

Academic and Intellectual Freedom at UNSW

The University's commitment to promoting and protecting academic freedom is explicitly stated in these excerpts from the University of New South Wales Act 1989, UNSW Code of Conduct, UNSW Equity, Diversity and Inclusion Policy, UNSW Australia (Academic Staff) Enterprise Agreement and The Hefei Statement on the Ten Characteristics of Contemporary Research Universities.

University of New South Wales Act 1989 No 125

Current version for 1 July 2017 to date (accessed 29 October 2018 at 09:50)

Part 2 Section 6 - Object and functions of University

- (1) The object of the University is the promotion, within the limits of the University's resources, of scholarship, research, free inquiry, the interaction of research and teaching, and academic excellence.
- (2) The University has the following principal functions for the promotion of its object:
 - (a) the provision of facilities for education and research of university standard,
 - (b) the encouragement of the dissemination, advancement, development and application of knowledge informed by free inquiry,
 - (c) the provision of courses of study or instruction across a range of fields, and the carrying out of research, to meet the needs of the community,
 - (d) the participation in public discourse,
 - (e) the conferring of degrees, including those of Bachelor, Master and Doctor, and the awarding of diplomas, certificates and other awards,
 - (f) the provision of teaching and learning that engage with advanced knowledge and inquiry,
 - (g) the development of governance, procedural rules, admission policies, financial arrangements and quality assurance processes that are underpinned by the values and goals referred to in the functions set out in this subsection, and that are sufficient to ensure the integrity of the University's academic programs.

Policy and Agreements of UNSW related to academic or intellectual freedom

The current UNSW statement on academic freedom is contained in the Code of Conduct and reads:

The University recognises and protects the concept and practice of academic freedom as essential to the proper conduct of teaching, research and scholarship within the University. While academic freedom is a right, it carries with it the duty of academics to use the freedom in a manner consistent with a responsible and honest search for and dissemination of knowledge and truth. Academic freedom is not a defence to poor behaviour or disrespectful treatment of others.¹

¹The University of New South Wales, *Code of Conduct* (2 August 2018) The University of New South Wales <<https://www.gs.unsw.edu.au/policy/documents/codeofconduct.pdf>> pt B.

This commitment to academic freedom is to be read in conjunction with the Equity, Diversity and Inclusion Policy that states:

All staff and students must display respect as they seek to understand each other's perspectives, and endeavour to invite and explore the evidence supporting alternative points of view.²

Intellectual freedom is specifically addressed in cl 23 of the UNSW Enterprise Bargaining Agreement.

The University recognises intellectual freedom which entails the right of an employee to:

- (i) contribute to the decision-making processes and structures of the University; including the right to express opinions about the operations of the University and higher education policy more generally;
- (ii) pursue critical and open inquiry, publish, research and, consistent with the University's academic processes, freely discuss, teach, assess and develop curricula;
- (iii) participate in public debates and express opinions about issues and ideas and about the University or higher education issues more generally;
- (iv) participate in professional and representative bodies, including unions, and engage in community service;
- (v) express their personal views, consistent with the University's Code of Conduct, without fear of harassment, intimidation or unfair treatment.³

The Hefei Statement on the Ten Characteristics of Contemporary Research Universities

As a member of the Group of Eight, UNSW shares a commitment to the Hefei Statement on the core characteristics of a research university. In 2013, the Group of Eight joined with the Association of American Universities, the League of European Research Universities and the Chinese 9 Universities to enter into the Hefei Statement on the ten core characteristics of research universities. This Statement declared:

6. The responsible exercise of academic freedom by faculty to produce and disseminate knowledge through research, teaching and service without undue constraint within a research culture based on open inquiry and the continued testing of current understanding, and which extends beyond the vocational or instrumental, sees beyond immediate needs and seeks to develop the understanding, skills and expertise necessary to fashion the future and help interpret our changing world.

7. A tolerance, recognition and welcoming of competing views, perspectives, frameworks and positions as being necessary to support progress, along with a commitment to civil debate and discussion to advance understanding and produce new knowledge and technologies.⁴

² The University of New South Wales, *Equity, Diversity and Inclusion Policy* (2 August 2018) The University of New South Wales <<https://www.gs.unsw.edu.au/policy/documents/equitystatement.pdf>> cl 2.3.

³ The University of New South Wales, *UNSW Australia (Academic Staff) Enterprise Agreement 2015* (2 August 2018) The University of New South Wales <https://www.hr.unsw.edu.au/services/indrel/Academic_EA_2015_Final.pdf> cl 23.

⁴ *HEFEI Statement on the Ten Characteristics of Contemporary Research Universities* (AAU, Go8, LERU, C9, entered into on 10 October 2013) <<https://go8.edu.au/sites/default/files/docs/10.10-hefei-statement-english-version.pdf>>.