

Australian Catholic University

**Submission to the
Tertiary Education Quality and Standards
Agency (TEQSA)**

***Consultation Paper -
Statement of Regulatory Expectations:
Adopting a Definition of Antisemitism***

September 2026

Submission to the TEQSA Consultation on the Draft Statement of Regulatory Expectations: Adopting a Definition of Antisemitism

Australian Catholic University (ACU) appreciates the opportunity to provide feedback to the Tertiary Education Quality and Standards Agency (TEQSA) on its consultation on a draft Statement of Regulatory Expectations: Adopting a Definition of Antisemitism.

ACU is a publicly funded Catholic university, open to people of all faiths and of none. ACU operates as a multi-jurisdictional university with seven campuses, across three states and one territory, in regional and culturally and linguistically diverse communities. ACU campuses are located in North Sydney (NSW), Strathfield (NSW), Blacktown (NSW), Canberra (ACT), Melbourne (Victoria), Ballarat (Victoria), and Brisbane (QLD). ACU also has a campus in Rome, Italy. In 2026 ACU has approximately 36,000 students and 2,490 staff.¹

ACU rejects all forms of racism including antisemitism, Islamophobia and racism against Aboriginal and Torres Strait Islander peoples.

ACU acknowledges that TEQSA has initiated this consultation further to recent amendments made by the Australian Government to the *Higher Education Standards Framework (Threshold Standards) 2021* (HESF), which set new standards from 1 January 2027 for all registered higher education providers to prevent and respond to racism.

As Australia's Special Envoy to Combat Antisemitism has articulated: "No forms of racism and hate are acceptable in Australia's inclusive and diverse society".²

ACU strongly supports the Australian Government's efforts in higher education and broader society to address experiences of systemic and interpersonal racism in the country, and to promote an inclusive, equitable, and multicultural Australia for all.

While TEQSA has indicated it is adopting a phased approach to consultation and providing guidance to providers to support compliance with the new standards, ACU recommends extending TEQSA's consultation processes and timeline to afford providers the opportunity to review and provide feedback on these issues individually and holistically, and against the HESF. This should include all draft statements of regulatory expectations (SREs) in respect of adopting definitions of antisemitism, Islamophobia, and racism towards Aboriginal and Torres Strait Islander peoples, and the proposed guidance for providers to promote safe and inclusive environments that address racism and other discriminatory conduct.

At ACU, in line with the University's Catholic mission, identity and values,³ which express a fundamental concern for the dignity of all human beings, there is policy in place which seeks to facilitate an inclusive, safe, respectful and supportive working and learning environment. ACU strives to be inclusive and supportive of everyone – regardless of their faith, background or tradition.

¹ Student numbers refer to headcount figures while staff numbers refer to full-time equivalent (FTE).

² Australia's Special Envoy to Combat Antisemitism. (2026). *Understanding Antisemitism in Australia*. p. 13. <https://www.aseca.gov.au/sites/default/files/2026-04/understanding-antisemitism-in-australia.pdf>

³ Australian Catholic University. *Mission, Identity and Values*. <https://www.acu.edu.au/about-acu/mission-identity-and-values>

Early in 2026, ACU approved and published the Anti-Racism and Cultural Safety Policy⁴, and the related Guidelines and Procedures to assist with implementation. The Policy includes a clear statement of ACU's expectations for preventing, identifying, responding to, and eliminating all conduct that may constitute racism, including antisemitism, Islamophobia and other forms of racial hatred and racial prejudice at the University. It aims to ensure that all members of the University community experience a culturally safe, inclusive, and respectful environment.

In this context, ACU has adopted the Universities Australia definition of antisemitism as part of a broader institutional approach to preventing and responding to racism.

ACU's response to this consultation is provided from the perspective of a university that has already established policy and governance arrangements in this area and is seeking clarity regarding the interaction between existing measures and the proposed regulatory expectations. The ACU approach undertaken to date has been enabled through established governance processes, including consideration through relevant committees and reporting pathways.

ACU considers it important that TEQSA recognise the governance and consultation activities already undertaken by providers that have established anti-racism frameworks, rather than assuming all institutions are commencing policy development anew.

ACU recommended approach

1. Recognise consultation, policy development and governance processes already completed by providers where these substantively meet the Threshold Standards;
2. Clearly distinguish regulatory requirements from guidance and examples of good practice;
3. Link each expectation in the final SRE to the relevant provision of the Threshold Standards;
4. Provide a reasonable transition period following publication of the final SRE, supported by an educative, proportionate and risk-based regulatory approach;
5. Issue coordinated guidance addressing all forms of racism covered by section 6.4 of the Threshold Standards;
6. Provide practical guidance and case studies addressing academic freedom, freedom of expression, complaints management, teaching, research and campus activities; and
7. Clarify how the expectations should be applied by multi-campus providers and in offshore and transnational education contexts.

ACU provides the following feedback on the Consultation Questions:

1. Fostering engagement and discussion: Do the expectations outlined in the Statement of Regulatory Expectations support meaningful engagement on the process of adopting a definition of antisemitism across a provider's community?

TEQSA may wish to provide greater clarity on the implications of the new standards for providers that have existing frameworks and policies already in place. In particular, it would be helpful to understand whether further consultation is expected where institutions have previously undertaken extensive community engagement and have already adopted relevant policies and procedures.

In 2025, ACU convened an Anti-Racism and Cultural Safety Working Party to develop a comprehensive institutional approach to racism, cultural safety and inclusion across the University, including drafting the Anti-Racism and Cultural Safety Policy, designing training programs and

⁴ [ACU Anti-Racism and Cultural Safety Policy](#)

establishing reporting and accountability mechanisms, with further alignment work associated with the revised HESF due to be completed in October 2026. As the policy was developed within the prevailing social, regulatory and higher education environment, ACU recognises the need for ongoing review to reflect future developments including regulatory expectations, legislative developments and evolving national conversations regarding racism, discrimination and cultural safety.

The proposed implementation timeframe creates uncertainty for some providers, particularly given the absence of final guidance and the proximity of the new standards commencing on 1 January 2027. Some providers will require sufficient lead time to undertake governance approval processes, stakeholder consultation, policy review, communication and implementation activities. Greater clarity regarding TEQSA's expectations and evidentiary requirements well before the commencement date would support a more consistent and effective sector-wide response.

2. Unintended consequences: Are there any unintended consequences for research, teaching and learning, student services, workplace relations or campus life that could arise from implementing any of the recommendations?

The implementation of the recommendations should be undertaken in a manner that supports both the safety and wellbeing of affected communities and the core functions of universities, including teaching, research and academic discourse. Without clear guidance, there is a risk of uncertainty regarding how definitions are applied in academic, research and workplace contexts, which could lead to inconsistent interpretation or unintended impacts on legitimate scholarly inquiry and respectful discussion of complex issues.

There is also a risk of elevating and prioritising one form of racism over others.

To minimise unintended consequences, clear implementation guidance, case studies and sector-wide resources that articulate how the expectations interact with principles of academic freedom, freedom of expression and existing institutional policies addressing racism and discrimination would be beneficial. Consideration could also be given to aligning implementation with other relevant sector initiatives and inquiries to avoid duplication, consultation fatigue and repeated policy change processes within a short timeframe.

Implementation may affect student services, campus engagement activities, online learning environments, offshore campuses and transnational education partnerships; therefore, providers may require flexibility to implement consistent principles across diverse delivery contexts while responding appropriately to differing cultural, legal and operational environments. Clear guidance would assist institutions to support inclusion, community safety and respectful dialogue without creating uncertainty for staff or students participating in learning, support or engagement activities.

3. Implementation planning: Do the expectations support providers to undertake appropriate forward planning for the implementation of a definition of antisemitism that will support a whole-of-organisation approach to addressing racism?

a. Are there any additional areas of consideration for implementation that should be listed?

The expectations generally support forward planning for implementation and encourage a whole-of-organisation approach to addressing racism. However, further guidance would be beneficial for providers that already have policies, procedures and consultation mechanisms in place. As already

noted, clarification is needed on whether additional consultation is expected where institutions have previously undertaken extensive engagement and implemented anti-racism or related policies.

An additional consideration for implementation is the timing of regulatory guidance and expectations relative to the proposed 1 January 2027 compliance date.

Additional guidance would also be beneficial regarding governing body oversight and the nature of evidence providers should retain to demonstrate compliance with the new requirements. Clear expectations regarding governance assurance, consultation records and implementation monitoring would support a consistent sector-wide approach.

The reference in the paper for monitoring, review and improvement “to be responsive to shifting political or cultural context in Australia or globally” can be interpreted in different ways and would benefit from greater clarity. This leaves scope for pressure to build to periodically amend the definition of antisemitism in response to permutations in the contemporary social and political landscape. Any definition of antisemitism needs to stand the test of time and reflect the deep-seated historical factors that inform prejudice and hatred towards Jews.

4. Resourcing: Could the expectations impose significant resourcing, staffing or expertise challenges that might negatively impact timely implementation, particularly in smaller providers? a. What solutions could address resourcing challenges associated with adopting a definition of antisemitism?

To minimise duplication of effort and consultation fatigue, TEQSA should consider the provision of sector guidance, access to specialist expertise, shared resources, educational materials and implementation support to enable institutions to meet the expectations consistently and effectively.

At ACU, the development of the Anti-Racism and Cultural Safety Policy and Procedures has already highlighted the considerable investment of staff time, governance oversight, consultation, policy development, training design, system enhancement, reporting mechanisms and change management required to implement this work effectively.

The adoption of a definition alone is insufficient. To achieve the intended outcomes, providers require appropriately resourced education programs, specialist expertise to support the management of incidents and complaints, policy and governance capability, and ongoing monitoring and review processes. Without dedicated investment, there is a risk that implementation becomes largely symbolic rather than resulting in meaningful improvements in safety, inclusion and institutional culture.

ACU notes that the recommendations of the Royal Commission into Antisemitism and Social Cohesion are expected later in 2026 and may be highly relevant to the higher education sector, including consideration of definitions of antisemitism and institutional responses.

While the Royal Commission process is separate from the proposed TEQSA Statement of Regulatory Expectations and amendments to the HESF, it would be a lost opportunity for TEQSA to operate out of lockstep with the Royal Commission in circumstances where the latter might greatly inform and assist the former, thereby ensuring a coordinated and evidence-informed approach and avoiding the need for multiple rounds of consultation or policy revision within a short timeframe.

5. Multi-campus providers and transnational education: Could the expectations pose any challenges for consistent implementation for providers with multiple campuses, and those with campuses outside Australia?

Yes. While a consistent institutional approach is important, providers may need to consider differing legal, cultural and social contexts when engaging with students, staff and partner organisations in other countries. It is also important that Australian legislation does not inadvertently project domestic values on jurisdictions with distinct legal, cultural and regulatory frameworks.

A consideration recognising that implementation in transnational settings may require careful adaptation to local circumstances while maintaining alignment with the provider's overarching policies and values may be appropriate. Additional guidance on the application of the expectations in offshore and partner-delivered contexts would assist providers to achieve consistency while remaining responsive to local cultural considerations and regulatory environments.

Conclusion

ACU supports decisive action against antisemitism and has already embedded the UA definition within a broader anti-racism framework. ACU nevertheless considers that TEQSA should regulate institutional outcomes rather than prescribe uniform wording, recognise work already completed, remain within the authority of the Threshold Standards, provide a realistic transition period, and establish coherent guidance across all forms of racism.