



Quality of governance at Australian higher education providers

5A Submission to the Senate Education and Employment Legislation Committee

The Australian Academic Alliance Against Antisemitism (5A) is pleased to make this submission to the Senate Education and Employment Legislation Committee in relation to the inquiry into the quality of governance at Australian higher education providers. Governance quality can in part be measured by its effectiveness. For the reasons set out below, effectiveness has been found wanting in several respects.

Our submission addresses Clauses (c) and (e):

- **Providers' compliance with legislative requirements, including compliance with workplace laws and regulations; and**
- **Any related matters**

In the context of these clauses, our submission will first provide background about issues relating to antisemitism on campuses from the expertise and research survey of undertake in the first half of 2024, and then focuses on the following key areas:

- The need for stronger policies and enforcement mechanisms to address antisemitism on campus. Particularly, we discuss the inadequacy of the current approach to subsume antisemitism under racial discrimination policies.
- The inadequacy of disciplinary and complaints processes relating to antisemitic expression on campus. Existing mechanisms are not fit for purpose and fail to provide Jewish staff and students with effective avenues for redress.
- Issues relating to TEQSA and its failure to fulfil its role regarding these issues and university governance.

In this submission we shall argue that:

1. The complaints process needs to be strengthened by
 - Allowing for complaints to be made anonymously as a standard practice across all universities



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- Committing to responding to complaints with a specified time scale
 - Publicizing the results of the complaints process, (even if collated and anonymized).
 - Having specially trained staff dealing with antisemitism complaints.
2. Universities should be required to have a robust social media policy, that prioritizes online safety. Consideration should be given to policies successfully adopted by other organisations to moderate the online activities of their staff.
 3. Antisemitism training and awareness should be separate from antiracism education. Trying to fit education against antisemitism into the antiracism rubric is likely to make things worse, not better.

1. 5A credentials for making this submission

The Australian Academic Alliance Against Antisemitism (5A) is a non-profit organisation born in the aftermath of the brutal Hamas attack on 7 October 2023. The organisation has grown rapidly and today consists of members from across 32 Australian universities and medical institutions. 5A acts as the main body representing the voice of both Jewish and non-Jewish staff who are concerned about the emergence of antisemitism in the Australian tertiary sector, and about how university management and governance are dealing with this upsurge on campuses. 5A adheres to political neutrality, with members united only by their opposition to antisemitism. We hold no political stance regarding the Middle East conflict.

Our functional structure, from individual universities to state and national representatives, has enabled 5A to be quickly informed of incidents and to take appropriate action. The organisation's activities include university policy advocacy, antisemitism education and awareness outreach, academic advisory support for impacted students, and peer support. We engage in consultation and dialogue with regulators, policymakers, and university leadership to ensure that campuses are safe and inclusive for Jewish people.

We also advocate for the adoption of political neutrality within universities and for safeguards against the boycotting of Israeli academia. Our work is informed by research, data collection, and analysis in relevant fields.



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Our members are on campus every day and are actively immersed in the campus culture and academic life. 5A is in the box seat to observe and comment on antisemitism on campus from first-hand knowledge.

This submission has drawn on the expertise in the areas of law, understanding antisemitism and survey development of several of our members who have contributed to the submission. It highlights the results of the survey which 5A undertook between 16 April and 31 July 2024:

<https://www.aaaaa.org.au/5a-publications-1/antisemitism-in-australian-universities-post-7-october-survey-by-australian-academic-alliance-against-antisemitism-2025.1>

This survey found that two-thirds of Jewish students and staff do not feel safe on Australian campuses and that the high proportion also believe that the response of the university management is not meeting the statutory requirements in terms of the codes of conduct.

The situation on campus: Across all these areas, both state-based and federally, 5A has found that the extent of antisemitism in the tertiary sector is deep and has become normalised. The information in the next section on antisemitism on Australian campuses is drawn from 5A's repository of large amounts of data, primarily gathered through individual interventions of support, as well as its national survey (Markus, Eilam and Rutland, 2025).

2: Background: Antisemitism on Australian campuses

Antisemitism is a light sleeper which has awoken with a vengeance on Australian University campuses, often justified under the cover of anti-Zionism. Since the Gaza conflict in May 2021, there has been an increase in the anti-Israel narrative on Australian campuses, with anti-Israel resolutions being passed and anti-Israel articles being published in campuses newspapers, together with the resultant uptick of antisemitic incidents. This leaves Jewish university students feeling vulnerable and under attack because as the late Chief Rabbi Jonathan Sacks explained:

Antisemitism is a virus that survives by mutating. In the Middle Ages, Jews were hated because of their religion. In the 19th and 20th centuries they were hated because of their race. Today they are hated because of their nation state, Israel. Anti-Zionism is the new antisemitism.²



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These problems have been highlighted by the Riazaty and Anor court case against the Melbourne University Student Union (MUSU) Federal Court Case; the ZFA/AUJS survey of February 2023; and the most recent 5A survey of April–July 2024, which found that (84%) perceive the political left as the major source of antisemitism on campus compared to only 37% concerned and very concerned about the political right. These are discussed in the following sections.

2.1 Riazaty & Anor v UMSU Inc - S ECI 2023 01945

The federal court action undertaken by Justin Riazaty, first plaintiff, and Isabella Yusupov, second plaintiff, against the Melbourne University Student Union (MUSU) related to two motions passed by the MUSU in April and August 2022, advocating for support for the Boycott, Divestment and Sanctions Movement. The Plaintiffs maintained that the Defendant's conduct in relation to these motions contravened the Associations Incorporation Reform Act 2021 (Vic) (AIR Act) in relation to discrimination against members of the union and the Racial Discrimination Act 1975 (Cth) (RDA Act) in relation to antisemitism. In February 2024, this dispute was settled out of court with the MUSU agreeing to remove the pro-BDS motions and to pay costs for the court action.

Despite this settlement, Australian student unions and the NTEU (as discussed later in this submission) have continued to pass pro-BDS motions, with more extreme motions being passed since 7 October. The negative impact of this situation is demonstrated in two surveys discussed in the sections 2.2 and 2.3.

2.2 Recent ZFA/AUJS survey pre-7 October 2023

Since the heightening of the Gaza conflict in May 2021, there has been an increase in the anti-Israel narrative on Australian campuses, with anti-Israel resolutions being passed and anti-Israel articles being published in campuses newspapers, together with the resultant uptick of antisemitic incidents. This leaves Jewish university students feeling vulnerable and under attack.

This has been demonstrated clearly by the survey initiated by the ZFA [Zionist Federation of Australia] with the support of AUJS [Australasian Union of Jewish Students] and the Scanlon Foundation, which was conducted by The Social Research Centre, located in Melbourne. As the report of this survey noted: 'The aim of the survey was to understand Jewish students' experiences of antisemitism in Australian universities.'³ *Carlill, Bren, Director of Public Affairs, Zionist Federation of Australia, 'The Jewish University Experience Survey', May 2023, Social Research Centre.*



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This survey was conducted over a three-week period with all students on the AUJS database receiving an invitation and the ZFA using its own resources for further publicity. Current and recent Jewish university students were included with a total of 563 responses, 396 from the AUJS mail-out and 167 from the opt-in link via the ZFA website. In terms of the participants, there were slightly more female responses than males (56.1% vs 41.9% with 1.6% non-binary); 46.2% were between the ages of 16–21, with most of the remainder ranging from 22–34; 52.2% came from Victoria, where the highest proportion of Jews reside, but proportionally there were fewer from New South Wales, with 30.7% and more from the ACT, with 6.9%, even though it only has a tiny Jewish population; and understandably the highest proportion from the different strands of Judaism being the Modern Orthodox Jews with 40.3% who constitute a much smaller proportion of the Australian Jewish population but are more clearly visible and strongly Zionist, with only 20.1% of Reform and 19.4% of traditional Jews and 8.2% of secular Jews.⁴

This survey was the first of its kind to be conducted in Australia. The survey's findings demonstrated many elements for concern in terms of Jews feeling safe and the experiences of Jewish students on campus.

Briefly, the findings revealed that 64% of Jewish university students experienced some form of antisemitism, with 88% of respondents reporting that this had occurred in the last 12 months. Of these, 47% described 'intimidation by people or events'; 37% relating to 'tropes of Jewish money, power or influence'; 37% 'comparing Israel to Nazi Germany'; 30% 'Holocaust denial or minimisation'; and 25% being 'singled out or excluded over Israel'. The fact that some university staff, both academic and professional participated in these events, while others did not act to counter this antisemitism, remaining silent bystanders, is also important in terms of those staff who support BDS. The fact that the survey found that 57% of students have hidden their Jewish identity to avoid facing antisemitism and that this rises to 67% for those who already experienced antisemitism is also very relevant and matches research of what is happening in Australian high schools. Another key fact is that overall, 19% of male students and 24% of female students have 'stayed away from campus to avoid antisemitism' and that 27% of those who have experienced antisemitism have stayed away from campus.

Finally, the survey found that Jewish students have a lack of confidence in the complaints process with 85% deciding not to make a complaint after the incident and, for the minority who did complain, 61% were dissatisfied with the outcome. The survey provided various reasons why students decided not to complain, with 61% citing their sense that it 'wouldn't make a difference' and 48% feeling that 'the university wouldn't take it seriously' with other reasons provided as well. The students did feel that if the



university adopted a definition of antisemitism, they would feel more confident in making a complaint'.⁵

These findings were promoted by the ZFA and produced concern from various politicians at the federal level. However, despite expressions of concerns, there was no follow up by politicians or by the leadership of universities in Australia, and no practical steps were taken to rectify the situation,

It is important to note that current Jewish students would have either experienced or heard from friends about antisemitism in high schools, including anti-Zionism. In 2022, two Melbourne high schools received wide media publicity highlighting this problem: Cheltenham College and Brighton Secondary College (BSC), with the latter leading to five Jewish students who attended BSC from 2013-2020 taking the principal, Mr Richard Minack, two teachers and the Victorian Department of Education to court for racial discrimination and a failure of duty of care. In her judgement, Justice Mortimer found that 'there was a distinction in the way the applicants were treated by Mr Minack and, through his failures in leadership, the teachers and staff at BSC, which in turn impaired the applicants' human rights to security of person and protection, to education, and to preservation of their Jewish identity.'⁶

Thus, as a minority in Australia, with the Jewish population constituting less than 0.5 percent of the overall population, Jewish students feel under attack, with many feeling that they have to hide their religious and cultural identity. These problems have been intensified since 7 October 2023 and have been revealed by the 5A survey of April to July 2024, discussed in the next section.

2.3 5A Survey, 2024

As outlined above, in April 2024, The Australian Academic Alliance Against Antisemitism (5A) undertook to survey the extent of antisemitism in Australian universities, as experienced by students and staff after Oct 7 and the extent to which universities are taking active measures to ensure that their campuses are free from antisemitism.

Respondents were asked 'how safe do you feel on the campus?', with a five-point response option ranging from 'feeling very unsafe' to 'feeling very safe'.

A minority of 34% of respondents reported feeling 'safe' and 'very safe' on the physical campus and 32% in the virtual campus. Among staff, 17% indicated they felt 'very safe' on the physical campus, compared to 8% of students.

Combining 'feeling very safe' and 'feeling safe' on the physical campus obtains only 38% of students and 36% of staff reporting a sense of safety. Similar results were obtained for the virtual campus, 36% of students and 30% of staff reporting sense of safety.



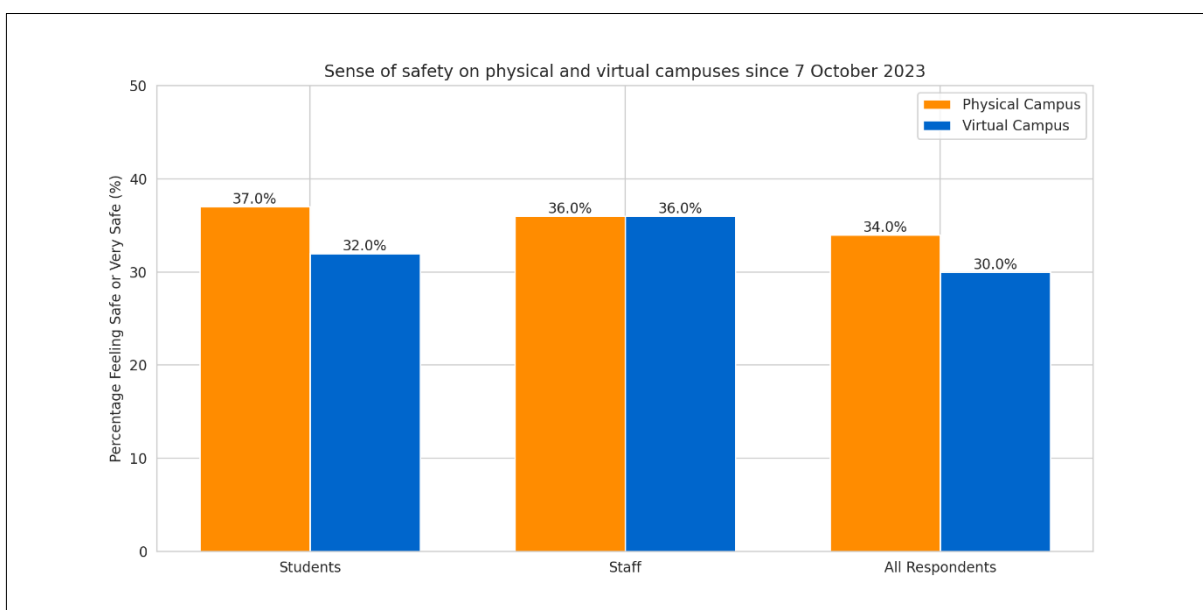
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Table 2.3.1 presents the percentage distribution of responses. Figure 2.3.2 presents a comparison between students and staff.

Table 2.3. Percentage distribution of sense of safety levels, by physical and virtual campuses (See Markus, Eilam and Rutland, 2025, p. 47, Table 5.7)

	1 Feeling very unsafe	2 Feeling unsafe	3 Feeling somewh at unsafe	4 Feeling safe	5 Feeling very safe
Safety on the physical campus	12.9%	21.5%	31.6%	24.7%	9.4%
Total unsafe physical campus			66.0%		
Safety in the virtual campus	17.9%	21.1%	29.3%	21.1%	10.6%
Total unsafe virtual campus			68.3%		

Figure 2.3.2. Participants' ranking of sense of safety on the physical and virtual campuses, by students, staff and all respondents



Markus, Eilam and Rutland, 2025, p. 48, Figure 5.11.



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To provide a context for these findings, a 2021 National Student Safety Survey (NSSS) was conducted.⁷ The objective of the survey, which was completed by 43,819 students, was to inform ‘ongoing efforts of Australian universities in building equitable, safe and inclusive learning experiences for their students’, with specific reference to sexual harassment and sexual assault.

The 2021 survey asked students to indicate their ‘perception of university culture.’ It obtained 84% agreement by domestic students and 81% by international students with the statement ‘I feel safe when at [my university]’. Even this high rate was considered unacceptable, with Professor Mark Scott (VC, University of Sydney) commenting:

*Frankly, **one case is one too many**. To every person who has experienced sexual harassment or sexual assault, we are deeply sorry. **Every student has the right to feel safe and supported and to be treated with respect and dignity, whether on campus, online or offshore. Anything less is unacceptable.***

This compares with the 34% of Jewish respondents who reported feeling ‘safe’ and ‘very safe’ on the physical campus and 32% in the virtual campus in the 5A survey. The comparison reveals that the rate of those who reported a lack of safety for Jewish people on Australian campuses since October 2023 is 3.47 times higher than the rate of reported a lack of safety due to sexual harassment measured in 2021.

The 5A survey makes it clear that Jewish students are not just ‘uncomfortable’; they are in fact scared to come onto campus. Why does the statement that ‘**Every student has the right to feel safe and supported and to be treated with respect and dignity**’ not extend to the Jewish student population?

In summary, the findings suggest that only a third (34%) of Jewish students and staff feel safe on campus. The rate of sense of lack of safety for Jewish people is 3.47 higher than the rate of sense of lack of safety due to sexual harassment. Both the physical and virtual campus environments are perceived as equally unsafe. This is due to a range of factors and issues, as discussed in Appendix I.

3. Legal regulatory context: Universities are failing to meet their statutory obligations.

Australian universities operate within a highly complex regulatory environment. Federal and state laws apply to them, some legislated specifically to regulate their academic activities, and others applicable generally to them as employers, workplaces, public spaces, speech platforms and community actors.

Federal laws legislated specifically to regulate the academic activities of tertiary education providers include the *Higher Education Support Act* (HES Act) and *Tertiary Education Quality and Standards Agency Act* (TEQSA Act). Federal laws applicable



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generally to universities as workplaces include the *Racial Discrimination Act* 1975 and *Criminal Code*.

Under the federal TEQSA Act (Section 58), Threshold Standards can be adopted by the Minister to set out requirements that a higher education provider must meet. Among the Threshold Standards are obligations to ensure a ‘safe environment is promoted and fostered’ (section 2.3.4) and ‘an institutional environment in which freedom of speech and academic freedom are upheld and protected’ (section 6.4.1). Under the federal HES Act, academic freedom requirements are to be met (section 19.15), and the higher education provider is to comply with TEQSA standards.

Under the federal *Criminal Code*, it is prohibited to urge violence against groups (section 80.2A), advocate terrorism (section 80.2C), to display proscribed hate symbols (section 80.2E), or to harass, threaten or distribute violent extremist material via a carriage service (section 474). Cyber-bullying is prohibited under the federal *Online Safety Act* (section 46). Racial vilification is sought to be restrained under civil law provisions in the federal *Racial Discrimination Act* 1975, where vilification is defined as an act that is reasonably likely to ‘offend, insult, humiliate or intimidate’ someone because of their race or ethnicity.

Australian universities are usually constituted under state laws, other than those universities located and constituted within Australian federal territories. Generally, a dedicated constitutive law, such as the *University of Sydney Act* enacted by the NSW parliament, established the University and its fundamental structure. Other state laws are generally applicable to universities, including legislation on racial discrimination, racial vilification and equal opportunity, workplace safety, employee rights as well as criminal laws.

To take NSW as an example, the NSW *Crimes Act* 1900 provides that ‘a person who by a public act intentionally or recklessly threatens or incites violence towards another person or group of persons ... is guilty of an offence’ (section 93Z). The *Crimes Act* also prohibits display of Nazi symbols (section 93ZA). Racial vilification is also restrained under civil law provisions in the NSW *Anti-Discrimination Act* 1977 (Part 2 Division 3A). Furthermore, municipal by-laws typically zone university campuses as public spaces that are subject to powers vested in the university administration to permit or restrict entry and conditions of entry.

Under their constitutive legislation, Australian parliaments have delegated sufficient powers to university administrations to enable them to adopt regulatory and policy frameworks to implement each university’s academic mission. Typically, each university Council or Senate adopts regulatory frameworks, variously described as rules, codes of conduct, bylaws, procedures, policies, guidelines or principles. Typically, every



university has a Student Code of Conduct, a Staff Code of Conduct and Campus Access Rules.

It is the contention of 5A that several Australian universities have failed to utilise the powers available to them in order to comply with the required standards set out by federal, state and territory legislation.

Failures of principal concern to 5A are those where university administrations have failed to fulfil their statutory obligations to ensure a safe environment in which to learn and teach and have failed to protect academic freedom. Moreover, they have declined to act under the powers available to them to restrain racial vilification, threats of violence against groups, or distribution of violent extremist material.

4. The need to restructure the complaint and disciplinary system

Our survey revealed that many Jewish staff and students have no confidence in the university complaint system.

Students were asked whether they understood ‘complaint procedures if you encounter antisemitic content in lectures or course materials.’

48% of students reported no knowledge of the complaint procedures, while 34% indicated understanding.

Staff were asked whether they understood the complaint procedures if they encountered ‘antisemitic comments or behaviour by colleagues, students, or other staff members.’ In a near reverse of student responses, 28% of staff reported no knowledge, while 56% indicated understanding.

4.1 Confidence in the Complaint System

The participants were asked:

- ‘Do you consider that complaints procedures are adequate at your university?’
- ‘Have you ever lodged a complaint?’ and
- ‘Are you confident that you can lodge a complaint without risking discrimination against you or other negative impacts?’

Concerning the adequacy of the complaint system, 45% responded that the system is not adequate, and only 16% considered it adequate.

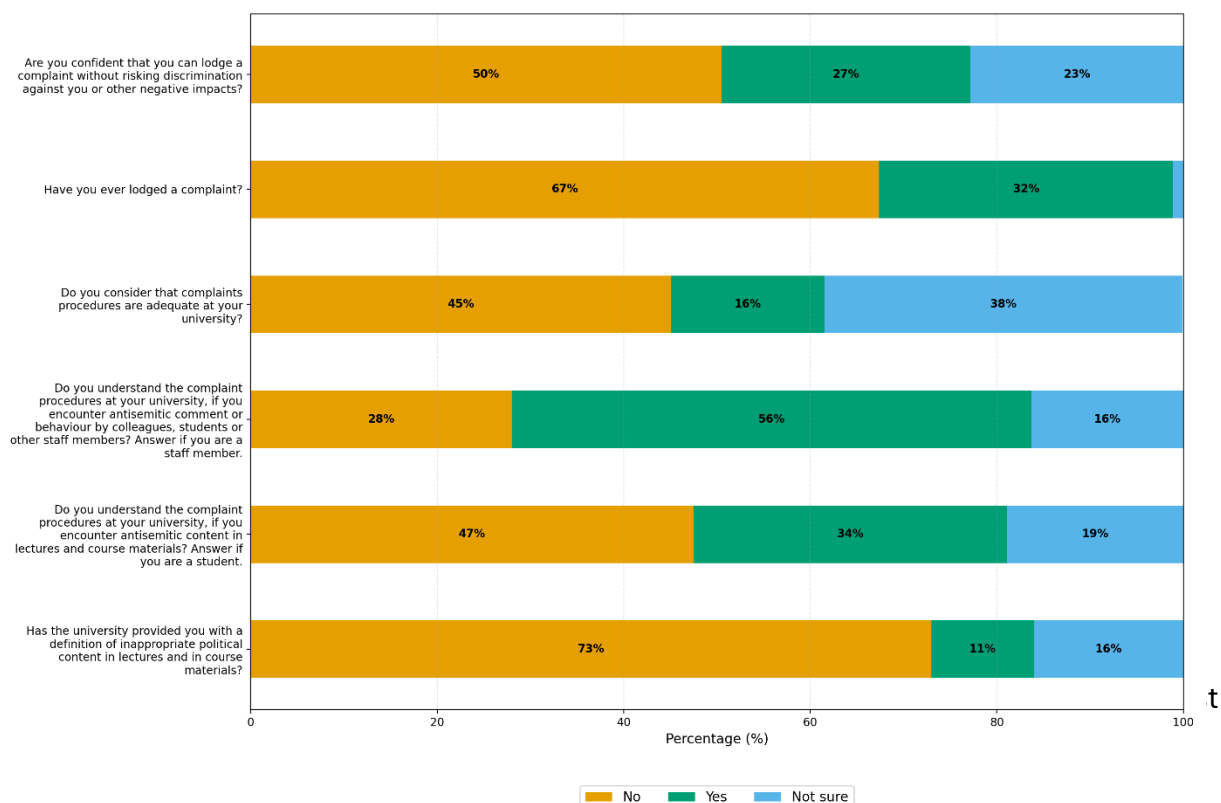
In relation to lodging a complaint, a majority of 67% reported they had never lodged a complaint, and 32% had lodged a complaint.



Regarding confidence in the system, 51% reported no confidence and 27% reported confidence. This finding was benchmarked against the NSSS survey (Heywood et al., 2022), where students were asked about their confidence in reporting incidents of sexual harassment and assault. Only 23.5% reported a lack of confidence ('Not at all/Slightly'), which is less than half the proportion (51%) of Jewish participants reporting a lack of confidence in lodging a complaint without risking discrimination or other negative impacts.

Chi-square analysis was conducted to compare student and staff responses. Significant differences were found in response to the question: 'Do you consider that complaint procedures are adequate at your university?' A significantly higher number of staff rated the procedures as inadequate ($\chi^2 = 6.15$, $p = 0.0463$). Another significant difference was found in response to: 'Have you ever lodged a complaint?' A significantly higher number of students reported that they had never lodged a complaint ($\chi^2 = 11.75$, $p = 0.0028$). The Figure below presents the percentages of response distribution.

Figure 4.1.1. Perceptions of universities' policies and procedures, by 'yes', 'no' and 'not sure'





Seventy-three per cent of students reported that universities fail to provide a definition of inappropriate political content in lectures and course materials; 47% of students and 28% of staff reported that they do not understand the complaint system; 45% of participants do not regard the complaint system as adequate; and 67% have never lodged a complaint.

A majority of 51% of participants reported having no confidence in the complaint system. This compares to only 23.5% who reported a lack of confidence in the complaint processes for incidents of sexual harassment and sexual assault (Heywood et al., 2022).

A comparison between students and staff revealed statistically significant differences, with a higher number of staff rating the complaint procedures as inadequate, and more staff having lodged complaints compared to students. These findings are expected, given that staff are employed by universities over many years, making them more familiar with administrative procedures and more likely to lodge complaints over the course of their careers.

Overall, the findings reveal a stark contrast between the level of antisemitism experienced by Jewish people on campus—67% reported hearing antisemitic comments and 93% reported witnessing antisemitic expressions delegitimising the right of Israel to exist—and their level of trust in their universities' systems to protect them, with only 27% reporting confidence that they could lodge a complaint without risking discrimination. Taken together, the findings indicate a system failure in preventing antisemitism. As highlighted in our recommendations discussed below, these figures reveal a lack of effectiveness relating to the quality of governance and management at Australian universities which need to be addressed.

In summary, there are several serious issues which need to be addressed:

- It is essential that there be the confidence that one can report anonymously. Many Jewish students are worried about the impact on their grades if they report incidents of antisemitism, and staff (especially junior staff) about what a report may do to their prospects of career advancement.
- Another crucial issue will be overcoming the lack of feedback in a reasonable time frame. Universities should publish a commitment to respond to a complaint within a specified timeframe
- It will take significant reform to overcome the lack of confidence that any action will be taken.



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4.2 Online safety

It is recognised that Universities have taken action to reign in some of the unacceptable behaviour on campus such as encampments, occupation of buildings etc. However, as the survey makes clear, the online environment is not safe for Jewish students and staff. Universities do not have clear guidelines as to the use of social media by staff and students. Often lecturers post anti-Israel rhetoric that can slip into antisemitic tropes on their social media accounts and students become aware of their antipathy towards Israelis and Australian Jewish Zionists. This creates a sense of menace for Jewish students who may be interested in the taking the lecturer's course.

Some examples include a lecturer declaring that 'If you are a Zionist you have no claim or right to cultural safety'. Jewish (and non-Jewish!) students are entitled to subscribe to a Zionist ideology (and in fact surveys show that most Australian Jews do consider themselves Zionists in terms of Israel's right to exist). This declaration was not considered by a university as sufficient to disqualify that lecturer from teaching. Our interpretation of this is that because the declaration was made on social media not controlled by the university, that the university could not or would not take any action.

Other egregious examples are online intimidation, including threats to target individuals because of their Israeli nationality. Once again, universities claim that they have no control over the behaviour of staff and students on social media platforms outside of the university. This has allowed online hate to grow and become more extreme.

We note that students and staff do not have the luxury of simply ignoring the social media, as this has become an integral part of the teaching and learning environment and students who do not participate will miss out on important interactions.

We believe that the university sector needs to recognise that lecturers and teachers have special responsibility to ensure in their posts that they maintain civility and an awareness of the sensitivities of their students. Many other professions restrict what people can post (such as journalists, judges, policeman etc). The online space needs to be policed much more closely. Lecturers should not feel free to post whatever they like on social media without considering how this may affect their interactions with fellow staff and students. Issues of free speech, of course, need to be respected, but being a university lecturer is a privilege which comes with added responsibilities.

We urge the inquiry to demand that each university develop and enforce a robust social media policy for its staff and students. It should apply whether the posts acknowledge their university affiliation or not, and it should put safety of students and staff as the top priority.



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4.3 Antisemitism education and training

Most universities are now considering the introduction of some form of training for staff and students to combat antisemitism. Most commonly this is taking place under the rubric of an anti-racism policy and often without adequate involvement of Jewish staff and students with personal lived experience of campus antisemitism. As Professor Timothy Lynch of the University of Melbourne writes in *The Australian* (31 July 2025):

‘The more anti-racist we are trained to be, the more anti-Semitic we seem to have become. Campuses that have prioritised “cultural safety” find their Jewish staff and students have never felt less safe, culturally and physically.’

There is a misanthropic theme in the anti-Zionist narrative, which can transform into a simplistic understanding among both staff and students that: ‘Zionism is a form of racism. Most Jews are Zionists. Therefore, most Jews are racist’. Despite the highly problematic nature of this attitude, it has increasingly gained levels of currency within the Australian universities’ culture. What is clear is that whatever the benefits of anti-racism education, it is proving ineffective at countering antisemitism.

5. TEQSA: inadequate responses

Need a definition of antisemitism

Both the Jewish student survey of the first half of 2023 conducted by the ZFA/AUJS and the 5A survey of the first half of 2024 found that there was a need for a clear definition of antisemitism. To date the only definition of antisemitism which has formal authority is the IHRA (International Holocaust Remembrance Alliance) definition, which was adopted by the IHRA in Bucharest in 2016. It has now been adopted by 37 countries, including Australia, and hundreds of NGOs, each with its own interpretation and policy. It is strongly supported by Jewish communities throughout the world, including Australia. The IHRA definition stresses that ‘criticism of Israel similar to that levelled against any other country cannot be regarded as antisemitic’. While traditionally the Australian Jewish leadership view has been that Jews in the Diaspora have no right to criticise Israeli government policies, this has changed radically in recent years. In 2023, Australian Jewish leaders expressed criticism of the current Netanyahu government and the government’s planned judicial reform. The responses to recent ‘Crossroads23’ survey of Australian Jews reflect this new trend in Australian Jewish relations with Israel. Thus, legitimate criticism of Israeli government policies is not antisemitic.

Anti-Israel activists on campus claim that the IHRA definition stifles free speech and have called for the Universities who have adopted the IHRA to reverse their policy. In



response to these concerns, the leadership of the Go8 developed their own definition, which was accepted by Universities of Australia, known as the UA Definition of Australia.

However, any casual observer will report that the activists have been allowed to express themselves freely. Rarely have students been disciplined no matter how extreme or offensive their language. Many universities have allowed the activists free reign on campus, claiming 'freedom of speech' and only acting when their occupation of buildings and grounds became intolerable. Activists who oppose the IHRA have also opposed the alternative UA definition.

Thus far, TEQSA has failed to make a positive determination in relation to the UA Definition of Antisemitism. Nor has the regulator provided a guidance note on managing the complaints or activities that occur on campus because of the Middle East conflict. Academic integrity and the need for inclusive pedagogy and teaching quality have not been considered sufficiently by university management, although the survey did find that this differed across university campuses, depending on internal management policies.

Issues of concern regarding health and wellbeing have already been highlighted in the detailed responses of both Jewish staff and students discussed above, yet where concerns have been submitted, there has not been a response based on their cohort's specific needs and health and wellbeing issues. The same has applied to the newly established student ombudsman. Some moves have been made to identify Jewish students and staff as a cohort that requires additional support to feel safe and supported, but more needs to be done. As discussed above, the 5A survey has revealed that most do not feel comfortable to make complaints for fear of identification and adverse consequences. As well, the strong sense that even when they do complain, in some universities, management might express concern, but do not take positive action.

In early June 2025, 5A sent a letter of complaint regarding the University of Sydney and AIJAC (Australia/Israel Jewish Affairs Council) wrote a letter of complaint regarding the University of Melbourne without meaningful response. Recently the government has increased TEQSA's ability to act.

Much more action needs to be undertaken in this domain to improve the quality of university governance relating to issues of safety for Jewish students and staff on campuses and the role which TEQSA plays in terms of these issues.



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6. Concluding recommendations

Antisemitism is a cancer. It erodes the fabric of our society and poisons social cohesion and tolerance. We naively believed that Australia was somehow vaccinated against this disease, but in the aftermath of Oct 7, with the outpouring of anti-Zionist and antisemitic sentiment we can no longer put our heads in the sand and assume that this is a problem that will go away without a concerted effort. Ground zero for the hearts and minds of our future leaders are on our campuses. There is no doubt that the rights of Jewish students to enjoy their education and those of Jewish staff to make a meaningful contribution to research and teaching is under threat.

Based on the survey's findings, 5A makes the following recommendations:

- Universities must demonstrate the same level of commitment to preventing antisemitism as they have shown in addressing sexual harassment.
- Adopt a definition of antisemitism, as understood by most Jewish people, treating this as non-negotiable.
- Establish a confidential and centralised antisemitism complaint system with trained staff.
- Create educational mandated modules on antisemitism for all stakeholders separate from the current compulsory anti-racism modules,
- Ensure the safety of Jewish people not only on physical campuses, but also within virtual spaces by adopting a clearer social-media policy.
- Restore and protect freedom of speech for Jewish students and staff, through initiatives such as university-led public debates.
- Undertake further research to systematically evaluate university actions and identify effective practices (see Markus, Eilam and Rutland, 2025, pp. 70-1 for a more detailed discussion)

These recommendations demonstrate that, despite some progress, much more needs to be done in terms of the quality of governance at Australian universities if all campuses are to be safe for Jewish students and staff. **We cannot allow our campuses to be no-go zones for Jews.**



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Appendix I:

Examples of academic experiences – national overview

Since 7 October 2023, the 5A has documented ongoing examples of antisemitism and discrimination against Jewish staff and students and multiple occasions in which the freedom of speech, and the academic freedom to use public academic spaces for their intended purposes have been forcefully denied. While academic freedom of speech for those who wish to express support of Israel's right to exist is being denied, no limits are put on antisemitic hate speech on campuses across Australia.

This hate speech takes different forms including:

- Pro-Palestinian posters which deny Israel's right to exist, accuse Israel of carrying out a genocide in Gaza and expressing support for Hamas;
- Interrupting classes for a pro-Palestinian harangue which often includes hatred to anyone who supports Israel's right to exist;
- Protests and marches calling for global intifada and that violent resistance by Palestinians is justified.
- Refusal to condemn Hamas and indeed justifying its actions on 7 October.
- Encampments, which become excluded places for Israeli, Jews and supporters of Israel, preventing their freedom of movement on campus.
- Lecturers making emotive and political statements, rather than presenting information objectively, with balanced criticism of Israel rather than vilification.
- Both Jewish staff and students being affected by the 'deafening silence' after 7 October, the cancelling of friendships, exclusion of Jews, and doxxing, not only through the well-known academics and creatives WhatsApp group in February 2024, but also in the case of individual academics at one university.
- In some cases, both staff and students have been physically attacked, and while physical abuse is (fortunately) rare, it is the knowledge of such cases combined with the verbal abuse and threats that creates fear of Jews on campus, whether they are staff or students.

All these actions are prejudicial to safety and well-being of Jewish staff and students, so that many do not feel safe on campus, as has been so clearly revealed by the 5A Survey of 2024, as well as the earlier ZFA/AUJS survey.

Below is an outline of some of the key issues that 5A has been dealing with since its formation. These include providing academic advice to students affected by



antisemitism, dealing with boycotts of visiting academics, and lecturers making political and unfounded statements.

We present below some examples of what has been happening on campus which have been clearly demonstrated in both the quantitative and qualitative findings of the 5A survey.

Reports from Academic Advisors

5A works to advise and support students and staff affected by antisemitism on campus. We voice their stories here so that there is no doubt that we are facing a very serious problem and we request the current inquiry take this into consideration when considering university governance and management procedures. There is also no doubt that the current situation post 7 October 2023 poses a mental health threat to Jewish students. This was recognised by Dr Grant Blashki, GP, Associate Professor at the University of Melbourne who developed a mental health guide for Jewish students.

Reports from advisors reveal a new form of antisemitism which is taking its toll on the mental health of Jewish students, characterised by high levels of microaggression, and exclusion from social media and student associations.

One prominent example is the Australian Medical Students Association (AMSA). These groups are set up with the intention of exchanging relevant information to the discipline, and not for political purposes. However, time and time again, we find that the platforms are hijacked by members and used not for their intended purposes. Very quickly they turn into a megaphone for antisemitic anti-Zionist propaganda. In all instances, the posts on these sites are highly offensive to Jews and exhibit a complete lack of empathy for the suffering of Israelis. This is an obvious microaggression, as it assumes that the feelings of Jewish students in the group should not be considered. To make the point clear, this behaviour is equivalent to posting a critique against Ukraine, knowing that there is a Ukrainian in the group, or the opposite, critiquing Russia, knowing that there is a Russian in the group. In most professional groups, no one would dream of displaying such microaggression, particularly not in relation to minorities such as the Indigenous Australians (consisting 3.8% of Australia's population compared to 0.4% Jews). However, to use David Baddiel's terminology, when it comes to Jewish members in the group, they simply 'don't count.'

In addition to direct aggression against students, one common form of harassment is conducted through the weaponizing of the Disciplinary Complaint system to silence Jews.



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One particularly insidious expression of this comes about through a ping-pong exchange where the aggressors perform an aggressive act against Jews, and when the victims respond, the aggressors turn the tables around, accusing the initial victim and instead claiming to be the victim. Consequently, Jewish students or staff are attacked twice, first through microaggression, and secondly by the aggressors presenting themselves as the victims of the Jewish students or staff, accusing them of aggression. The next stage in this scenario is when Jewish persons try to defend themselves, either by answering back or asking to remove some posts. This is usually followed by a herd reaction of accusing the Jewish student(s). Often, these exchanges end with the aggressors submitting a complaint against Jewish student(s) for being 'aggressive.' University disciplinary processes tend to side with the provocateurs, so that the pro-Palestinians are free to condemn Israel without fear of challenge.

For example, when a Jewish student walked through the lawn where the Monash pro-Palestinian students were encamped, he was verbally attacked, screaming in his ear with a megaphone causing him tinnitus. He then received a disciplinary complaint from the university, based on the protesters' complaint, accusing him of causing the protesters distress and discomfort. True, after watching the videos of the incident, the complaint was eventually dismissed by the university investigators, and the university initiated a complaint against the student protesters; however, the student had to endure the stress of the disciplinary process and seek legal advice as to how to defend himself.

In another instance a Jewish student at Monash confronted another student wearing a shirt and a necklace effectively calling for the destruction of Israel. In this case the University found that the Jewish student had breached rules by challenging the content of the tee shirt. It seems that Israel and Jews can be smeared and insulted with impunity and if Jewish students challenge their critics, the University apparatus moves against them.

The harassment is not limited to the University campus but extends to hospital medical training facilities. Student reports:

As someone who is Israeli, sure you can say that anti-Zionism is not antisemitism but being Israeli and seeing someone posting a picture of the Israeli flag being crossed out, to me it reads that I don't have the right to exist, or I am cancelled.

A few days after the 7 October massacre, I had the courage to post a few things on Instagram... I received condemning messages from someone from the Medical School telling me that it is misinformation that Hamas kidnapped people to Gaza and that I don't have empathy to Palestinians (I didn't post anything against Palestinians. It is actually important to me that Palestinians will have good life). She told me that I think that every Muslim person is a terrorist. There is



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*a problem with me calling people terrorists (I haven't used the word 'terrorist'). She also told me that when I become a medical doctor, **I need to register conflict of interest, and to make sure that my patients to which I have no empathy, know what my political stances are.** This was said even though I did not disclose my political stances, apart from my grief over the 7 October massacre.*

They would tell me I have been brainwashed, that I have no empathy and that me in any way opposing the Palestine movement is extremely Offensive to them. They will put a complaint in to [sic] the Medical School against me because they would be worried about my competency as a doctor.

The coping mechanism, understandably, involves making oneself a small target:

Firstly, I lie, and I don't tell anyone I'm Israeli and I don't tell anyone that I'm Jewish. If the topic does come out, I pretend to have opinions that I don't necessarily have. I try to say what people would accept as the right thing to say, and try to avoid the conversation all together, and also avoid socialising. So, I am far less social than I used to be, just in case the conversation does come up. This all comes with a high price. I cry a lot. I feel scared and very unwell...

Even though I don't disclose my views, I know that some students who know that I am Jewish, have distanced themselves from me...

This interview and the many others held by us, as well as the detailed comments by participants of the 5A survey (see part 3 of the 5A submission), speak volumes about the isolation and discrimination experienced by Jewish students. In the case of the Jewish and Israeli medical students, their distress is exacerbated by the fear that any Disciplinary Complaints against them could adversely affect their future in the medical profession.

As well, Universities have struggled with their responsibilities regarding maintenance of student privacy and confidentiality on the one hand and the maintenance of staff and student safety on the other, and in many instances, it is the privacy concerns that trump actions that would ensure a safe campus. This was made clear for example in the case of students who invaded private spaces while masked being able claim that their privacy had been violated in the use of computer records to identify them for the purposes of disciplinary action, with some regulatory agencies siding with the students. It is not possible for universities to ensure freedom from intimidation of their staff if they are unable to remove aggressive students and staff following a proper investigation. Freedom of speech cannot be allowed to morph into the freedom to intimidate, harass or make it impossible for staff to carry out their regular duties without fear. TEQSA needs



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to take the principled stance that it expects Universities to prioritize staff and student safety and expects Universities to resist attempts to misuse the concerns about privacy to allow students to intimidate without fear of any consequences.

The negative impact of academic boycott and BDS (Boycott, Divestment and Sanctions)

Both student and staff motions that have been passed since 7 October at several universities promote the Boycott, Divestment and Sanctions (BDS) movement,⁸ which advocates for the one Palestinian state through its slogan ‘From the River to the Sea, Palestine shall be free’ and the right of return for all Palestinian refugees. The BDS website sets out its goals as follows:

- Ending its occupation and colonization of all Arab lands and dismantling the Wall.
- Recognizing the fundamental rights of the Arab Palestinian citizens of Israel to full equality.
- Respecting, protecting, and promoting the rights of Palestinian refugees to return to their homes and properties as stipulated in UN Resolution 194.⁹

As Cary Nelson explains:

The entire arc of Middle East history confirms fear of that outcome and its antisemitic consequences. The BDS movement’s third demand is thus one to which no imaginable Israeli government would agree. Despite the BDS movement’s claim to nonviolence, only Israel’s defeat in war could lead to a single state with a Jewish minority.¹⁰

Omar Barghouti, the founder of the BDS movement, has declared that ‘accepting Israel as a ‘Jewish State’ on our land is impossible’ and that the only solution is ‘euthanasia’ for Israel’.¹¹ Together with statements of other key figures, the movement makes it quite clear that its aim is the eradication of Israel. The UMSU Motions, with their promotion of BDS, support this aim of the ‘destruction of the Zionist entity’. Given that 45.8% of world Jewry now live in Israel,¹² this goal could only be achieved through violence and militarism. Most Jews would be aware of this threat.

It is entirely understandable Jewish students or staff in the room where motions in support of BDS would feel threatened both physically and psychologically at this message. They certainly cannot feel welcome in the student union which passes motions supporting the BDS.



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The ferocity of the BDS campaign, and its accusations of racism, colonialism, apartheid, ongoing crimes, ethnic cleansing, massacres, and expulsions are extreme and one-sided. This ferocity led the German Bundestag to define the BDS as an 'antisemitic enterprise' in 2019. Several state governments in the US have also passed anti-BDS laws, and BDS has been criticised in the UK. Australia has not introduced anti-BDS legislation but governments on both sides of the aisle have stated that they do not support BDS.

This background needs to be born in mind in the discussion of 4.3, where some specific cases which the 5A has become aware of are outlined.

Appendix II

Perceptions of Universities' Policies and Procedures

To gain insights into universities' actions against antisemitism, a series of questions were presented. Participants were asked to rank their universities' actions and indicate: the provision of relevant information; their understanding and assessment of the complaint system; whether they had lodged a complaint; and their level of trust in the system.

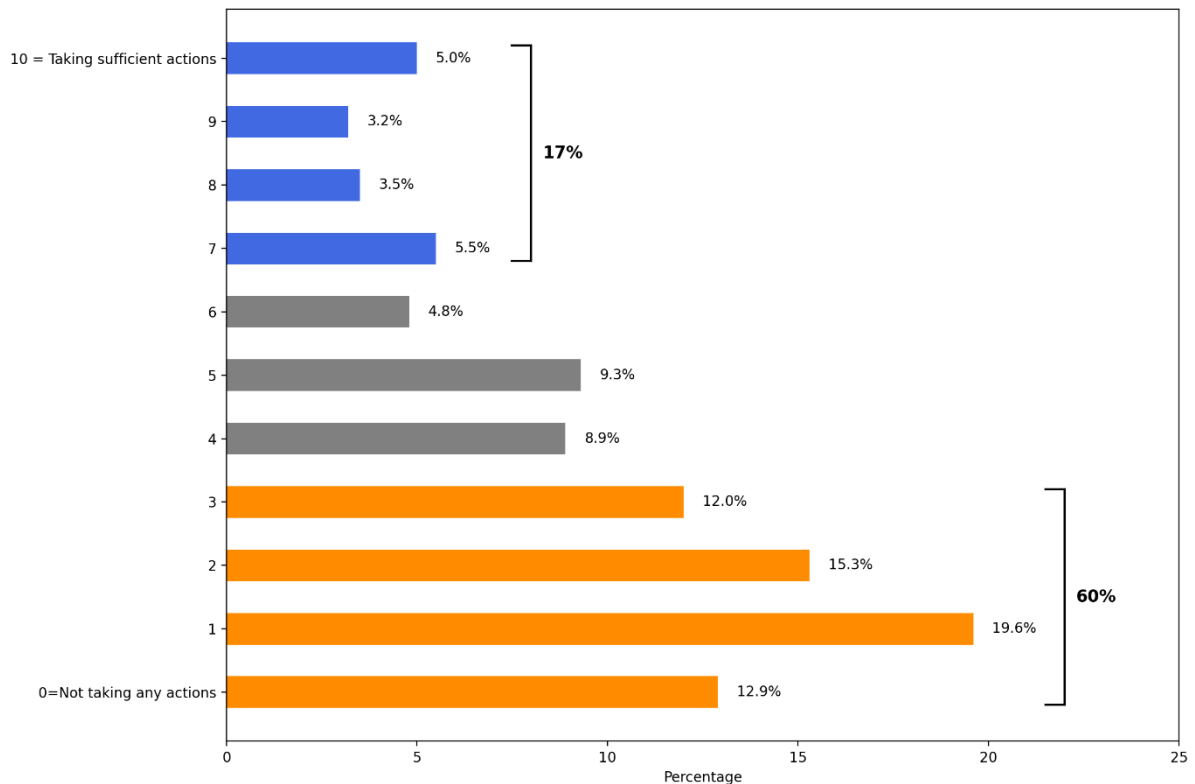
The participants were asked: 'Do you think that your university's management is taking sufficient actions against antisemitism and ensuring that campuses are safe and inclusive for Jews?' Participants were asked to rank their universities' actions on a scale ranging from 0= Not taking any actions against antisemitism to 10= Taking sufficient actions against antisemitism.

The findings revealed that 60% of participants rated their universities' actions between 0 and 3, indicating insufficient action taking by their universities. At the other end of the scale, only 17% ranked their universities between 7 and 10, indicating sufficient action taking.

This result was benchmarked against the NSSS survey, where students responded to the statement: '[My university] is trying hard to protect the safety of all students.' A combined 74.5% indicated 'strong agreement' or 'agreement', and another 9.9% indicated 'strongly disagree' or 'disagree' with this statement (Heywood et al., 2022, p. 74). The comparison suggests that students were 4.4 times more likely to report that university management takes sufficient action to protect against sexual harassment than to protect the safety of Jewish people on campus.



Figure: Ranking of universities' actions against antisemitism on a scale of zero to 10, by all respondents



Education Quality and Standards Agency Act (TEQSA Act). Federal laws applicable generally to universities as workplaces include the *Racial Discrimination Act 1975* and *Criminal Code* (Markus, Eilam and Rutland, 2025, p. 50, Figure 5.12).

However, as noted by Markus, Eilam and Rutland, ‘Overall, the findings suggest that while in general, universities in Australia rank low on their actions against antisemitism, they are not homogenous in their responses, as perceived by the participants’ (p. 52).



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Appendix III

Understanding Anti-Zionism

Australian Zionists include most Australian Jews, with surveys indicating between 80¹³ and 91%¹⁴. This proportion is similar to that which is found in the Jewish diaspora throughout the world. Moreover, Israelis as a national group are overwhelmingly Zionist, and they comprise almost half the global Jewish population.

Zionism is the belief, grounded in centuries old Jewish prayer, as well as being held by many people not of the Jewish faith, in the Jewish right to self-determination in their own indigenous land just like all other peoples on earth. That right is embedded in the UN Charter. But over three thousand years ago, well before the UN was conceived, the Children of Israel lived in the land. Clearly, the State of Israel today plays a very important part in Jewish identity generally.

Anti-Zionism is the belief that all peoples, but not the Jewish people, are entitled to self-determination in their own indigenous land.

Singling the Jewish people out as alone not having a right to self-determination, a theme that has been normalised in the academy, and now in the public square, makes Jewish citizens unsafe.¹⁵

¹ Andrew Markus, Efrat Eilam and Suzanne Rutland, *Antisemitism in Australian Universities post 7 October: Survey by Australian Academic Alliance Against Antisemitism 2025*.

https://static1.squarespace.com/static/6792c1f364cecb7a17cc7a1e/t/68a15e1b274ce727be8fa1ac/1755405851498/5A+Survey+report_GD.pdf.

² Rabbi Jonathan Sacks, 'Anti-Zionism is the New Antisemitism', *Newsweek*, 4 April 2026,

<https://rabbisacks.org/archive/anti-zionism-is-the-new-anti-semitism-newsweek>

³ Carlill, Bren, Director of Public Affairs, Zionist Federation of Australia, *The Jewish University Experience Survey*, May 2023, Social Research Centre.

⁴ *The Jewish University Experience*, Appendix I.

⁵ 'ZFA Survey Summary', September 2023, <https://www.zfa.com.au/survey/>. Accessed 22 September 2023.

⁶ *Kaplan v State of Victoria (No 8) [2023] FCA 1092 at [9]*.

⁷ W. Heywood, P. Myers, A. Powell, G. Meikle, & D. Nguyen (2022). National Student Safety Survey: Report on the prevalence of sexual harassment and sexual assault among university students in 2021, Melbourne: The Social Research Centre.

⁸ For an explanation of these terms, see Cary Nelson (2023), 'BDS and Antisemitism', In Mark Weitzman, Robert J. Williams Jim Ward, *The Routledge History of Antisemitism*, London, New York: Routledge: Taylor and Francis Group, pp. 342–3.

⁹ 'What is BDS, BDS: Justice, Freedom, Equality, <https://bdsmovement.net/what-is-bds>. Accessed 21 October 2023.



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¹⁰ Nelson, 'BDS and Antisemitism', p. 342.

¹¹ As cited in Nelson, 'BDS and Antisemitism', p. 343.

¹² Sergio DellaPergola, *World Jewish Population*, Berman Jewish Data Bank, [https://www.jewishdatabank.org/content/upload/bjdb/2020_World_Jewish_Population_\(AJYB_DellaPergola\)_FinalDB.pdf](https://www.jewishdatabank.org/content/upload/bjdb/2020_World_Jewish_Population_(AJYB_DellaPergola)_FinalDB.pdf). Accessed 24 October 2023.

¹³ David Graham and Andrew Markus (2019), *GEN17 Preliminary Findings*, Melbourne: Australian Centre for Jewish Civilisation, Monash University.

¹⁴ A.L. Bankier-Karp & D.J. Graham (2024), *Australian Jews in the shadow of war survey*. Australian Centre for Jewish Civilisation, Monash University and JCA Sydney. <https://www.monash.edu/arts/acjc/research-and-projects/current-projects/australian-Australian-Jews-in-the-shadow-of-war>.

¹⁵ *Philippsohn v Attorney General for New South Wales* [2025] NSWSC 267 at [81].