



18 December 2018

The Hon Robert S French AC

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By email: sulcsj@bigpond.com (PA)

Dear Mr French

I am writing on behalf of the Innovative Research Universities (IRU) group to express our interest in your review into freedom of expression and of intellectual inquiry in Australian higher education.

The IRU is a network of seven comprehensive universities committed to inclusive excellence in teaching, learning and research in Australia. Its members are **Charles Darwin University, Flinders University, Griffith University, James Cook University, La Trobe University, Murdoch University and Western Sydney University.**

Two IRU members have had first-hand experience dealing with the challenges your review addresses: La Trobe regarding a speech by Bettina Arndt; and James Cook regarding the dismissal of Professor Peter Ridd.

The debate on these questions generates a lot of noise, such that an independent, evidence-based assessment of exactly what the problem is, and ways to address it, should be helpful. However, the political interests of many involved does not suggest there will be simple acceptance of any improved approach. The IRU therefore welcomes your review and will do what we can to support it and engage constructively with its recommended actions.

The IRU Vice-Chancellors have discussed the issue several times this year, including giving some thought to the potential for a common statement from IRU members with the Chicago statement as an exemplar. We found your Austin Asche Oration very useful in working through the different issues and the challenges they pose.

The IRU discussions emphasised the difference between academic freedom and freedom of speech on campus. Very often the two ideas are unhelpfully (and sometimes intentionally) conflated rather than treated as two related issues. The first of these is particular to the university setting; the other is a question of how the university role should respond to a broader societal question about the expression of arguments and opinions.

It would seem helpful for your review to distinguish between the two issues when considering the perceived problems and possible solutions.

The Vice-Chancellors are very supportive of the principals of freedom of speech at their universities. Questions of academic freedom, or “free intellectual inquiry” as written in the Higher Education Standards, are well rehearsed in the universities and supported with policies and other provisions.

However, the practicalities associated with facilitating those freedoms can be problematic. They stretch across expression by students and staff and by individuals who come onto the campus at the request of students or staff, or simply to make use of university facilities made available for community use.

A question for you is whether there are threshold expectations that all universities ought to meet, against whether there are other elements to the discussion where universities need to decide where they place themselves, with the key expectation that they treat all similar parties in a similar way.

IRU members place a strong emphasis on engaging with the communities in which they are set, actively looking to make the university campuses and the knowledge and skills we have more accessible. One aspect of this is the role to support discussion of important issues, or otherwise to allow for community driven activity using university facilities.

The arrangements to support these activities are not necessarily expressed in one document or exercised by one part of the university. Rather, the various policies and procedures governing activities that cover questions of freedom of speech and academic freedom are dispersed across numerous documents including enterprise agreements, codes of conduct and use of venue guidelines.

IRU universities are sending relevant documents on to your review to assist you.

I look forward to seeing the results of the review early in 2019. In the meantime, if the IRU can be of further assistance please let me know.

Yours sincerely

Conor King
Executive Director
Innovative Research Universities