

## 1. Purpose

- 1.1. The purpose of this Academic Freedom and Intellectual Inquiry Policy and Procedure is to uphold and protect the rights of all members of the Central Australian Institute of Technology Higher Education (CAIT Hi-Ed) academic community—faculty, researchers, students, and staff—to engage in lawful, open, critical, and evidence-based inquiry. This includes the right to explore complex or controversial issues, express divergent views, and contribute to public discourse, within the bounds of legal and ethical standards. While the policy affirms the importance of freedom from undue censorship or retaliation, it also recognises the institution’s responsibility to ensure that academic activities align with its values, regulatory obligations, and commitment to respectful and constructive discourse.
- 1.2. CAIT Hi-Ed affirms its commitment to academic integrity, the pursuit of knowledge, and the development of a learning environment that values diversity of thought, scholarly responsibility, and intellectual risk-taking. Academic freedom is essential not only to innovation and teaching excellence but also to the institution’s broader role in advancing knowledge and contributing to the public good.
- 1.3. This policy operates within the framework of applicable legal and ethical standards, including but not limited to anti-discrimination, vilification, and defamation laws. While specific legislation inform the legal context of this policy, a broad reference to legal and ethical obligations ensures its general applicability.

## 2. Scope

- 2.1. The Academic Freedom and Intellectual Inquiry Policy and Procedure applies to:
  - Faculty members involved in teaching, research, and scholarly activities.
  - Students participating in any academic, research, or scholarly inquiry.
  - Individuals engaged in scientific or academic research at CAIT Hi-Ed.
  - Administrators and leadership responsible for academic governance.
  - Guest lecturers, collaborators, and affiliated scholars contributing to academic life at CAIT Hi-Ed.

## 3. Policy

- 3.1. CAIT Hi-Ed upholds academic freedom as a core institutional value. The institution recognises it as fundamental to the advancement of knowledge, effective learning, and informed public discourse. CAIT Hi-Ed guarantees that its academic community can freely explore ideas, provided activities remain lawful and align with the institution’s policies.
- 3.2. Academic freedom includes the right to:
  - Express academic opinions and ideas, without fear of censorship.
  - Conduct research and inquiry, choose research topics, and publish or present findings.
  - Teach and facilitate discussions based on evidence, critical thinking, and diverse perspectives.
  - Participate in academic governance and contribute to public debate as professionals in their fields.
  - Challenge and discuss ideas presented within an academic context.

## 4. Principles

- 4.1. CAIT Hi-Ed’s approach to academic freedom and intellectual inquiry will be guided by the following principles:
  - 4.1.1 Faculty, researchers, and students can express and exchange ideas without institutional retribution.
  - 4.1.2 The institution promotes a wide range of scholarly perspectives.

- 4.1.3 Academic freedom must be exercised in alignment with academic integrity and ethical standards.
- 4.1.4 CAIT Hi-Ed ensures academic decisions are free from political, commercial, or ideological interference.
- 4.1.5 Individuals exercising academic freedom must do so in accordance with the law, institutional codes of conduct, and relevant policies.
- 4.1.6 CAIT Hi-Ed recognises academic freedom as a legal and regulatory obligation under Australian higher education standards and frameworks. Institutional policies and practices will reflect this responsibility through governance, compliance, and risk management systems.

## 5. Procedure

### 5.1. Awareness and Education

- 5.1.1. CAIT Hi-Ed will ensure that all academic staff and students are made aware of their rights and responsibilities related to academic freedom. This will be achieved through tailored approaches such as incorporating relevant training or modules into the on-boarding process for new academic staff, and providing students with access to the policy during enrolment, accompanied by a required acknowledgment.
- 5.1.2. Distribute policy documents through institutional websites and handbooks.

### 5.2. Reporting, Investigation, and Resolution.

- 5.2.1. All concerns or alleged breaches relating to academic freedom will be managed in accordance with the CAIT Hi-Ed Grievance and Appeals Policy and Procedure. This policy outlines the processes for lodging complaints, conducting investigations, determining outcomes, and managing appeals.

### 5.3. Institutional Support and Safeguarding

- 5.3.1. CAIT Hi-Ed will proactively identify and mitigate any internal or external influences that could compromise academic freedom. This includes protecting staff and students from political, commercial, cultural, or administrative pressures that may restrict open academic discourse or inquiry.
- 5.3.2. The institution will implement a clear and accessible mechanism for reporting, recording, and monitoring incidents related to academic freedom. CAIT Hi-Ed will analyse trends, review institutional responses, and report findings annually to the Academic Board (or relevant governing body) to ensure accountability and continuous improvement.

## 6. Legal and Institutional Protection

- 6.1 CAIT Hi-Ed recognises academic freedom as a matter of legal, ethical, and regulatory importance. To uphold and safeguard this principle, the institution aligns its practices with key national legislation and standards that govern academic conduct, freedom of speech, and institutional accountability in higher education.
- 6.2 These include compliance with the Higher Education Standards Framework (Threshold Standards) 2021, relevant provisions of the TEQSA Act, and applicable laws such as the Defamation Act. CAIT Hi-Ed also draws on the sector-endorsed Model Code on Freedom of Speech and Academic Freedom developed by Robert French AC, which guides the balance between freedom of expression and institutional integrity. Together, these frameworks inform the institution's duty to protect staff and students lawfully exercising academic freedom, while also ensuring institutional safeguards are in place to manage reputational and legal risk.
- 6.3 CAIT Hi-Ed commits to:
  - 6.3.1 Protecting Staff and Students

- Ensuring all academic freedom exercised under this policy remains protected when conducted lawfully, in line with institutional standards and applicable legislation.
- Providing clear processes for reporting, investigating, and resolving breaches without fear of retaliation.
- Training staff and students to understand their rights and limitations related to academic freedom and freedom of expression.

#### 6.3.2 Protecting the Institution

- Embedding disclaimers and responsibility clauses (e.g., in publications, public lectures) to clarify that personal views do not represent the institution unless explicitly stated.
- Requiring that all academic output complies with legal and ethical standards to reduce exposure to:
  - ✓ Defamation claims
  - ✓ Breach of contract (e.g., with partners, regulators)
  - ✓ Reputational harm
- Monitoring academic freedom-related incidents to identify risk trends and address systemic vulnerabilities early.
- Referring to legal counsel or compliance officers when cases present potential legal risk or uncertainty.
- Incorporating academic freedom protections into institutional insurance coverage and risk management frameworks.

## 7. Roles and Responsibilities

### 7.1 Executive Leadership Team

Ensure policies are enforced and resources allocated.

### 7.2 Faculty and Researchers

Exercise academic freedom responsibly, uphold academic standards.

### 7.3 Students

Engage in respectful academic discourse and inquiry.

## 8. Authority and Compliance

<b>File Number</b>	HEP011
<b>Status</b>	Current
<b>Approval Authority</b>	Academic Board.
<b>Legislative Compliance</b>	<ul style="list-style-type: none"> <li>• Higher Education Standards Framework (Threshold Standards) 2021;</li> <li>• Higher Education Support Act 2003 (Cth);</li> <li>• Model Code on Freedom of Speech and Academic Freedom (Robert French AC, 2019);</li> <li>• Defamation Act 2005 (Cth);</li> <li>• Tertiary Education Quality and Standards Agency Act 2011 (TEQSA Act);</li> <li>• Fair Work Act 2009 (Cth);</li> </ul>

	<ul style="list-style-type: none"> <li>• Privacy Act 1988 (Cth);</li> <li>• Australian Qualifications Framework (AQF);</li> </ul>
<b>Supporting Documents</b>	<ul style="list-style-type: none"> <li>• CAIT Hi-Ed Academic Freedom Complaint and Investigation Procedure</li> <li>• CAIT Hi-Ed Complaint and Investigation Form</li> <li>• CAIT Hi-Ed Academic Freedom Incident Reporting Template</li> <li>• CAIT Hi-Ed Academic Freedom Investigation Outcome Template</li> <li>• CAIT Hi-Ed Annual Academic Freedom Monitoring Report Template</li> <li>• CAIT Hi-Ed Academic Freedom Breach Register</li> </ul>
<b>Related Documents</b>	<ul style="list-style-type: none"> <li>• CAIT Hi-Ed Student Grievance and Appeals Policy and Procedures</li> </ul>
<b>Higher Education Standards Framework (Threshold Standards) 2021</b>	<ul style="list-style-type: none"> <li>• Standard 6.1, ss 4–5(d)</li> <li>• Standard 6.2, ss 1–2</li> <li>• Standard 2.3, ss 1, 3</li> <li>• Standard 3.1, ss 2</li> <li>• Standard 4.2, ss 1</li> <li>• Standard 5.2, ss 1</li> </ul>
<b>Education Services for Overseas Students (ESOS Act) and National Code of Practice for Providers of Education and Training to Overseas Students 2018</b>	<ul style="list-style-type: none"> <li>• Standard 6, ss 1–7</li> <li>• Standard 8, ss 1–7</li> </ul>
<b>Responsible Officer</b>	Academic Dean.
<b>Responsible Executive</b>	CEO.
<b>Enquiries Contact</b>	Academic Dean.
<b>Effective Date</b>	
<b>Expiry Date</b>	Not applicable
<b>Next Review</b>	3 Years from the effective date

## 9. Review Schedule

This policy will be reviewed by the Academic Board every three years.

Version History			
Version No	Approved by	Approval Date	Revision Notes
1.0	Academic Board	16/5/2025	

## Appendix 1: Academic Freedom and Intellectual Inquiry Procedure Flow Chart

