

23 August 2024

**Senate Legal and Constitutional Affairs Legislation Committee**

Inquiry into a Commission of Inquiry into Antisemitism at Australian Universities Bill 2024

Dear Committee

**Submission to the inquiry into the Commission of Inquiry into Antisemitism at Australian Universities Bill 2024**

Thank you for the opportunity to contribute to the inquiry into the Commission of Inquiry into Antisemitism at Australian Universities Bill 2024. This Bill deals with a very important and sensitive subject, and I fully support the Committee in this process. I will say at the outset that Universities Australia does not have in-house legal expertise, so we are not able to provide specific comments on the legislation.

I want to acknowledge the concern at the centre of the Bill regarding the rise of antisemitism on campuses following the attacks of 7 October 2023. I also want to emphasise that universities are deeply committed to fostering safe, respectful and inclusive environments for all students, staff and campus users, both on physical and digital campuses.

Our communities, like many others, have been deeply affected by the conflict in the Middle East and we share community concerns about the rise of antisemitic behaviour in Australia. Sadly, university campuses have not been immune to this.

Since the attacks, Universities Australia has been working closely with our members, parliamentarians and student groups to address incidents of antisemitism, as well as instances of Islamophobia. Our members are also cooperating with the Government, including keeping the Minister for Education and the Tertiary Education Quality and Standards Agency (TEQSA) updated on the steps taken to protect staff and students in the days following the 7 October 2023 attacks.

There is no place for racism of any form in our universities, or anywhere else. As a sector, we strongly oppose racism, threats to safety, hate speech, intimidation, bullying or harassment. Unfortunately, instances of these behaviours do play out on campuses, just as they do in the wider community.

University campuses are places where ideas are openly discussed and debated, no matter how popular or unpopular they may be. A commitment to academic freedom and freedom of speech are criteria for being recognised as a university under the Higher Education Threshold Standards. While these freedoms do not extend to hate speech or other unlawful forms of speech, they do provide substantial protection for the robust expression of differing views.

All universities have codes of conduct or student charters to guide students and staff on their responsibilities to engage in a lawful and safe manner. Universities have also implemented measures that support diversity, wellbeing, inclusion, equity and access, which are key to promoting good and respectful behaviour.

Balancing the fostering of welcoming and safe environments while supporting the right to freedom of speech and expression is crucial, and our members are committed to maintaining this balance while upholding their responsibilities under the *Higher Education Support Act 2003*. We ask that the Committee recognise these responsibilities in its final report to the Government.

Universities Australia supports recent actions taken by the Government to help make universities safer for staff and students, including a study on the prevalence and impact of racism in universities, the appointment of Ms Jillian Segal AO as Special Envoy to Combat Antisemitism in Australia and the upcoming appointment of a Special Envoy for Islamophobia. We also support the continued monitoring by TEQSA of the responses of universities to complaints of antisemitism. Given this wide range of measures, a Commission of Inquiry may disrupt the work currently being undertaken.

These existing initiatives are important steps to combating racism at universities and we look forward to fully engaging with these efforts to make our communities safer.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Luke Sheehy', written in a cursive style.

**Luke Sheehy**  
Chief Executive Officer, Universities Australia