot water on Red Pill film ban**<sup>149</sup>

- A university student union has been accused of stifling debate and silencing alternative points of

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144 <http://honisoit.com/2014/09/board-blocks-brosoc/>

145 <http://honisoit.com/2014/09/badar-banned-uni-cancels-sumsa-speaker/>

146 <http://www.reuters.com/article/australia-china-education-idusl3n17n2mt>

147 <http://www.dailytelegraph.com.au/news/nsw/sydney-university-accused-of-bias-after-lecturers-likened-conservative-politicians-to-nazis/news-story/aff2200d467f0db675d5966207621d27>

148 <https://twitter.com/LyleShelton/status/765801820191064064>

149 <http://www.theaustralian.com.au/news/nation/uni-of-sydney-union-in-hot-water-on-red-pill-film-ban/news-story/a84371213e41d3349c3b144aea653450>

view with a decision to block the screening of controversial “men’s rights” film The Red Pill, over claims that screening it could put women on campus at threat of sexual assault.

Rating: **Red**

### **Yes, No camps clash at University of Sydney**<sup>150</sup>

- Police were forced to intervene after one man violently attempted to grab a “It’s Okay to Say No” sign from the hands of a member of the Catholic Society.

Rating: **Red**

### **Anti-sugar campaigner faces uni ban**<sup>151</sup>

- At the second conference, in November, security officials asked Mr Robertson to leave after he tried to question Professor Brand-Miller.

Rating: **Red**

### **Chinese students left fuming after Sydney uni lecturer uses contested map of China-India border**<sup>152</sup>

- A WeChat account of a University of Sydney Chinese student group denounced IT lecturer Dr Khimji Vaghjani for using a map showing India controlled territory on the border with China.

Rating: **Red**

### **Sydney University charging students a security fee for conservative events**<sup>153</sup>

- UNIVERSITY students are being told they will have to pay to hire security guards if they want to run events spruiking conservative ideals — including pro-coal ideas.

Rating: **Red**

### **A Student Just Sent This Letter To An Anti-Abortion Politician Who Wanted Her Disciplined Over An Abortion Rights Protest**<sup>154</sup>

- In July, Ward said she was told by university administrators she’d been suspended for an entire semester following an investigation that ruled her behaviour “misconduct”.

Rating: **Red**

### **Sydney University moves to sack notorious lecturer after Nazi swastika incident**<sup>155</sup>

- The University of Sydney has moved to sack controversial senior lecturer Tim Anderson after he showed students material featuring the Nazi swastika imposed over the flag of Israel.

Rating: **Red**

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150 <http://www.theaustralian.com.au/news/nation/yes-no-camps-clash-at-university-of-sydney/news-story/a5364fdec0ea5d623786a03b4c7ba4de>

151 <http://www.theaustralian.com.au/news/nation/university-of-sydney-threatens-to-ban-rory-robertson-over-sugar-dispute/news-story/0021115ba9b77f2e2e96e86f37ca7fdd>

152 <http://www.sbs.com.au/news/article/2017/08/22/chinese-students-left-fuming-after-sydney-uni-lecturer-uses-contested-map-china>

153 <http://www.dailytelegraph.com.au/news/nsw/sydney-university-charging-students-a-security-fee-for-conservative-events/news-story/51ebd5344527b24c6a3b31ee13b91297>

154 <https://www.buzzfeed.com/ginarushton/anti-abortion-protest-university-sydney-greg-donnelly>

155 <https://www.smh.com.au/politics/federal/sydney-university-moves-to-sack-notorious-lecturer-after-nazi-swastika-incident-20181205-p50k97.html>

### **University has change of heart on Dalai Lama visit<sup>156</sup>**

- The University of Sydney is set to host a lecture by the Dalai Lama in June, ending a dispute over whether he would be welcome on campus.

Rating: **Amber**

### **Student protesters guilty of assault on Julie Bishop, claims Christopher Pyne<sup>157</sup>**

- Bishop was attending the university to announce that a further 1000 students would be able to study overseas under new government funding when she was confronted by about 20 students.

Rating: **Amber**

### **Anti-Israel protesters run riot at Sydney uni<sup>158</sup>**

- According to the Australia/Israel & Jewish Affairs Council's Glen Falkenstein, protesters stood on chairs, began to push students and shout loudly at those who objected to their behaviour.

Rating: **Amber**

### **Students protest former Israeli navy officer<sup>159</sup>**

- A group of students from the Sydney University Muslim Students' Association (SUMSA) organised an impromptu protest against a former Israeli Navy Officer at the University of Sydney last Thursday.

Rating: **Amber**

### **USU threatens to deregister Evangelical Union<sup>160</sup>**

- The University of Sydney Union (USU) has threatened to deregister the Sydney University Evangelical Union (EU) from the Clubs & Societies program over the latter's requirement that all members must make a declaration of faith in Jesus Christ.

Rating: **Amber**

### **Sydney Uni fails to clear air over short-lived Ali Abunimah ban<sup>161</sup>**

- The University of Sydney is refusing to answer questions relating to its short-lived decision to ban a Palestinian American activist, amid claims administrators singled him out for his support of boycotts against Israel.

Rating: **Amber**

### **Queer students protest controversial Catholic Society event<sup>162</sup>**

- Around 60 students with several megaphones, rainbow flags, and a trombone, drowned out large portions of the Catholic Society event with chants of "queer pride saves lives" and "bigots are not

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156 <http://www.abc.net.au/news/2013-04-23/university-of-sydney-to-host-dalai-lama/4647110>

157 <http://www.theguardian.com/world/2014/may/17/protesters-guilty-of-assault-on-julie-bishop-claims-pyne>

158 <http://www.jewishnews.net.au/anti-israel-protesters-run-riot-at-sydney-uni/41008>

159 <http://www.altmedia.net.au/students-protest-former-israeli-navy-seal-at-sydney-university/97283>

160 <http://honisoit.com/2016/03/usu-threatens-to-deregister-evangelical-union/>

161 <http://www.theaustralian.com.au/higher-education/sydney-uni-fails-to-clear-air-over-shortlived-ali-abunimah-ban/news-story/5f86c8caaf4637d4df05f091d46d5e77>

162 <http://honisoit.com/2016/05/queer-students-protest-controversial-catholic-society-event/>

welcome here”, in a protest organised by the SRC’s Queer Action Collective (QuAC).

- In addition to the chanting and trombone, the event was also interrupted by a microphone failure one heckler characterised as an “act of God”. It is unclear whether the microphone failure was caused by a deliberate attempt to tamper with the power supply to the speakers.

Rating: **Amber**

### **Student protest takes a violent turn at University of Sydney**<sup>163</sup>

- Police officers and riot squad were on standby early at the event and said the students were removed for “disturbing the peace”.

Rating: **Amber**

### **Riot squad called to Sydney Uni as protesters block halls to stop talk by sex therapist Bettina Arndt**<sup>164</sup>

- THE riot squad was called to The University of Sydney after protesters blocked corridors stopping students who wanted to go to a talk by sex therapist Bettina Arndt.

Rating: **Amber**

### **Sydney University ‘puts price on free speech’**<sup>165</sup>

- The Sydney University Liberal Club says vice-chancellor Michael Spence has “put a price block” on free speech after he refused to foot the bill for security at an event featuring controversial conservative Bettina Arndt.

Rating: **Amber**

### **Nearly half of Sydney University staff oppose deal with Ramsay Centre**<sup>166</sup>

- An analysis of responses to the survey found that 233 of the 500 respondents indicated they were opposed to a deal, 223 indicated they would support it, and 44 did not provide a clear answer.

Rating: **Amber**

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163 <https://au.news.yahoo.com/a/31288039/student-protest-takes-a-violent-turn-at-university-of-sydney/>

164 <https://www.dailytelegraph.com.au/news/nsw/riot-squad-called-to-sydney-uni-as-protesters-block-halls-to-stop-talk-by-sex-therapist-bettina-arndt/news-story/7bafc2e06e1a1c8d5237586cd88a5a23>

165 <https://www.theaustralian.com.au/higher-education/sydney-university-puts-price-on-free-speech/news-story/abd661ccf7d845b88a8983214c905372>

166 <https://www.theguardian.com/australia-news/2018/oct/13/nearly-half-of-sydney-university-staff-oppose-deal-with-ramsay-centre>

# University of Tasmania

## Policies

**Note: The University of Tasmania draft University Behaviour Policy has a number of free speech and legal rights issues.**<sup>167</sup>

### University Behaviour Policy<sup>168</sup>

- Bullying
  - 'Unreasonable behaviour' means behaviour that a reasonable person, having regard for the circumstances, would see as victimising, humiliating, undermining or threatening.
- 3.2.3 Harassment
- Harassment is behaviour which offends, humiliates, intimidates, insults or ridicules another person in circumstances which a reasonable person would have anticipated that the victim would be offended, humiliated, intimidated, insulted or ridiculed.

Rating: **Amber**

## Policy - Intellectual freedom

### Academic Freedom (GLP14)<sup>169</sup>

- 3. Principles
  - The University of Tasmania is committed to academic freedom, which embraces the pursuit of knowledge, critical inquiry, intellectual discourse and responsible public discourse and debate.
  - University of Tasmania Academic staff, as defined by the University of Tasmania Act 1992, have the right to academic freedom. Academic staff are expected to exercise this right reasonably and in good faith, with intellectual honesty and rigour, in accordance with the highest ethical, professional and legal standards and in accordance with University policies and State and Federal legislation..
  - The University of Tasmania has both the right and the responsibility to support academic staff when exercising their academic freedom.

*Note: This policy does not explicitly apply to students.*

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<sup>167</sup> <https://ipa.org.au/publications-ipa/submissions/ipa-submission-to-the-university-of-tasmanias-draft-university-behaviour-policy-and-procedure>

<sup>168</sup> [http://www.utas.edu.au/\\_\\_data/assets/pdf\\_file/0008/657179/University-Behaviour-Policy.pdf](http://www.utas.edu.au/__data/assets/pdf_file/0008/657179/University-Behaviour-Policy.pdf)

<sup>169</sup> <http://www.utas.edu.au/university-council/university-governance/governance-level-principles/academic-freedom-glp14>

# University of Technology, Sydney

## Policies

### UTS Student Rules: Section 16 – Student misconduct and appeals<sup>170</sup>

- 16.2 Definition of misconduct
  - 16.2.1 Student misconduct includes but is not limited to:
    - (20) publishing material which is abusive, offensive, vilifying, harassing, discriminatory or inappropriate about the University, another student, or an officer of the University, in any forum or media, including but not limited to print, internet, social media, email, digital or electronic communications and broadcasting forums;

Rating: **Red**

### Policy on the Prevention of Harassment<sup>171</sup>

- 3.2 What is unlawful harassment?
  - Unlawful harassment is any unwelcome conduct, verbal or physical, which has the intent or effect of creating an intimidating, hostile or offensive educational, or work environment, and which happens because of a person's sex, pregnancy, race or ethno-religious background, marital status, age, sexual preference, transgender status or disability.
  - Unlawful harassment can include:
    - offensive communications (such as posters, letters, emails, faxes, screen savers, websites)
    - offensive telephone or electronic mail or other computer system communications
    - verbal abuse or comments that put down or stereotype people
    - teasing or offensive language and racist behaviours
  - The offensive behaviour does not have to take place a number of times: a single incident can constitute harassment.
- What is important is how the behaviour affects the person it is directed against. Unlawful harassment can occur even if the behaviour is not intended to offend. Students and staff should be aware that differing social and cultural standards may mean that behaviour that is acceptable to some may be perceived as offensive by others. As a guide, ask yourself: 'would a reasonable person be intimidated, offended or humiliated by the behaviour?'

Rating: **Amber**

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<sup>170</sup> <http://www.gsu.uts.edu.au/rules/student/section-16.html>

<sup>171</sup> <http://www.gsu.uts.edu.au/policies/documents/preventionharrasment.pdf>

▪ **HARASSMENT**

- Unlawful harassment means any unwelcome, offensive, abusive, belittling or threatening behaviour that humiliates, offends or intimidates another person or group of people and occurs because of a characteristic or ground specified under anti-discrimination legislation.

Rating: **Amber**

**Policy - Intellectual freedom**

- No policy on academic freedom and/or free speech.

**Actions**

**Students storm building but fail to disrupt treasurer Scott Morrison post-budget address<sup>173</sup>**

- Armed with two megaphones, members of the Socialist Alternative (SA) stormed a University of Technology Sydney building about 7.30am on Monday protesting the federal government's higher education cuts and plan to hike student fees.

Rating: **Amber**

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<sup>172</sup> <http://www.gsu.uts.edu.au/policies/documents/equal-opportunity-policy.pdf>

<sup>173</sup> <http://www.dailytelegraph.com.au/news/nsw/students-storm-building-but-fail-to-disrupt-treasurer-scott-morrison-postbudget-address/news-story/af0889d3dea8727d0b8cc1a64d56f4f5>

# University of Western Australia

## Policies

### **The University of Western Australia Lands By-Laws**<sup>174</sup>

- Part 5 – Conduct of Persons on the Lands
  - 5.3 No person shall use any abusive or insulting language on the Lands.
  - 5.4 No person shall do or commit any offensive, indecent or improper act nor behave in an offensive, indecent or improper manner nor engage in any conduct which is offensive, indecent or improper on the Lands.

Rating: **Red**

### **Offensive Materials on UWA IT Systems**<sup>175</sup>

- Offensive material must not be created, obtained, stored, transmitted, displayed or communicated using University computers and networks.

Rating: **Amber**

### **University Policy on: Prevention and Resolution of Bullying on Campus**<sup>176</sup>

- Bullying is the repeated, unreasonable behaviour by an individual or group, directed towards an employee or student, or group of employees or students, either physical or psychological in nature that intimidates, offends, degrades, humiliates, undermines or threatens.

Rating: **Amber**

### **Schedule 1 – examples of misconduct: Regulations for student conduct and discipline**<sup>177</sup>

- (4) willfully interfering unduly with the freedom of speech within the University of a member of the University or of a speaker invited by any section of the University to express their views:
  - Example 1: Disrupting to an unreasonable degree an address by a guest speaker
- 

Rating: **Green**

### **Policy - Intellectual freedom**

- *No policy on academic freedom and/or free speech.*

## Actions

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174 <http://www.governance.uwa.edu.au/statutes/by-laws/conduct>

175 <http://www.governance.uwa.edu.au/procedures/policies/policies-and-procedures?method=document&id=UP07%2F44>

176 <http://www.governance.uwa.edu.au/procedures/policies/policies-and-procedures?method=document&id=UP07/10>

177 <http://www.governance.uwa.edu.au/regulations/student-conduct/misconduct>

### **UWA cancels contract for Consensus Centre involving controversial academic Bjorn Lomborg**<sup>178</sup>

- The University of Western Australia has cancelled the contract for a policy centre that was to be based on the methodology of controversial academic Bjorn Lomborg after a “passionate emotional reaction” to the plan.

Rating: **Red**

### **Uthman Badar UWA lecture cancelled: Muslim activist booked as headline speaker for Gaza seminar**<sup>179</sup>

- A planned lecture by a controversial Muslim activist at the University of Western Australia (UWA) has been cancelled after public criticism.

Rating: **Red**

### **UWA cancels talk by transgender sceptic Quentin Van Meter after protests**<sup>180</sup>

- A talk by a controversial US academic has been cancelled by the University of Western Australia on safety grounds after students protested against the transgender sceptic.

Rating: **Red**

### **Leading academics slam UWA student guild for putting ‘cultural sensitivities’ above free speech**<sup>181</sup>

- Three years after it hosted the Tibetan spiritual leader on campus, the guild last week backed a motion recognising the “negative impact” his presence could have on Chinese students.

Rating: **Red**

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178 <http://www.abc.net.au/news/2015-05-08/bjorn-lomborg-uwa-consensus-centre-contract-cancelled/6456708>

179 <http://www.abc.net.au/news/2014-08-19/uni-lecture-by-muslim-activist-uthman-badar-cancelled/5680350>

180 <http://www.abc.net.au/news/2018-08-17/uwa-cancels-talk-by-controversial-academic-transgender-views/10132400>

181 <https://thewest.com.au/news/education/leading-academics-slam-uwa-student-guild-for-putting-cultural-sensitivities-above-free-speech-ng-b88793508z>

# University of Wollongong

## Policies

### **BULLYING PREVENTION POLICY**<sup>182</sup>

- 4. Bullying may include, but is not limited to:
  - a. yelling, screaming, abusive or offensive language, insults, inappropriate comments about a person's appearance, personal life or lifestyle, defamation of individuals or their family or associates;
  - n. sending abusive or offensive e-mails or text messages; or

Rating: **Red**

### **RESPECT FOR DIVERSITY POLICY**<sup>183</sup>

- 2 Definitions
  - Harassment: Harassment is any form of behaviour that is unwelcome to the recipient/s; offends, intimidates or humiliates the recipient/s; and targets the recipient/s for one of the reasons covered by anti-discrimination laws, such as their sex, race or disability.

Rating: **Red**

### **GRIEVANCE POLICY**<sup>184</sup>

- 2. Definitions
  - Bullying: When an individual or group of individuals repeatedly behaves unreasonably towards a person or group of people and that behaviour creates a risk to health and safety.
  - Harassment: Unwelcome behaviour that makes a person feel belittled, intimidated, offended or apprehensive, and that a reasonable person, taking into account all the circumstances, would expect to cause offence, intimidation or apprehension.

Rating: **Amber**

### **IT ACCEPTABLE USE POLICY**<sup>185</sup>

- 6.10. The University network and IT Facilities, including email and web servers and other similar resources, may not be used for:
  - the creation or transmission (other than for properly supervised and lawful teaching or research) of any material or data that could reasonably be deemed abusive,

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182 <https://www.uow.edu.au/about/policy/UOW066134.html>

183 <https://www.uow.edu.au/about/policy/UOW058716.html>

184 <http://www.uow.edu.au/about/policy/UOW058683.html>

185 <http://www.uow.edu.au/about/policy/UOW002319.html>

offensive, defamatory, obscene or indecent;

Rating: **Amber**

**Inclusive Language Guideline**<sup>186</sup>

- Guidelines on appropriate language usage.

Rating: **Amber**

**Policy - Intellectual freedom**

- No policy on academic freedom and/or free speech.

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<sup>186</sup> <https://www.uow.edu.au/about/policy/UOW140611.html>

# Victoria University

## Policies

### **STUDENT EQUITY AND SOCIAL INCLUSION POLICY**<sup>187</sup>

- (18) Harassment: refers to discriminatory behaviour in relation to a protected attribute (see Clause 23), which is reasonably likely in all the circumstances, to humiliate, offend, intimidate or distress the person(s) concerned.
- (23) In order to meet its obligations under this Policy, Victoria University undertakes to promote equal opportunity in all aspects of the University's activities through strategic initiatives and by eliminating unlawful direct and indirect discrimination and harassment on the grounds of:
  - race, colour, national or ethnic origin, descent, nationality;
  - sex, gender identity, lawful sexual activity, sexual orientation, marital status, pregnancy or potential pregnancy, breastfeeding, family responsibilities, status as a parent or carer;
  - religious or political belief or activity, industrial activity, irrelevant criminal record; age, physical features, disability (past, present or imputed), medical record; and
  - personal association with a person who is identified by reference to any of the above listed attributes.

Rating: **Red**

### **IT APPROPRIATE USE POLICY**<sup>188</sup>

- (17) VU ICT facilities and services must not be used by staff and students for the purpose of creating, accessing or transmitting or otherwise dealing with content which may reasonably be regarded as objectionable, obscene or offensive, or in a manner which is contrary to other University policies or which may otherwise expose the University to legal liability.

Rating: **Amber**

## Actions

### **University cancels screening of anti-Confucius Institute film**<sup>189</sup>

- Victoria University pulled the screening of a film criticising a global group of Chinese Communist Party-backed research institutes because it had one of those institutes in the same building..

Rating: **Red**

## Policy - Intellectual freedom

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187 <https://policy.vu.edu.au/document/view.php?id=220>

188 <https://policy.vu.edu.au/document/view.php?id=258>

189 <https://www.theaustralian.com.au/higher-education/university-cancels-screening-of-anticonfucius-institute-film/news-story/c7487fba63b5b6bf5d7a9891cb0a7926>

- *No policy on academic freedom and/or free speech.*

# Western Sydney University

## Policies

### **BULLYING PREVENTION GUIDELINES**<sup>190</sup>

#### Part E - What Are Examples Of Bullying?

(15) Bullying includes but is not limited to repeated unreasonable overt behaviours such as:

- a. Verbal abuse - yelling, screaming, shouting, aggressive or abusive or offensive language, personal insults, name-calling, sarcasm, inappropriate comments about a person's appearance or personal life, defamation of individuals or their family or associates;

Rating: **Red**

### **COMPLAINT HANDLING AND RESOLUTION POLICY**<sup>191</sup>

- SECTION 2 – DEFINITIONS
  - (10) For the purposes of this policy, the following definitions apply:
    - I. harassment - refers to any form of behaviour that is unwanted and offends, humiliates or intimidates a person, whether intended or not.

Rating: **Red**

### **BULLYING PREVENTION POLICY**<sup>192</sup>

- SECTION 2 – DEFINITIONS
  - (6) For the purpose of this policy:
    - Bullying occurs when:
      - an individual or group of individuals repeatedly behaves unreasonably towards another individual or a group of individuals, and
      - the behaviour creates a risk to health and safety.

Rating: **Amber**

### **ACCEPTABLE USE OF IT RESOURCES POLICY**<sup>193</sup>

- (20) Authorised Users must not access or use University IT Resources in ways that:
  - i. distribute or access material that the University considers unacceptable or

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190 <https://policies.westernsydney.edu.au/document/view.current.php?id=240>

191 <https://policies.westernsydney.edu.au/document/view.current.php?id=98>

192 <https://policies.westernsydney.edu.au/view.current.php?id=00099>

193 <https://policies.westernsydney.edu.au/document/view.current.php?id=124>

offensive. This includes, but is not limited to, malicious, pornographic, gambling, or terrorist material. Authorised Users requiring access to unacceptable or offensive content for research or study should request a specific exemption for access to be permitted;

Rating: **Amber**

### **Policy - Intellectual freedom**

- *No policy on academic freedom and/or free speech.*

