

Senate Standing Committees on Legal and Constitutional Affairs

Commission of Inquiry into Antisemitism at Australian Universities Bill 2024

QUESTION ON NOTICE

Date of hearing: 20 September 2024

Outcome: Tertiary Education Quality and Standards Agency (TEQSA)

Department of Education Question No. IQ24-000040

Senator Nita Green on 20 September 2024, Proof Hansard page 74

TEQSA | Adoption of Model Code Implementation - French Review and Walker Review

Question

CHAIR: by the previous government through legislation, I think. Robert French undertook a review to develop the model code, and there was a subsequent review, as I understand it, by Professor Sally Walker. What did that review say in relation to the terms 'free intellectual inquiry' and 'freedom of speech' as interchangeable terms? I'm not sure who would be best placed to answer that question, but it's something that's come up a bit today.

Ms MORTON: I don't know if my colleagues from TEQSA have any reflections on that.

Ms Nieuwenhuis: I think we would need to take the detail on notice.

CHAIR: Sure.

Answer

The Tertiary Education Quality and Standards Agency has provided the following response;

The Report of the Independent Review of Freedom of Speech in Australian Higher Education Providers prepared by the Hon Mr Robert French AC concluded that:

“the relevant Higher Education Framework (Threshold Standards) 2015 (HE Standards) could be clarified by changing their subject matter from 'free intellectual inquiry' to 'freedom of speech' and 'academic freedom' and inserting a workable definition of the essential elements of academic freedom”.

This amendment was made by the *Tertiary Education Quality and Standards Agency Higher Education Standards Framework Amendment (Threshold Standards—Freedom of Speech and Academic Freedom) 2021*.

Copies of the report by Mr French, and of the report of the subsequent review by Professor Sally Walker AM, are available at <https://www.education.gov.au/higher-education-reviews-and-consultations/independent-review-adoption-model-code-freedom-speech-and-academic-freedom>.