

15 January 2019

The Hon. Robert S French AC  
C/O Review Secretariat  
[freedomofspeechreview@education.gov.au](mailto:freedomofspeechreview@education.gov.au).

Dear Dr French

I refer to your letter to Professor Terry of 29 November 2018 regarding the independent review of policies supporting freedom of expression and intellectual inquiry in Australian higher education, and welcome your collaborative approach to working with the sector on this important matter.

In relation to the request for materials, please find below the links to various documents on the Curtin website and, where applicable, specific sections of those documents that refer to relevant matters.

1. *University statutes, regulations, rules or by-laws, not available on the University website, relating to expressive conduct by staff or students or persons visiting the University for the purpose of delivering speeches or lectures or otherwise engaging in public discussion.*

All Curtin University statutes and rules are publically available.  
(see [https://policies.curtin.edu.au/legislation/statutes\\_rules.cfm](https://policies.curtin.edu.au/legislation/statutes_rules.cfm) )

Statute 10 is of relevance, as it relates to student discipline matters. The definition of General Student Misconduct (Section 4 (2)) includes the following:

*interfering with the freedom of expression of any member of the University staff, any other Student or person lawfully on the University's premises or in any place where an activity is being conducted under the auspices of the University*

Hire Conditions for people wishing to use University premises can be found at:  
<http://roombookings.curtin.edu.au/visitors.cfm>

2. *Administrative codes, policies or principles relating to the above including internal audit and risk policies and practices and standard provisions in academic employment contracts.*

All Curtin's policies and procedures "will encompass and be consistent with Curtin Values"  
(see **Policy Development Procedures 2.1.1 C**)

<https://policies.curtin.edu.au/findapolicy/index.cfm#p>

Curtin's **Value** of Courage is to 'support intellectual freedom and value bold ideas'

<http://www2.curtin.edu.au/strengthening-our-culture/values/index.cfm>

Curtin's **Code of Conduct** includes the right to intellectual freedom  
(<http://complaints.curtin.edu.au/conduct/index.cfm> )

*Schedule 1: Intellectual Freedom*

*The University expects that you will use your right to intellectual freedom of critical enquiry, scholarly endeavour and public discourse responsibly, honestly and with respect for the intellectual freedom of others.*

The **Curtin Academic, Professional and General Staff Agreement 2017-2021** provides as follows (clause 60 Intellectual Freedom):

*60.1 The University will at all times seek to protect the intellectual freedom of Academic Staff Members.*

*60.2 Academic Staff Members will use their right to intellectual freedom of enquiry and expression responsibly, honestly, and with respect for the intellectual freedom of others*

3. *Any of the above categories which deal with the topic of academic freedom.*

(Curtin policies and procedures can be found at:  
<https://policies.curtin.edu.au/findapolicy/index.cfm>)

**Intellectual Freedom Policy (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*

**Research Management Policy (2.2.6)** *Researchers are free to research subject matter of their choosing in accordance with the Intellectual Freedom Policy.*

**Authorship, Peer Review and Publication of Research Findings Policy (2.1.1)** *An academic staff member may speak, write and publish, or artistically perform, create and exhibit, without being subject to institutional censorship or discipline in accordance with the Intellectual Freedom Policy.*

4. *The reports of relevant non-confidential reviews which your university may have undertaken in relation to its rules, policies and practices in this area.*

There are no relevant reports of reviews of the above rules, policies and practices in this area. Curtin does, however conduct regular update reviews of rules, policy and procedures and the **Intellectual Freedom Policy** is due for review in 2020. As part of that review the policy will be available for university wide consultation, in accordance with the *Policy Development Procedures* before submission to the Academic Board for approval.

5. *Any observations that you would like to make which you think might be helpful to the Review.*

Intellectual freedom and critical discourse are central to the critical role universities play in the advancement of knowledge and, as is outlined in the New Zealand Education Act 1989, as “critic and conscience of society”. Universities have a long tradition of fostering debate and pursuing controversial ideas. As an autonomous institution, Curtin is committed to values, policies and practices that enable and nurture freedom of expression and intellectual inquiry.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'John Cordery', with a stylized flourish at the end.

Professor John Cordery  
Acting Vice-Chancellor