



8 March 2019

The Hon Robert S French AC
Suite 2, Level 13
Allendale Square
77 St George's Terrace
PERTH WA 6000

Via email: freedomofspeechreview@education.gov.au

Dear Mr French

Review of Freedom of Speech at Higher Education Providers

I refer to your letter dated 9 February 2019 addressed to me as the Convenor of the University Chancellors Council (UCC) requesting comments in relation to the draft Model Code. I also refer to our subsequent telephone conversation.

I reply to your letter on behalf of the Committee of the UCC. Understandably, it has not been possible to have all University Chancellors as members of the UCC to meet together to discuss the matter in the requested time frame. Having said that I am aware that many if not all Chancellors and Vice-Chancellors would have independently responded to your letter to them respectively and we are aware of the response sent to you by Universities Australia. We agree with their comments in their response.

It is not appropriate for us (the UCC Committee) to go into detail concerning the drafting of the Code other than to make the point that it is drafted to be all embracing and we have a real concern about the unintentional consequences of the Code relating to Universities and their operations, particularly given the urgency with which the matter has developed.

We believe that all of our Universities have a real commitment to promoting and defending freedom of speech and academic freedom.

We also are of the view that, despite some pockets of criticism of the Universities commitment to freedom of speech and academic freedom, there is no 'free speech' crisis in Australian Universities.

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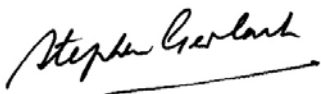
We note that the Higher Education Support Act presently requires all tertiary providers to have a policy of upholding free intellectual enquiry.

The UCC Committee strongly supports free speech but questions whether a voluntary code for the Sector is necessary at this time.

We would be happy to further discuss the matter with you at your convenience.

We have no objection to this response being published on the departmental website. A copy of the letter has been provided to Universities Australia and to all the UCC members.

Yours sincerely

A handwritten signature in black ink that reads "Stephen Gerlach". The signature is written in a cursive style and is underlined with a single horizontal line.

Mr Stephen Gerlach AM
Convenor