

 <b>BOND UNIVERSITY</b>	<b>FREEDOM OF SPEECH AND ACADEMIC FREEDOM POLICY</b>
Policy Owner	Provost
Contact Officer	Provost
Endorsement Authority	Academic Senate
Date of Next Review	14 July 2024

## 1. PURPOSE AND OBJECTIVES

Bond University recognises that the protection of Freedom of [Speech](#) and [Academic Freedom](#) within the academy has been and will be of major benefit to human society and to the development of knowledge as a whole.

Bond University acknowledges that universities have a special role as institutions dedicated to free, open and critical expression across the full scope of human knowledge and endeavour. Central to this role is the freedom of [Staff](#) and students to teach, research, debate and learn independent of external circumstance and pressure.

Bond University is committed to:

- supporting critical and free inquiry, and informed intellectual discourse and public debate on our campuses and amongst our Staff, students and visitors; and
- creating an environment where everyone is treated fairly and with respect, and free from [Racism](#) and unlawful [Discrimination](#).

## 2. AUDIENCE AND APPLICATION

All Staff, Students and Visitors

## 3. ROLES AND RESPONSIBILITIES

Role	Responsibility
Bond University staff	See clause 4.2
Bond University student bodies	See clause 4.3

## 4. POLICY STATEMENT

### 4.1 Right to Freedom of Speech and Academic Freedom

Section 4.1 is subject to the provisions of Section 4.2 of the Policy.

A core value of Bond University is to preserve, defend and promote the principles of Freedom of Speech and Academic Freedom in the conduct of its affairs, so that all Staff, students and visitors at the University are free to engage in critical inquiry, scholarly and scientific endeavour, and public discourse without fear or favour.

Accordingly, the University supports the right of all Staff, students and visitors at the University to search for truth and to hold and express diverse opinions. It recognises that scholarly and scientific debate should be robust and uninhibited. It recognises also that members of the Bond community are entitled to express their ideas and opinions.

Every member of the Staff and every student enjoys Freedom Of Speech and Academic Freedom subject only to prohibitions, restrictions or conditions imposed by:

- law;
- reasonable and proportionate regulation necessary to the discharge of the University's teaching and research activities;
- the right and freedom of others to express themselves and to hear and receive information and opinions;
- reasonable and proportionate regulation necessary to discharge the University's [Duty to Foster the Wellbeing of Staff and Students](#);
- reasonable and proportionate regulation to enable the University to give effect to its legal duties; and
- the University by way of its reasonable requirements as to the courses to be delivered and the content and means of their delivery.

### 4.2 Responsibilities

The right to Freedom of Speech and Academic Freedom carries the following responsibilities.

Freedom of Speech and Academic Freedom must:

- be conducted reasonably, professionally and in good faith;

- be conducted in accordance with principles of academic and research ethics;
- comply with the University's Anti-discrimination Policy;
- include transparent reasoning and references so that those who wish to respond have a basis to do so; and
- make clear affiliations, sources, funding, and potential conflicts of interest where applicable.

In commenting publicly, Staff of Bond University must act according to the rights and responsibilities set out within this Policy and the University's [Media Policy](#), [Social Media Policy](#), and other relevant policies and regulations. Where Staff are commenting on topics outside their area of professional expertise, they should not link their comments to their association with the University. Staff holding multiple roles should make clear which role they are representing when making a statement.

### 4.3 Student Bodies

The Right to Freedom of Speech and Academic Freedom and the Responsibilities set out within this Policy extend to student representative bodies within the University, including the Bond University Student Association and its affiliated clubs and societies.

## 5. DEFINITIONS, TERMS, ACRONYMS

**Academic Freedom** Academic freedom, for the purposes of this Policy, comprises the following elements:

- the freedom of academic staff to teach, discuss, and research and to disseminate and publish the results of their research;
- the freedom of academic staff and students to engage in intellectual inquiry, to express their opinions and beliefs, and to contribute to public debate, in relation to their subjects of study and research;
- the freedom of academic staff and students to express their opinions in relation to the higher education provider in which they work or are enrolled;
- the freedom of academic staff to participate in professional or representative academic bodies;
- the freedom of students to participate in student societies and associations;
- the autonomy of Bond University in relation to the choice of academic programs and subject offerings, the ways in which they are taught and the choices of research activities and the ways in which they are conducted.

**Discrimination** Means **Direct Discrimination** or **Indirect Discrimination**.

**Direct Discrimination** on the basis of a [Protected Attribute](#) happens if a person treats, or proposes to treat, a person with an Attribute less favourably than another person without the Attribute is or would be treated in circumstances that are the same or not materially different.

**Indirect Discrimination** on the basis of a [Protected Attribute](#) happens if a person imposes, or proposes to impose, a condition, requirement or practice:

- with which a person with an Attribute does not or is not able to comply; and
- with which a higher proportion of people without the Attribute comply or are able to comply; and
- that is not reasonable.

For the purposes of this Policy, **Discrimination** also encompasses these forms of unacceptable conduct:

- Bullying and/or Harassment based on any of the [Protected Attributes](#); and
- Vilification based on one or more of the Protected Attributes of race, religious belief, sexuality, sex characteristics, or gender identity.

**Duty to Foster the wellbeing of staff and students**

- includes the duty to ensure that no member of staff and no student suffers unfair disadvantage or unfair adverse discrimination on any basis recognised at law including race, gender, sexuality, religion and political belief;
- includes the duty to ensure that no member of staff and no student is subject to threatening or intimidating behaviour by another person or persons on account of anything they have said or proposed to say in exercising their freedom of speech;
- supports reasonable and proportionate measures to prevent any person from using lawful speech which a reasonable person would regard, in the circumstances, as likely to humiliate or intimidate other persons and which is intended to have either or both of those effects;

- does not extend to a duty to protect any person from feeling offended or shocked or insulted by the lawful speech of another.

## Protected Attributes

A Protected Attribute contained within the [Anti-Discrimination Act 1991 \(Qld\)](#) and Commonwealth anti-discrimination legislation.

- race;
- colour;
- sex;
- sexual orientation;
- age;
- physical or mental disability;
- marital status;
- family or carer's responsibilities;
- pregnancy
- religion or religious activity;
- political opinion or political activity;
- trade union activity;
- national extraction;
- social origin;
- relationship status;
- Parental status;
- breastfeeding;
- lawful sexual activity;
- sexuality;
- gender identity;
- sex characteristics;
- intersex status;
- association with, or relation to, a person identified on the basis of any of the above attributes.

## Racism

Refers to *"the process by which systems and policies, actions and attitudes create inequitable opportunities and outcomes for people based on race. Racism is more than just prejudice in thought or action. It occurs when this prejudice – whether individual or institutional – is accompanied by the power to discriminate against, oppress or limit the rights of others."* (Australian Human Rights Commission, [What is racism?](#))

**Racism** encompasses:

- Interpersonal racism – occurs during interactions between individuals and includes making negative comments about a particular ethnic group in person or online, calling others racist names, and harassing/bullying others because of their race;
- Institutional racism – the policies, procedures and practices that inform the everyday operations of an organisation and support continued unfair treatment of some people because of their race; and
- Systemic racism – the history, ideology, culture and interactions of institutions and policies throughout a whole society that combine to perpetuate inequity to some people because of their race. (Australian Human Rights Commission, [Racism. Nobody Wins.](#)). Examples of racism include Antisemitism and Islamophobia.

## Speech

Extends to all forms of expressive conduct including oral speech and written, artistic, musical and performing works and activity and communication using social media; the word 'speak' has a corresponding meaning.

## Staff

All paid, honorary and volunteer staff of the University, including academic, emeritus, adjunct, executive, professional and general staff members.

## 6. RELATED DOCUMENTS

[Media Policy \(INF 6.3.1\)](#)

[Social Media Policy \(INF 6.1.1\)](#)

[Staff Code of Conduct \(HR 2.8.4\)](#)

[Student Charter](#)

[Anti-Discrimination and Anti-Racism Policy \(GOV 1.1.6\)](#)

## 7. MODIFICATION HISTORY

Date	Sections	Source	Details
6 March 2024	1, 4.2, 5.	Provost	V5.1: Added anti-discrimination statements
14 July 2021			V5
Sept 2020			V4
July 2019			V3
Jan 2019			V2
4 October 2013			Date First Approved

**APPROVAL AUTHORITY:** Vice Chancellor