

# People's Inquiry into University Restrictions on Free Speech on Palestine

University of Melbourne NTEU Branch Submission, March 2025

## Overview

Free speech on Palestine at the University of Melbourne has been severely curtailed through a range of measures taken by the University since October 2023. These changes followed the University of Melbourne's adoption of the IHRA working definition on antisemitism in January 2023 and the 'student encampments' that took place on campus in Autumn 2024.

This submission is made by the National Tertiary Education Union University of Melbourne Branch, compiled by Branch Committee representatives, from experiences submitted to a staff censorship log, University policy changes, and discussions with various members of the university community.

## Chief concerns

As our submission below demonstrates that the University of Melbourne has actively curtailed free speech and action on Palestine over a number of years. We summarise here our chief concerns:

- The University is actively restricting staff and students' democratic right to protest and this must be stopped.
- The University has extended its capacity to surveil staff and students through their connection to the University's Wi-Fi network and the stipulations that allow this must immediately be removed.
- The University has censored and punished staff for expressing views in support of Palestine and in opposition to the genocide being committed by the state of Israel and this must stop. Further, it must be ensured that those staff who have been disciplined for expressing such views receive no further repercussions.
- Staff and students' rights to express views in support of Palestine and in opposition to the genocide being committed by the state of Israel have been denied and must be protected.
- The University has adopted and is considering adopting definitions of anti-semitism that equates criticism of the state of Israel with anti-semitism and this is damaging to critical debate and free speech on Palestine. These definitions must be repealed.

## University actions during protest activity in 2024

In 2024 students at the University of Melbourne created an encampment on the South Lawn at the Parkville campus. From here they staged teach-ins, rallies, reading groups, seminars and banner making workshops. These efforts were intended to educate the university and wider community about the situation in Gaza and Palestine, the history of the Palestinian resistance to the Israeli occupation, the parallels with other histories of resistance - especially First Nations resistance in Australia - and the corporate and institutional connections the University of Melbourne has to the violent actions of the Israeli state. It is important to stress that the encampment was composed of students from a diversity of ethnic and religious backgrounds. University staff

also took part in the encampment to offer protection and oversight as the encamped students were frequently verbally abused and at times physically attacked by people who entered the university grounds at night. Some weeks into the encampment, students moved the camp to a sit-in inside the Arts West building, which they renamed Mahmoud's Hall in memory of a Palestinian student who was due to arrive at Melbourne University to start his studies in second semester, but was killed by Israel.

The University made a number of attempts to shut down the encampment and the sit-in. They directed students to leave the Arts West building within hours of their arrival there. When the students refused to leave, the University management directed security to shut down access to the building to other staff and students and threatened to call the police to forcibly remove them. The students did not block entrances to the building and ensured that staff and students were free to move around the sit-in. An inspection undertaken by staff health and safety representatives determined that the students' sit-in was not breaking any safety regulations (but it did uncover other regulation violations in the building arising not from the students but from inadequate upkeep and the University's direction to remove safety wardens from the building). The NTEU branch at the University stood in support of students and called a meeting with University management to discourage them from involving the police. There were a number of staff and student rallies held on campus in support of the encampment throughout May.

On 16th of May 2024, the Vice Chancellor issued a new Vice Chancellor's regulation<sup>1</sup> that specified that: University grounds may not be used for:

- Protest that is not peaceful; or
- Protest by members of the public who are not students or staff members [of the University].

This regulation sought to shut down the strong public support for the students' actions as demonstrated in a petition<sup>2</sup> that opposed the University's intention to discipline the students and staff whom it could identify as being part of the encampment and sit-in activity.

In June and July, some 20 students and 3 staff members were called before University misconduct panels for their participation in these actions. These people learned the University had identified them through CCTV footage and Wi-Fi login data and subsequently many of them were cautioned. The Victorian Information Commission later launched an investigation into the University's surveillance of staff and students due to concerns of a breach of privacy and of University policy. At the time of writing the investigation is ongoing.

## Policy changes in 2025

The University has introduced two policy/regulation changes in 2025 in response to activities that supported Palestine in 2024.

**The first change is the new Wireless Terms of Use<sup>3</sup>** which expands the University's powers to monitor staff and students through their internet usage. This includes the options of monitoring for the following purposes:

- to obtain analytical data relating to the use of the network and the physical University campus, for future planning and space/infrastructure management;

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<sup>1</sup> <https://about.unimelb.edu.au/strategy/governance/regulatory-framework/legislative-framework/vice-chancellor-rules>

<sup>2</sup> [https://www.change.org/p/urgent-university-of-melbourne-stop-the-threatened-sanctions-of-pro-palestinian-students?source\\_location=search](https://www.change.org/p/urgent-university-of-melbourne-stop-the-threatened-sanctions-of-pro-palestinian-students?source_location=search)

<sup>3</sup> <https://www.unimelb.edu.au/wireless/it-and-wireless-terms-of-use>

- to assist in the detection and investigation of any actual or suspected unlawful or antisocial behaviour or any breach of any University policy by a network user, including where no unauthorised use or misuse of the network is suspected; and
- to assist in the detection, identification, and investigation of network users, including by using network data to infer the location of an individual via their connected device.

As noted above, this change followed the University's utilisation of student and staff Wi-Fi data and CCTV footage to identify staff and students involved in the sit-in at the Arts West building. **We believe the new Wireless Terms of Use are a direct result of these events and allow the University greater capacity to detect staff and students speaking and acting in support of Palestine and subsequently disciplining them for such activity.**

**The second change is a Vice Chancellor's regulation introduced in March 2025<sup>4</sup> that restricts protest activity on campus.** This regulation states that protests cannot occur inside or 'obstruct any entry to, or exit from, any building used for University activities'. The regulation also stipulates that:

Protests or other protest activity must not:

- a. unreasonably undermine the capacity of individuals to participate fully in the University;
- b. prejudice the fulfilment by the University of its duty to foster the safety and wellbeing of staff, students and visitors; or
- c. unreasonably disrupt activities or operations of the University or result in damage to University property.

The regulation also stipulates that staff and students will face disciplinary consequences for breach of this regulation, including the consequences for misconduct.

**This anti-protest regulation is a direct response to the encampment and sit-in in Arts West/Mahmoud's Hall in May 2024.** We stress, again, that the encampment and the sit-in were peaceful protests and did not restrict movement of the university community or cause any damage to property - such actions would have been counterproductive to the students' intention to raise awareness and engage with the wider University community. These new protest regulations, therefore, unreasonably restrict the capacity of students and staff to critically engage with concerns they have over the University's ties to weapons companies and Israeli governmental and academic institutions that support the current state-directed violence inflicted upon Palestinian people.

## Instances of censorship and repression of staff

In 2024, the NTEU University of Melbourne Branch launched an anonymous censorship log to allow staff to record any University censorship of their anti-genocide or pro-Palestinian views as well as any University retaliation to the expression of those views.<sup>5</sup> Staff who made an entry to the log were asked if they thought their views were overtly or subtly suppressed and if they felt intimidated by a manager directly and/or by the disciplinary process in general. The collected responses reflected a spectrum of answers to these questions; revealing examples of censorship or intimidation that ranged in severity. For example, staff reported being told

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<sup>4</sup> <https://about.unimelb.edu.au/strategy/governance/regulatory-framework/legislative-framework/vice-chancellor-rules>

<sup>5</sup> Some information has been redacted from quotes to protect the privacy of respondents.

by their supervisors ‘not to post anything ‘Political’ on our Teams Site’ or that teaching a tutorial at the student encampment ‘would endanger my contract.’ The targeted removal of posters from office doors or shared spaces is another common experience and so it was unsurprising that it appeared in the log. Though a small act in itself, as one respondent said of the direction to remove a poster from their door:

This is an act of censorship and curtailment of intellectual freedom and freedom of expression ...and, when staff are directed by management to remove expressions of solidarity with Palestinians, leaves them [staff] with little choice but to comply.

More serious examples of censorship involved disciplinary action from University management. Respondents often characterised the process as vague or arbitrary. One staff member reported being told they had breached a communication policy that staff must not circulate ‘communications which misrepresent a personal view as the view of the University’. This staff member explained:

I sent an email to staff and students in [my] school inviting them to join a lunchtime [event] for Gaza. I was called into a meeting with [senior staff] and told that I had breached the above policy and that I cannot send emails like this from my university email because it could be read as the position of the University. Sending invitations to events outside of the curriculum, like [redacted] is common practice and I considered this event to be similar. They were very shifty in the meeting about whether it was because the event [was] related to Palestine or not but [they] noted that it was precipitated by a complaint to the [executive university management].

Another respondent described being presumed guilty and without the opportunity to defend against an allegation of antisemitism:

Earlier this year my manager conveyed to me that a student complaint had been lodged by [redacted] after a tutorial I had run on the week’s topic of [redacted]. I had dedicated half the class to giving an overview, with quotations of a recently published essay very carefully arguing why Palestinians in Gaza were unable to mourn the catastrophe of the genocide taking place there - because it was not over. It must be noted that the author I discussed is herself Jewish. When my manager contacted me about this [they] implied, but was deliberately oblique, that the charge was anti-Semitism... There was no questioning as to my side of the experience, nor the opportunity to provide an official rebuttal of the ‘allegation’. It felt very one-sided. I have no idea how this complaint has been recorded by the University, but it is the first time in 15 years of teaching that I have been summoned in this way to receive this very obliquely conveyed ‘charge’. It’s the inequality of a student complaint being taken seriously - but no equivalent serious interest in my professional perspective.

Various staff have described instances where they have been cautioned or directed to curtail their speech about Palestine due to the University receiving such complaints. Though not always made explicit, these complaints equate criticism of Israel with antisemitism. Since the **University has adopted the IHRA’s working definition of antisemitism, which itself equates criticism of the state of Israel to antisemitism, the University is compelled to respond to these complaints however trivial or tangential. This unfortunate scenario looks likely to continue after the February 2025 ‘Universities Australia Statement on Racism’.**<sup>6</sup> The likelihood

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<sup>6</sup> <https://universitiesaustralia.edu.au/media-item/statement-on-racism/>

of these definitions instilling fear among staff and infringing upon academic freedoms have been central to the NTEU's opposition to them.<sup>7</sup> As One respondent explained:

I've had to meet twice about class material after a student complained that I was showing bias on Palestine. The first time I was fine with having [senior staff] check in and find out what the situation was and get info about the subject I was teaching but the second meeting to get more information for me was alarming. It felt like surveillance and second-guessing my capacity as an educator. Even if the purpose was to use that information to support my case the implications of these meetings are that staff are vulnerable, the university is prioritising students who support Israel over the integrity of their staff and encouraging a culture where every complaint should be catered to.

Because the University can be ambiguous and evasive about the nature of the supposed grievance it is responding to, the chilling effect of the disciplinary processes it uses to address them is enhanced: disciplining staff not only serves as a warning to others, the ill-defined reasons for the discipline fosters a culture of fear, suspicion and self-censorship. We are deeply troubled by the prospect that this is the desired outcome of the University's actions. As one respondent wrote: 'I felt that the situation of meeting with the [senior staff] was intimidating and intended to be so.' Another explained:

I work in the [redacted] department marking [redacted]. A student wrote a submission in which they expressed unease for working for defence companies. Meanwhile, the Palestine protests at Mahmoud's Hall were going on. I wrote an email to my supervisor, [redacted], in which I expressed my support for the protestors and said, essentially: what am I supposed to say to students like this? How can I blame them? [His] response was: "Your job is to say nothing... You are not employed to do so." Context does not make this better; for one thing, it's completely arguable within my role description that my job is to say something. Also, the broader context of the uni's attempt to silence dissent on Palestine makes this sound like a threat to my job.

**The log reveals instances of censorship and suppression of such views are occurring erratically in various workplaces across the University.** The unpredictable nature of the University's retaliation to expressions of pro-Palestinian or anti-genocide views is having a chilling effect on the reporting of instances of censorship and repression, as well as compelling staff to self-censor for fear of running afoul of University protocols that equate criticism of the state of Israel with definitions of antisemitism. **We are also deeply disturbed by experiences shared with us 'off the record' as they further reflect fears of University reprisal and suggest that instances of staff censorship and repression are far more common than is reported.**

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<sup>7</sup>[https://www.nteu.au/News\\_Articles/National/NTEU\\_statement\\_on\\_Universities\\_Australia\\_definition\\_of%20antisemitism.aspx](https://www.nteu.au/News_Articles/National/NTEU_statement_on_Universities_Australia_definition_of%20antisemitism.aspx)