

Code for Upholding Freedom of Speech and Academic Freedom (DLI)

Section 1 - Preamble

- (1) This Code is effective from 17th September 2025.
- (2) This Code has been established for Deakin University Lancaster University Indonesia (DLI) in alignment with the values and requirements of Deakin University, Lancaster University and Indonesian national laws.
- (3) This Code significantly draws on the Model Code for the Protection of Freedom of Speech and Academic Freedom in Australian Higher Education Providers, as adopted by the University Chancellors Council.
- (4) During the establishment of DLI, all policy, procedures, codes and supporting processes will be regularly reviewed. In the establishment phase, defined as the first two years from when students commence DLI programs, any issues arising from the implementation of current policy, procedure or process will be referred to a jointly-convened Policy and Procedure Review Panel (PPRP). The PPRP will comprise designated academic and professional service representatives from the University Partners and the Office of the Rector. The PPRP will recommend an outcome best aligned with relevant principles and the best interests of any student(s) concerned, and will advise DLI on the future development of policy, procedure and supporting processes. During the establishment phase, the PPRP may make recommendations to vary any given policy only with endorsement from relevant University Partner governance processes. All policy and procedure will be subject to a full review at the end of the two-year establishment phase.

Section 2 - Introduction

- (5) DLI declares its commitment to freedom of speech and academic freedom as fundamental to the conduct of a democratic society and to the quest for intellectual, moral and material advance in the human condition.
- (6) DLI's commitment to upholding academic freedom and freedom of speech is underpinned by the founding documents of Deakin University ([Deakin University Act 2009 Vic](#)) and Lancaster University ([Charter, Statutes and Ordinances of the University of Lancaster 2018](#))
- (7) DLI recognises freedom of speech and academic freedom as of paramount value and affirms its commitment to intellectual rigour, social responsibility and institutional accountability. DLI recognises its obligation to strengthen, enhance and advance the conditions for free enquiry, informed intellectual discourse and reasoned debate through the operations, management and governance of DLI.
- (8) These institutional responsibilities are shared by a community of staff and students committed to the value of research, education and scholarship for the practical betterment of humanity.
- (9) The Yayasan Governing Board of DLI endorses this Code for Upholding Freedom of Speech and Academic Freedom and declares its commitment to the Code.

Section 3 - Objects

(10) The objects of this Code are:

- a) To ensure that the freedom of lawful speech of staff and students of DLI and visitors to DLI is treated as a paramount value and therefore is not restricted nor its exercise unnecessarily burdened by restrictions or burdens other than those imposed by law and set out in the Principles of this Code.
- b) To ensure that academic freedom is treated as a defining value by DLI and therefore not restricted nor its exercise unnecessarily burdened by restrictions or burdens other than those imposed by law and set out in the Principles of this Code.
- c) To affirm the importance of DLI's institutional autonomy under law in the regulation of its affairs, including in the protection of freedom of speech and academic freedom.

Section 4 - Application

(11) This Code applies to:

- a) the governing body of DLI and DLI's decision-making bodies, officers and employees (including those involved in academic governance), students and associates;
- b) DLI student representative bodies to the extent that they have policies and rules which are capable of being applied to restrict or burden the freedom of speech of anyone, or academic freedom. Where a student representative body is a separate legal entity, DLI will embed these principles into any formal agreements underpinning the relationship between the entity and DLI.

Section 5 - Operation

- (12) DLI shall have regard to the Principles of this Code in the drafting, review or amendment of any DLI policy.
- (13) DLI policies shall be interpreted and applied, so far as is reasonably practicable, in accordance with the Principles of this Code.
- (14) Any power or discretion under a DLI policy shall be exercised in accordance with the Principles in this Code.
- (15) This Code prevails, to the extent of any inconsistency, over any DLI policy.
- (16) Any power or discretion conferred on DLI under any contract or workplace agreement shall be exercised, so far as it is consistent with the terms of that contract or workplace agreement, in accordance with the Principles of this Code.

Section 6 - Principles

Freedom of Speech

- (17) Every member of the staff and every student of DLI enjoys freedom of speech exercised on DLI land or in connection with DLI, subject only to restraints or burdens imposed by:
 - a) law;
 - b) the reasonable and proportionate regulation of conduct necessary to the discharge of DLI's teaching, learning and research activities;

- c) the right and freedom of others to express themselves and to hear and receive information and opinions;
 - d) the reasonable and proportionate regulation of conduct to enable DLI to fulfil its duty to foster the wellbeing of students and staff; and
 - e) the reasonable and proportionate regulation of conduct necessary to enable DLI to give effect to its legal duties, including its duties to visitors to DLI.
- (18) Subject to reasonable and proportionate regulation of the kind referred to in the previous Principle, a person's lawful speech on DLI's land or in connection with a DLI activity shall not constitute misconduct nor attract any penalty or other adverse action by reference to its content alone; nor shall the freedom of academic staff to make lawful public comment on any issue in their personal capacities be subject to constraint imposed by reason of their employment by DLI.

Academic Freedom

- (19) Every member of the academic staff and every student enjoys academic freedom subject only to prohibitions, restrictions or conditions:
- a) imposed by law;
 - b) imposed by the reasonable and proportionate regulation necessary to the discharge of DLI's teaching, learning and research activities;
 - c) imposed by the reasonable and proportionate regulation necessary to DLI's duty to foster the wellbeing of students and staff; and
 - d) imposed by the reasonable and proportionate regulation necessary to enable DLI to give effect to its legal duties.
- (20) The exercise by a member of the academic staff or of a student of academic freedom, subject to the above limitations, shall not constitute misconduct nor attract any penalty or other adverse action.

Contractual and Other Restrictions

- (21) In entering into affiliation, collaborative or contractual arrangements with third parties and in accepting donations from third parties subject to conditions, DLI shall take all reasonable steps to minimise the restrictions or burdens imposed by such arrangements or conditions on the freedom of speech or academic freedom of any member of the academic staff or students carrying on research or study under such arrangements or subject to such conditions.

Visitors to the University

- (22) DLI has the right and responsibility to determine the terms and conditions upon which it shall permit external visiting speakers and invited visiting speakers to speak on DLI land and use DLI facilities and in so doing may:
- a) require the person or persons organising the event to comply with DLI's booking procedures and to provide information relevant to the conduct of any event, and any public safety and security issues;
 - b) distinguish between invited visiting speakers and external visiting speakers in framing any such requirements and conditions;
 - c) refuse permission to any invited visiting speaker or external visiting speaker to speak on DLI land or at DLI facilities where the content of the speech is or is likely to:
 - i. be unlawful; or

- (23) Prejudice the fulfilment by DLI of its duty to foster the wellbeing of staff and students.
- a) refuse permission to any external visiting speaker to speak on DLI land or at DLI facilities where the content of the speech is or is likely to involve the advancement of theories or propositions which purport to be based on scholarship or research but which fall below scholarly standards to such an extent as to be detrimental to DLI's character as a Foundation that delivers education; and
 - b) require a person or persons seeking permission for the use of DLI land or facilities for any external visiting speaker to contribute in whole or in part to the cost of providing security and other measures in the interests of public safety and order in connection with the event at which the external visiting speaker is to speak.
- (24) Subject to the preceding Principles DLI shall not refuse permission for the use of its land or facilities by an external visiting speaker or an invited visiting speaker nor attach conditions to its permission, solely on the basis of the content of the proposed speech by the visitor.

Program Content

- (25) DLI may take reasonable and proportionate steps to ensure that all prospective students in any of its programs have an opportunity to be well informed of the content of those programs.
- (26) Academic Staff must comply with any DLI Policy documents supportive of DLI's duty to foster the wellbeing of staff and students. They are not precluded from including content solely on the basis that it may offend or shock any student or class of students.

Section 7 - Definitions

- (27) For the purpose of this Code:
- a) **academic freedom** means the following:
 - i. the freedom of academic staff to teach, discuss, and research and to disseminate and publish the results of their research;
 - ii. the freedom of academic staff and students to engage in intellectual inquiry, to express their opinions and beliefs, and to contribute to public debate, in relation to their subjects of study and research;
 - iii. the freedom of academic staff and students to express their opinions in relation to the higher education provider in which they work or are enrolled;
 - iv. the freedom of academic staff to participate in professional or representative academic bodies;
 - v. the freedom of students to participate in student societies and associations;
 - vi. the autonomy of the higher education provider in relation to the choice of academic programs and offerings, the ways in which they are taught and the choices of research activities and the ways in which they are conducted.
 - b) **academic staff** means all those who are employed by DLI to teach and/or carry out research and extends to those who provide, whether on an honorary basis or otherwise, teaching services and/or conduct research at DLI.
 - c) **associates** includes contractors, consultants, volunteers, visiting appointees and visitors to DLI.
 - d) **duty to foster wellbeing of students and staff:**

- i. includes the duty to ensure that no member of staff and no student suffers unfair disadvantage or unfair adverse discrimination on any basis recognised at law including race, gender, sexual orientation, religion and political belief;
 - ii. includes the duty to ensure that no member of staff and no student is subject to threatening or intimidating behaviour by another person or persons on account of anything they have said or proposed to say in exercising their freedom of speech;
 - iii. supports reasonable and proportionate measures to prevent any person from using lawful speech which a reasonable person would regard, in the circumstances, as likely to humiliate or intimidate other persons and which is intended to have either or both of those effects;
 - iv. does not extend to a duty to protect any person from feeling offended or shocked or insulted by the lawful speech of another.
- e) **external visiting speaker** means any person who is not an invited visiting speaker and for whom permission is sought to speak on DLI's land or facilities.
 - f) **imposed by law** in relation to restrictions or burdens or conditions on a freedom include restrictions or burdens or conditions imposed by statute law or government regulation, the common law (including the law of defamation), duties of confidentiality, restrictions deriving from intellectual property law and restrictions imposed by contract.
 - g) **invited visiting speaker** means any person who has been invited by DLI to speak on DLI's land or facilities. For the purposes of this definition, 'DLI' includes its decision-making organs and officers; its student representative bodies, undergraduate and post-graduate; any clubs, societies and associations recognised by its decision-making organs or student representative bodies; and any entities controlled by DLI.
 - h) **policy** means any DLI policies, procedures and other instruments to satisfy regulatory and operating requirements (as defined in the DLI Policy Framework.)
 - i) **speech** extends to all forms of expressive conduct including oral speech and written, artistic, musical and performing works and activity and communication using social media; the word 'speak' has a corresponding meaning.
 - j) **staff** includes all employees of DLI whether fulltime or part-time and whether or not academic staff.
 - k) **unlawful** means in contravention of a prohibition or restriction or condition imposed by law.

ASSOCIATED DOCUMENTS

- [Deakin University Act 2009 Vic](#)
- [Charter, Statutes and Ordinances of the University of Lancaster 2018](#)

POLICY DETAIL	
Name of policy	Code for Upholding Freedom of Speech and Academic Freedom (DLI) Academic Freedom and Free Speech - Lancaster University
Overarching legislation and documents	Australia Deakin University Act 2009 Vic Age Discrimination Act 2004 Charter of Human Rights and Responsibilities Act 2006

	Charter of Human Rights and Responsibilities Act 2006 Disability Discrimination Act 1992 Equal Opportunity Act 2010 (Vic) Fair Work Act 2009 (Cth) Higher Education Support Act 2003 (Cth) Privacy Act 1988 Privacy and Data Protection Act 2014 Public Interest Disclosures Act 2012 (Vic) Racial and Religious Tolerance Act 2001 Racial Discrimination Act 1975 Sex Discrimination Act 1984 United Kingdom Charter, Statutes and Ordinances of the University of Lancaster 2018 Education Reform Act 1988 Higher Education (Freedom of Speech) Act 2023 Public sector equality duty 2011 Counter- Terrorism and Security Act 2015 <p>It is important to be aware that there are limitations around speech in support of organisations that are ‘proscribed’ (banned) under UK law and that the law also places limitations on free speech more generally. Further details about this, including a list of proscribed organisations can be found on the Home Office website. More broadly, the Equality and Human Rights Commission has published guidance detailing that, whilst the circumstances and context in which free speech occurs play a key role in determining its legality, there are existing laws that place limitations on freedom of expression in England and Wales.</p>
Approved by	Yayasan Governing Board
Approval date	17th September 2025
Date of effect	17th September 2025
Version	Version 1.0
Date of review	The standard is five years from effective date, although can be reviewed more frequently if required. New policies are to be reviewed within 12 months to confirm effectiveness.
Agreement on behalf of DLI	Yayasan Governing Board 17th September 2025
Agreement on behalf of Deakin University	VC approval (conferred in accordance with delegation from Deakin University Council) 3 rd September 2025
Agreement on behalf of Lancaster University	Nicola Owen DCE(O) (delegated to Michael Wykes) 26 th August 2025
Responsible Executive	Rector
Implementation Officer	Chief Operating Officer
Policy/procedure superseded	Not applicable
Summary	This code sets out the Deakin University Lancaster University Indonesia (DLI) approach to, and governance and management arrangements for, the protection and promotion of freedom of speech and academic freedom for the benefit of all staff and students of the DLI.
Key words for online searching	Freedom, speech, academic

Category	Governance
Target audience	Students, staff, associates

Version	Authored by	Brief Description of the changes	Date Approved	Effective From
1.0	University Partners	Code for Upholding Freedom of Speech and Academic Freedom (DLI) New code.	X July 2025	X July 2025