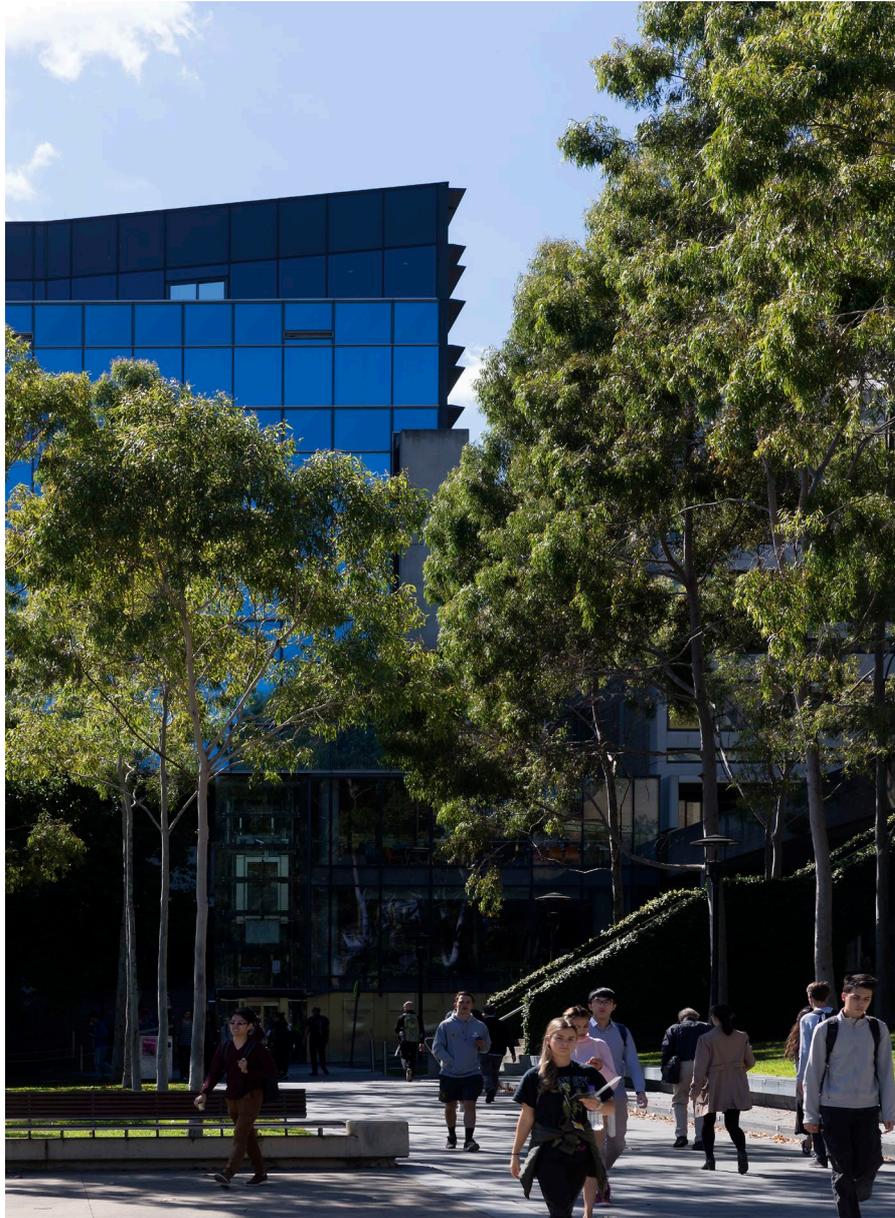




THE UNIVERSITY OF
SYDNEY

Freedom of Expression at the University of Sydney



Guidance and information for students

What is this guide about?

This guide provides practical advice to help University of Sydney students more clearly understand their rights and responsibilities around freedom of expression at university, and the expectations of behaviour set out by the [Student Charter](#).

Who is it for?

This guide is useful for the broader university community - in particular, international students, student activists, leaders of student groups, event and protest organisers as well as people planning to submit a complaint relating to the behaviour of students on campus.

Legal framework

Freedom of expression at the University of Sydney operates within an external legal framework of international and local protections. These protections however, are subject to reasonable and proportionate limitations through legislation which prohibits or renders unlawful speech or expression in many different contexts. Further detail on specific protections and legislation is available in the link provided at the end of this document.

Freedom of Expression at the University of Sydney

As a student at the University of Sydney, you have rights and responsibilities as an individual and as a member of a group – in relation to the manner and form in which you exchange ideas and information, express views publicly and take part in protests. Robust, non-violent, informed and civil debate is how our community is able to challenge ways of thinking and bring about positive societal change.

The University aims to provide our students with a safe place to enhance knowledge, listen to and engage with varied perspectives, try new experiences, and develop and advocate ideas and opinions. We are home to numerous clubs and societies where you can have a platform to debate and express your political and social viewpoints.

At the University of Sydney, you have the right to express your ideas and opinions freely, without censorship, as referenced in the [Charter of Freedom of Speech and Academic Freedom](#) – as long as these do not infringe upon public safety or rights of others. Students are expected to act in accordance with the values and principles set out in the Student Charter. This applies to all University related activities and events, whether on campus or online.

The University has a duty to foster and protect the wellbeing of its staff and students. While this duty does not extend to protecting students from encountering views and opinions with which they disagree, the University can take reasonable and proportionate measures to restrict speech that is likely to cause an imminent risk of public disorder or undue interference in the rights of others, or which attacks another person or a group of people on the grounds of race, sex, gender, sexuality, religion or political belief. It is important to remember that the rights of others include a right to safety, which in turn includes psychosocial safety.

Acknowledging the impact of inequalities of power on Freedom of Expression

Our students come from diverse backgrounds, and hold a wide variety of perspectives, values and beliefs. The University supports and respects the right of all students to express their opinions and political views in a peaceful and non-violent manner: freedom of speech is fundamental to the conduct of a democratic society and the pursuit of intellectual and societal progress.

It is important to acknowledge that individuals coming from cultural and marginalised

backgrounds with reduced influence or access to power may encounter limitations in their ability to express ideas freely. Intersectionality refers to the way in which different aspects of a person's identity can expose them to overlapping forms of discrimination and marginalisation, for example, someone that is from a disadvantaged background that also has a disability.

Students from different countries or backgrounds may feel uncomfortable participating in tutorials or group work which includes criticism of their home country government. They might self-censor or be censored by other students for their speech, views and action and experience fear of being reported to their home country government, which could have serious consequences for them or their families. Some students may have also experienced limited information environments or even misinformation, which can result in very specific views and presents a potential motivating factor for confronting people who challenge their worldview. Threatening others is never acceptable, regardless of one's background or beliefs. Respectful conversation can help foster mutual understanding and tolerance among individuals with differing beliefs. It is also important to consider that protest arouses fear and anxiety in some students while other students may fear or express distress around responses to protest.

Advocating for change civilly

The University of Sydney has a rich history of student activism and peaceful protest beginning with the historically significant 1965 Freedom Ride led by Charles Perkins and fellow students which highlighted discrimination faced by Aboriginal and Torres Strait Islander Peoples in Australia. More recently students have campaigned for climate action, advocated for an end to sexual misconduct on campus, protested against COVID restrictions and opposed a proposal to shorten teaching semesters.

Examples of activities that meet the standard of civility:

- peaceful protests, which include silent protests
- picket lines which seek to peacefully inform and persuade but do not obstruct access to campus
- boycotts
- rallies
- carrying signs
- engaging in noisy activities that do not disrupt a planned event
- organising counter-events
- engaging civilly during Q&A sessions
- issuing statements
- petitions
- distribution of materials
- use of social media to express counterviews

The above actions do not meet this standard if they intend to offend, insult, humiliate, threaten or intimidate another person or a group of people on the grounds of race, sex, gender, sexuality, religion and political belief.

Disagreeing well

Courage and civility are greatly valued at our University, as is promotion of a culture where people disagree well. In practice this means respecting that others may have different opinions, enabling others the right to speak and be heard, being open to challenging assumptions, being aware of unconscious bias and privilege, seeking out a range of evidence and opinions, practising critical thinking and being open to the possibility of being wrong.

Deplatforming

Deplatforming, also known as no-platforming, is the action or practice of a person or group intentionally preventing or denying others who hold opposing views from having a platform in which their views can be heard. For example, this could involve damaging stalls or posters, or playing loud music to drown out a speaker seeking to exercise their right to free speech. This can be a highly contentious issue, as it involves a balance between freedom of speech and the responsibility of the university to provide a safe and inclusive environment for all students free from unlawful discrimination.

Potential consequences of unlawful behaviour or misconduct

Students should be aware that if they participate in certain actions they may be breaking the law (risking both police action and prosecution), or potentially engaging in misconduct as defined by the [University of Sydney \(Student Discipline Rule\) 2016](#). A range of consequences may be applied for student misconduct from a warning and request to stop the behaviour, being asked to leave an event, mediation, suspension or exclusion or, in severe cases, expulsion from the University.

Examples of actions with potential consequences

- acts of violence, threats, destruction of property
- intimidation, bullying, harassment or unlawful discrimination
- incitement of violence or hatred
- engaging in indecent assault or sexual misconduct
- threatening or physically obstructing people who wish to cross a picket line on campus
- stopping students from accessing classrooms, or disruption of classes including online 'zoom bombing'
- preventing staff from safely accessing their workspace, materials, equipment or belongings
- stalking of others, including non-consensual physical or electronic surveillance
- doxing (collecting someone's personal information and releasing it online without their knowledge or consent, such as their name, address, phone number and financial information)
- disrupting activities or events so they can't go ahead or forcing changes to an event format
- silencing a speaker
- using megaphones to intimidate another person or group, or in ways that are dangerous to their health
- taking down others' posters or flyers
- purposely blocking AV equipment or views of attendees
- reporting on the activities of fellow students or staff to foreign embassies
- threats or undue pressure on academic or professional staff to change course content
- coercion through threatening to share information with an individual's family or friends

Police attendance at events and protests on campus

The University has in place crowd management protocols and its own security professionals who are trained to ensure a safe environment for events and protests. The University does not invite police onto campus to manage events and protests proactively. NSW Police make its own decisions and take actions it considers necessary in the interest of public safety. The University may seek assistance from NSW Police where Protective Services staff may not be able to manage a potential incident. In seeking assistance, the University will convey to the Police the University's commitment to freedom of speech and intolerance of vilification and hate speech.

Support is available for our community from our Student Wellbeing services for students and our Employee Assistance Provider for staff.

Support for event and protest organisers

Event and protest organisers are responsible for communicating this guidance and the expectations of the University to invited speakers. Event and protest organisers should also proactively consider whether there may be any safety concerns relating to their planned activity - this may be informed by the profile of speaker or the topic for discussion. The [Campus Access Policy 2024](#) supports this by setting out the University's expectations for all users of our lands, specifying activities that require prior approval and those that are unacceptable at any time, and providing for the safe and orderly conduct of demonstrations.

Organisers need to notify the University of planned demonstrations as soon as they communicate the details to others outside the organising group. This is done by using the [online notification form](#).

Other events, including setting up stalls or stands, need to be booked through the [Resource Booker](#) website. Booking applications will be triaged to Protective Services for review and risk assessment. Proactive support provided to event organisers can include reviewing the location of the event, conducting a walk through, or liaising with invited speakers. Additional preparation before an event could include sharing information for university support services to concerned groups or individuals, considering whether to use an experienced impartial moderator, or whether it is appropriate to put in place a ticketed or pre-registration process for the event.

Consider these scenarios

Student Mobilisation for Climate Action

A student-led group known as 'The Climate Movement' (TCM) want to put pressure on the university to become carbon neutral within the next three years.

To ensure effective campaign organisation, TCM hold weekly meetings and information sessions. During this planning phase, thousands of students sign a petition in support, which is subsequently presented to the Vice-Chancellor. A Q&A session is held and is well attended by both students and staff.

Based on the information, unlawful behaviour or misconduct has not occurred.

The Campus Access Policy 2024 specifies that, while approval is not required for demonstrations, organisers must notify the Central Operations Services using the [online notification form](#) as soon as possible, and no later than when it is first communicated to people other than the organisers.

Student Protest Shuts Down a Visiting Speaker's Speech

An external speaker is invited to present at a University event. A group of students take the opportunity to show their dissent by organising a protest.

During the event some protesters enter the room armed with megaphones. They aggressively and repeatedly interrupt the visiting speaker's talk by shouting over her, with the result that the speaker cannot be heard by the audience. The protesting students are asked to stop but refuse to do so. Campus security attends and the event is shut down due to safety concerns.

This is an example of deplatforming – intentionally preventing or denying others who hold opposing views from expressing them. While protests may be rowdy and spirited, they cannot unreasonably interfere with the rights and freedoms of others to speak and listen. Unsafe use of megaphones, close to the heads of others, also risks hearing damage.

The Campus Access Policy 2024 states that demonstrators may use megaphones or similar amplifiers to address large groups and to manage crowds and processions, but only outdoors. Additionally, they must not be used to target or harass any person or group, or so close to a person or group as to present a safety risk.

Depending on the specific role each student plays in this protest, they could be found to be acting contrary to the principles outlined in the University's Charter of Freedom of Speech and Academic Freedom as well as the Student Charter. These students may also potentially be found to have engaged in misconduct as defined by the University of Sydney (Student Discipline Rule) 2016.

Zoom picketing – Students protest staff cuts by disrupting online tutorials

In anticipation of strikes and protest against staff cuts, the university moves all classes online.

Student protesters demanding improved working conditions for staff members initiate a protest strategy known as 'Zoom picketing', through which links and passwords for online tutorials on Zoom are shared with the intent of causing disruption. Despite the best attempt of the instructors to secure the Zoom classes, the protesting students manage to join the tutorials and create overwhelming noise and chaos.

Seeking to impose bans or limitations on other staff and students or to disrupt online classes is not protected strike action. Participating students may be subject to a range of disciplinary actions.

Use of Flag in Protest has Unintended Consequences

A non-Indigenous student acquires an Aboriginal flag and uses it 'in solidarity' on a picket line. Consequently, threats are made against the university's Gadigal Centre.

While this incident may not be considered misconduct, the student's actions have caused unintended consequences including distress to Aboriginal students. Students should be cautious about use of symbols and flags in protest, as there is potential for misinterpretation or incorrect assumptions to be made.

Advocacy for Traditional Teaching Methods

A speaker has been invited to campus to speak to his belief that traditional teaching methods should be replaced solely with AI based education. A group of students studying education strongly oppose this position and want to make a statement at the event.

Prior to the event, students distribute flyers outlining their concerns with AI based education using evidence, data, and personal experiences to support their arguments. During the event the students engage forcefully but respectfully in the Q&A session to voice their concerns. Following the event, the students write an article for the student newspaper on the benefits of traditional teaching methods.

Based on the information, unlawful behaviour or misconduct has not occurred. The event organisers could consider inviting an experienced impartial moderator and allocating time on the agenda for debate.

Navigating Disagreement and Hostility in a Classroom Discussion

Clara and Ben are in a class that discusses international relations and politics. The lecturer wants to encourage the students to think critically, so they ask the students to offer alternative viewpoints on the conduct of foreign governments.

Ben raises his hand and shares his opinions on the conduct of his home country's government. He praises his government's practices and outlines what he considers to be the positive policies it has implemented.

Clara is upset by Ben's comments. She thinks Ben is wrong to praise his home country's government because she believes it has implemented many harmful policies.

Clara immediately lashes out at Ben. Interrupting, she shouts that Ben doesn't know what he's talking about. She ridicules his comments in front of the other students and insults people from his country, saying that if he thinks his country is so great, he can return there. When Ben tries to explain his views, Clara shouts over him and films him with her phone. She then ignores Ben for the rest of class.

Later, Clara uploads the video footage of Ben to social media and tags him as an 'idiot' and 'ignorant', along with other insulting terms based on Ben's nationality and race.

Clara could have responded more thoughtfully and effectively by allowing Ben to express his opinion and then raising her own hand to offer her alternative viewpoint. Clara should not have filmed Ben and uploaded the footage to social media. Clara could have also approached Ben one-on-one to discuss her viewpoint so that he understood her perspective.

Clara's behaviour appears to have breached both the Student Charter and the Bullying, Harassment and Discrimination Prevention Policy 2015 which sets out the expectation that students should treat others with respect regardless of race, sex, gender, sexuality, religion or political belief religion as well as avoid engaging in bullying, harassment or discriminatory behaviour, including on social media. Clara should also be aware that if she chooses to insult Ben based on his nationality and race, he could make a complaint under the *Racial Discrimination Act 1975*.

Clash of Views: Campus Protest and Escalating Confrontations

There is a current issue being discussed in the media and in government which people have strong opinions about. Certain political groups have strong polarised views about the topic.

In response to this issue, a group of students have organised a protest on campus. They are standing with signs and engaging in call-and-response chants. They have printed flyers and posters and displayed them on tables and noticeboards.

A group of students walk by who disagree with the protesting group's views. They start to abuse the protestors. They tear down their signs, throw their flyers on the ground and aggressively pursue them, forcing the protestors to leave campus.

The group of students walking past have damaged the protesters property, acted in a threatening manner and restricted the students' right to freedom of speech. Their actions may have breached the Student Charter, the Bullying, Harassment and Discrimination Prevention Policy 2015 as well as the Charter of Freedom of Speech and Academic Freedom. The protesting students who are feeling threatened could contact Protective Services.

The students who disagreed with the views of the protesters could have engaged them in a respectful discussion and asked questions to understand their viewpoints. The students could have organised their own protest to voice their support for their views or invited the protestors to a debate where both groups could express their views on the issue. Alternatively, the students could have walked past the protestors and not engaged with them at all.

Protest through disruption of lecture

Natasha is a political science student who is passionate about social justice and advocating for human rights. As the global political climate and war in different parts of the world intensifies, Natasha wants to make a stand against violence and war.

After organising a group of like-minded students, Natasha and other students storm into a nearby lecture with megaphones, chanting and waving banners with anti-war messages, hoping to spread further awareness of the issue.

The lecturer is visibly annoyed about the disruption and asks the students to leave repeatedly, to no avail. The protesters walk up and down the aisles making close eye contact with each student while chanting and showing pictures of war victims. Some of the international students in the class become upset, having come from war affected countries themselves. After 15 minutes of loud chanting and no sign of the class being able to continue, the majority of students leave the class. Some students later write a letter of complaint to the course coordinator, explaining that they had travelled over an hour to come to their class and had felt forced to leave.

While no act of physical violence or destruction of property has occurred, the protesting students have acted in an intimidating way, have unreasonably interrupted the lecturer who has spent time preparing for the class, and prevented students in the class from learning – all of whom are paying for their course and some of whom have travelled a distance to be there.

The protesters have breached the Campus Access Policy, by using megaphones indoors and by not notifying the university of their demonstration.

Refusing to leave a class, a building, or a specified part of University lands, as required by a University staff member or affiliate can be considered misconduct, as defined by the University of Sydney (Student Discipline Rule) 2016. The protestors may have also breached the Student Charter 2020 and Bullying, Harassment and Discrimination Prevention Policy 2015.

Discrimination based on ethnoreligious symbols

Internationally, a war breaks out between parties with complex historical issues, religious differences and long-standing disputes over land. The climate at university is tense, with protests taking place organised by student activists on both sides. In class, the tutor asks for groups to be formed for an upcoming assignment.

After a few minutes, Maryam, a student wearing a hijab, realises she is left alone without a group. She asks a nearby group if she can join them. One of the group members Amanda sneers at her and asks “Why do you wear that thing on your head?”. Maryam explains that it is called a hijab and she wears it to practice modesty as part of her religious faith. Amanda laughs and turns her back to Maryam, commenting that she does not want anyone of ‘her type’ or who supports ‘that side’ in her group.

Amanda has displayed prejudiced behaviour toward another student based on their ethnoreligious background and assumed political views. While Amanda is free to have and express her own views regarding the war, excluding a student from a group assignment may be considered misconduct, as defined by the University of Sydney (Student Discipline Rule) 2016. Amanda may have also breached the Student Charter 2020 and Bullying, Harassment and Discrimination Prevention Policy 2015.

Impacted by unacceptable behaviour?

The safety and wellbeing of our University community is our number one priority, and any forms of bullying or harassment on campus are not tolerated. For assistance:

University Protective Services – Call 02 9351 3333 to reach our protective services team, available 24 hours a day to assist in an emergency or if you are feeling unsafe on campus.

Emergency services – If your life is being threatened, if someone is seriously ill or injured, or if you have just witnessed a serious incident dial triple zero (000) for emergency services (fire/ambulance/police).

Student Wellbeing service - Offers a range of confidential and free health, wellbeing and personal supports. This includes support for any student experiencing distress as a result of situations as bullying, threats to safety, impinging freedom of speech or foreign government harassment. If you are experiencing wellbeing concerns and would like to connect with somebody, the first step is to complete our registration [form](#). Once your form is received, a clinician from Student Wellbeing will call you to discuss your support needs.

Student Affairs Unit – To report an issue of concern or make a complaint about aspects of your student life through our complaints process:

- phone: 1800 SYD HLP (1800 793 457) our confidential helpline service available from 9am to 5pm, Monday to Friday;
- email: studentaffairs@sydney.edu.au or
- complete the online form at www.sydney.edu.au/students/complaints.html and a staff member will contact you.

The complaints process may involve an assisted resolution. This could be an agreed set of actions, a facilitated discussion or an undertaking. In very serious cases, your complaint may be referred for handling under the University's Student Discipline Rule.

Further Learning

[Engaging with Civility](#) module

Links

[Student Charter](#)

[Charter of Freedom of Speech and Academic Freedom](#)

[Bullying, Harassment and Discrimination Prevention Policy 2015](#)

[Student Complaints Procedure 2015](#)

[Student Discipline Rule 2016](#)

[Campus Access Policy 2024](#)

[Higher Education Support Amendment \(Freedom of Speech\) Bill 2020](#)

[Attorney-General's Department – Right to Freedom of Opinion and Expression](#)

[Racial Discrimination Act 1975](#)

Development process

This document was developed over a four-month period in collaboration with student representatives (including a range of UG, PG, HDR, international, domestic and Indigenous students from SUPRA, USU, Engineering, Law School, Business School, Science, FASS and ADP); Deputy Vice-Chancellor (Education); Pro Vice-Chancellor (Academic) and Director, National Centre for Cultural Competence; Pro Vice-Chancellor (Researcher Training); Pro Vice-Chancellor (Educational Innovation); Pro Vice-Chancellor (Student Life); Director of Higher Education Policy and Projects; Senior Advisor, Office of the Vice-Chancellor and Principal; Head of Protective Services and Emergency Management; General Counsel; Director, Policy and Compliance Law; Registrar and Academic Director (Education); Head of Internal Communications; Head of School and Dean of Law; Chief Human Resources Officer; Manager, Student Affairs Unit; Executive Officer, Higher Education Policy and Executive Officer, Deputy Vice-Chancellor (Education).

This document is intended as guidance only. For further information, University policies and procedures should be consulted.

sydney.edu.au

CRICOS 00026A

