External and Invited Speakers on Campus Policy

Section 1 - Key Information

Policy Type and Approval Body	Governance – University Council
Accountable Executive – Policy	Vice-Chancellor
Responsible Manager – Policy	Chief of Staff
Review Date	28 June 2027

Section 2 - Purpose

(1) The purpose of this Policy is to set out the principles relating to external and invited speakers on the University's campuses.

(2) The objectives of this Policy are to:

a. Define the principles by which the University will recognise the importance of freedom of speech and academic freedom while also complying with the law and not prejudicing the fulfillment by the University of its duty to foster the wellbeing of staff and students;
b. Define the University's responsibility in situations likely to require the provision of security to permit external speakers on the campuses;
c. Identify who will have the power to make decisions.

Section 3 - Scope

(3) La Trobe University organises and manages a range of official events at which invited speakers participate. Members of the University also organise events during the ordinary course of their duties to which invited speakers participate. Events may be physical or virtual and may be held on University premises or at other locations.

(4) An external visiting speaker is defined as any person who is not an invited speaker and who seeks permission to speak on the University's land or facilities. External visiting speakers or the organisers of events at which they are speaking are generally required to enter into a facilities hire agreement.

(5) This Policy applies to all campuses and all work units of the University with responsibility for managing booking requests for the use of University facilities.

Section 4 - Key Decisions

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Key Decisions	Role
Escalation point and decision maker for issues raised under this Policy	Vice-Chancellor (or nominee)

Section 5 - Policy Statement

(6) The University has the right and responsibility to determine the terms and conditions upon which it shall permit external visitors and invited visitors to speak on University land and use University facilities. In doing so the University:

a. Will require the person or persons organising the event to comply with the University's booking procedures and to provide information relevant to the conduct of any event, and any public safety and security issues;
b. May refuse permission to any invited visitor or external visitor to speak on University land or at University facilities where the content of the speech is or is likely to:
    i. be unlawful;
    ii. prejudice the fulfilment by the University of its duty to foster the wellbeing of staff and students;
    iii. 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 the University's character as an institution of higher learning;
c. Require a person or persons seeking permission for the use of University land or facilities for any 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 visitor is to speak.

(7) Subject to the preceding principles the University shall not refuse permission for the use of its land or facilities by an external visitor or invited visitor nor attach conditions to its permission, solely on the basis of the content of the proposed speech by the visitor.

Section 6 - Procedures

(8) Guiding questions in considering whether to permit an external speaker on University land are outlined below.

Is it likely that the content of the speaker's address will be unlawful? Consider the relevant laws including:

a. Equal Opportunity Act 2010 (Vic)
b. Sex Discrimination Act 1984 (Cth)
c. Occupational Health and Safety Act 2004 (Vic)
d. Intellectual Property laws
e. Racial Discrimination Act 1975 (Cth)
f. Disability Discrimination Act 1992 (Cth)
g. Privacy and Data Protection Act 2014 (Vic)

(9) If the proposed visitor's speech is likely to contravene law, the speaker should be refused.

Could the content of the speaker's address prejudice the University's duty of care to the wellbeing of staff and students?

(10) If a speaker's work is offensive to some students and staff, but not harmful to their wellbeing, the University acknowledges an obligation to permit the speech (in accordance with the Protection of Freedom of Speech and Academic Freedom Policy). If there are reasonable grounds to believe harm to wellbeing may result, the request will

be escalated and the decision-maker will seek a formal risk assessment. If harms can be adequately minimised, the speaker should be permitted. If harms cannot be adequately minimised, the speaker should be refused.

Could the content of the speaker's address involve the advancement of theories or propositions which purport to be based on scholarship or research but which fall below the scholarly standards to such an extent as to be detrimental to the University's character as an institution of higher learning?

(11) If there are reasonable grounds to believe a proposed visitor's speech is likely to fall below sufficiently scholarly standards, the request will be escalated and the decision-maker will seek appropriate advice.

Is it anticipated that additional security or other measures in the interest of public safety will be required?

(12) How much will the provision of security and other measures cost? Are these costs unreasonable for the University itself to assume? Consider whether the person/persons seeking permission for the use of University land or facilities should be asked to contribute in whole or in part to the cost of providing security and other measures in the interests of public safety.

(13) The Vice-Chancellor or their nominee will be the point of escalation and the decision-maker in relation to this Policy. The Vice-Chancellor or their nominee will seek advice, including advice from appropriately experienced academic and professional staff and formal legal advice. The Vice-Chancellor or their nominee will communicate the decision made to the relevant work unit for implementation.

(14) Work procedures to give effect to this Policy will be administered by relevant staff responsible for University facility bookings.

Related Documents

Health and Safety Procedure - Events

Hiring agreements/Hiring terms and conditions (various)

Student Organisations Policy

The Senior Executive Group have approved the Guidelines on engagement with governments, Members of Parliament and political candidates which is available via the intranet. For any enquiries please contact the Office of the Vice-Chancellor via vc@latrobe.edu.au

Section 7 - Definitions

(15) For the purpose of this Policy:

a. External visiting speaker: any person who is not an invited visiting speaker and for whom permission is sought to speak on the University's land or facilities.
b. Invited visiting speaker: any person who has been invited by the members of the University (including staff, students, recognized student organisations) to speak on the University's land or facilities.
c. Unlawful: means in contravention of a prohibition or restriction or condition imposed by law.
d. Duty to foster the wellbeing of staff and students:
    i. includes the duty to ensure that no staff member and no student suffers unfair disadvantage or unfair adverse discrimination on any basis recognised at law including race, gender, sexuality, religion and political belief;
    ii. includes the duty to ensure that no member of staff and no student is subject to threatening or intimidating behavior 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.

Section 8 - Authority and Associated Information

(16) This Policy is made under the La Trobe University Act 2009.

Status and Details

Status	Current
Effective Date	17th December 2019
Review Date	28th June 2027
Approval Authority	University Council
Approval Date	16th December 2019
Expiry Date	Not Applicable
Responsible Manager - Policy	Katie Phillis Chief of Staff
Enquiries Contact	Office of the Vice-Chancellor +61 3 9479 2000

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