

Procedurally unfair

What happens when an external
review gets it wrong and the
complaints process fails students



**An NSO
Investigation
Report**

October 2026

Acknowledgement of Country

The National Student Ombudsman acknowledges the Traditional Owners and Custodians of Country throughout Australia and acknowledges their continuing connection to land, waters and community. We pay our respects to the people, the cultures, and the Elders past and present.

Content warning and resources

This report contains material that may be potentially distressing. Reading this material may bring up difficult feelings or memories. If it does, you may find the following services helpful (available 24 hours a day):

- Beyondblue – **1300 224 636**
- Headspace – **1800 650 890**
- Jewish Care – **1300 133 660**
- Lifeline – **13 11 14**
- Suicide Call Back Service – **1300 659 467**

Non-English speakers can access these services through the Translating and Interpreting Services (TIS) by calling 131 450.



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Executive summary

‘This university has a duty of care to all of its students. Right now, it is completely failing AUJS [Australasian Union of Jewish Students] members and the broader Jewish student and teacher community on campus.’

[Comment by a Jewish student in their complaint to the University about the National Day of Action for Palestine protest]

On 26 March 2025, a protest named the National Day of Action for Palestine was held at the City Campus of the University of Technology Sydney ('the University'). Following the protest, Jewish students made formal complaints to the University that attendees had singled out Jewish students, targeted them on the basis of their identity, and placed them at risk of physical harm. Following the protest, the University acted quickly by commissioning an external review to respond to the risk of harm and consider appropriate next steps, including changes to improve its processes for the approval and oversight of protest events. Our investigation examines the University's response to the complaints made by Jewish students and its oversight of the external review.

The University's response provided an opportunity to show its support to students, and to set expectations that when tense conversations take place, all participants must adhere to a safe and respectful engagement. Balancing both rights and responsibilities for student discourse during protests is important to avoid marginalising other students.

However, while the University acted quickly, its handling of the external review and its handling of the complaints made by Jewish students were wrong in the circumstances. The University's mishandling of both the review and individual complaints had negative consequences for those Jewish students and for the Australasian Union of Jewish Students (AUJS).

Despite noting the serious nature of the complaints and escalating complaint handling to the executive, we found that the University failed to follow its complaints policy and procedure and did not respond productively to student feedback, thereby missing an important opportunity. Some Jewish students did not receive a response at all to their complaints about the behaviour at the protest. Those who did receive a response received generic responses that did not address their specific concerns.

While the external review was prompted by and initially focused on the National Day of Action for Palestine protest, the University subsequently expanded the scope to review a later event, an 'Open Table Discussion' organised by AUJS to discuss the impacts of the October 7, 2023 Hamas terrorist attacks. The Open Table Discussion, which had been approved under the University's event management processes, was the subject of an unauthorised student protest held concurrently. The external review wrongly made a recommendation naming AUJS as not following the University's event organisation processes. Our investigation found that this conclusion was shaped by bias and incorrect information that the external review did not identify, due in part to the University's design of the expansion of the review. After the review was completed, the University's Vice-Chancellor published an Action Plan that adopted all of the review's recommendations, including a recommendation that publicly and wrongly named AUJS as an example of a group that failed to follow University processes. The University did not, however, publicly name those who *had* failed to follow the University's processes, by organising the unauthorised concurrent protest.

The University had a responsibility to oversee the review and identify factual inconsistencies prior to publishing the review's outcomes. We found that it failed to do so, and in the process further alienated Jewish students. We also found that the University further eroded trust by not providing AUJS with the opportunity to comment on the review before publishing the review's prejudicial recommendation, thereby denying it a fundamental component of procedural fairness. This was unfair, and the University's publication of the recommendation wrongly naming AUJS is likely to have unfairly damaged the reputation of the AUJS student group.

This report provides broad lessons to all higher education providers about the importance of taking student complaints seriously. When done well, complaint handling can help to rebuild student trust, but this only occurs when students feel heard. Outsourcing an external review is common within the higher education sector. When third parties are used for such tasks, higher education providers must maintain close oversight to ensure a fair process and that all outcomes are appropriate. Any recommendations made by an outsourced reviewer to a higher education provider should be carefully considered, including considering whether the evidence supports the proposed recommendations. Providers should also consider taking further actions if they receive external recommendations that do not address the full issue or miss material opportunities to further improve student safety and wellbeing.

What we found

The Ombudsman has made the following findings about the University under section 21AV(1)(b) of the *Ombudsman Act 1976* (Cth):



Finding 1

The University failed to comply with its own complaints policy and procedure.

Finding 2

The University did not take a consistent approach to whether campus events complied with its own processes.

Finding 3

The University failed to identify the potential for bias by ActivateUTS to impact the external review. This led to incorrect findings that were critical of AUJS.

Finding 4

The University missed opportunities to take meaningful action on communication issues between the University (including UTS Security) and ActivateUTS.

Finding 5

The University's design of the Review was not appropriate, leading to incorrect findings about AUJS.

Finding 6

The University did not provide a procedurally fair process prior to publishing adverse comments about AUJS.

Recommendations

The 7 recommendations made in this report are listed below and grouped by theme.

Complaint handling



Recommendation 1

Within 1 month, the University should apologise to students who complained about the National Day of Action for Palestine protest for the poor handling of their complaints. This should include an apology to the 2 students who did not receive any response to their complaint, contrary to the University's Complaints Policy and Procedure.

Recommendation accepted

Event compliance



Recommendation 2

Within 6 months, the University should review its Campus Policy and procedures as they apply to demonstrations and protests, and consider whether any updates would assist consistent application and enforcement, including under similar circumstances of the 'unauthorised protest'.

Recommendation accepted

External review – oversight and outcomes



Recommendation 3

Within 1 month, the University should offer a public apology to AUJS for naming it in Recommendation 4 of its Action Plan. The apology should acknowledge that AUJS did not 'avoid the processes of ActivateUTS' and

that it was compliant with ActivateUTS's event processes when applying for the Open Table Discussion.

Recommendation accepted



Recommendation 4

Within 3 months, the University should work with ActivateUTS to review event guidelines and consider changes to its event requirements and approval process. The outcome of these changes should:

- enable the University and ActivateUTS to obtain all necessary information to conduct a full risk assessment and document safety requirements prior to approving a student event, and
- ensure that consistent and thorough information sharing occurs between ActivateUTS and UTS Security to support the implementation of any safety requirements and assess changes to risk.

Recommendation accepted



Recommendation 5

Within 3 months, the University should develop internal guidance to outline the roles and responsibilities of the University to maintain oversight over an external review/investigation and critically consider all findings.

Recommendation accepted

External review – procedural fairness



Recommendation 6

Within 1 month, the University should deliver a public apology to AUJS for not affording it procedural fairness before naming the student group in Recommendation 4 of the UTS Action Plan.

Recommendation accepted



Recommendation 7

Within 3 months, the University should reconsider and reissue its Action Plan in light of this investigation, with a view to correcting inaccuracies and ensuring findings are not wrongly critical of AUJS.

If the draft version of the revised UTS Action Plan contains adverse comments about AUJS, the University should provide AUJS with the opportunity to submit a procedural fairness response prior to publication.

Recommendation not accepted



Complaint context

Why students from AUJS came to the National Student Ombudsman

On 26 March 2025, a National Day of Action for Palestine (NDAP) protest, 'Stop the Genocide' was held on the University of Technology Sydney (the 'University') campus. During the protest, an external guest speaker singled out a Jewish student counterprotester, stating 'Jews [...] should feel uncomfortable, [...] and that includes that fellow over there'. This action, alongside chants and slogans at the protest, led to multiple complaints from students, staff and the public that attendees had demonstrated antisemitic conduct,¹ and the inflammatory nature of their comments constituted a risk to student safety. Jewish students and groups including the Executive Council of Australian Jewry lodged complaints in response to the guest speaker's conduct. A student made a complaint to the National Student Ombudsman (NSO) about how their complaint to the University had been handled following the incident, including that they had not received a response from the University to their complaint and were dissatisfied with the delay.

A UTS student and executive member of AUJS made a complaint to the NSO about the University's complaint handling and the University's handling of the AUJS Open Table Discussion event ('Open Table Discussion') held on 2 April 2025 about the impacts of the October 7, 2023 Hamas terrorist attacks, and a student-led protest in response to the Open Table Discussion. The NSO had also previously heard from other UTS students who were members of AUJS who had echoed similar concerns.

AUJS told us that following the Open Table Discussion the University had developed and published a UTS Action Plan and Vice Chancellor's statement,² which included a recommendation that specifically blamed AUJS for not following official procedures:

¹ See Appendix for a definition of antisemitism and other terms used in this report.

² See Appendix for a copy of the UTS Action Plan and Vice Chancellor's statement.

‘UTS Action Plan Recommendation 4: Improve communication and co-ordination between UTS Security and ActivateUTS to ensure that clubs, like AUJS, do not avoid the processes of ActivateUTS.’³

AUJS told the NSO that the group’s reputation had been unfairly damaged as Recommendation 4 was factually incorrect, because it *had* ‘fully complied’ with ActivateUTS processes. AUJS was further concerned about bias in how the University had approached applying its policies. In AUJS’s view, the student-led protest against its Open Table Discussion was not examined in the same way as its event, nor subject to adverse findings in the Action Plan. This was despite the student-led protest being unauthorised and not following the University’s security protocols.

‘Once AUJS had been publicly identified in connection with the University’s findings, the issue took on a life of its own. The University’s conclusions were amplified through student media and wider discussion, leaving AUJS with little opportunity to correct the record or influence how those findings were interpreted or repeated.’

[Quote from AUJS student members]

About the external review

Recommendation 4 and the UTS Action Plan were developed based on a private report provided to the University following an external review (the ‘Review’). The University commissioned the Review after receiving several complaints in response to an incident at the NDAP Protest on 26 March 2025. The University requested the Review also ‘examine measures [it] ha[s] in place to support the safety and wellbeing of [its] community, while ensuring [its] staff and students can exercise their rights to protest.’⁴ While the Review initially covered only the NDAP protest and complaints, the University later instructed the external reviewer to expand the Review to consider the Open Table Discussion hosted by AUJS on 2 April 2025. The University also instructed the external reviewer to interview *only* ActivateUTS when it conducted Stage 3.

³ University of Technology Sydney, [Summary of recommendations, observations and actions arising from safety review of protests on campus March/April 2025](#), August 2025.

⁴ University of Technology Sydney, [Independent review into March protest and event](#).

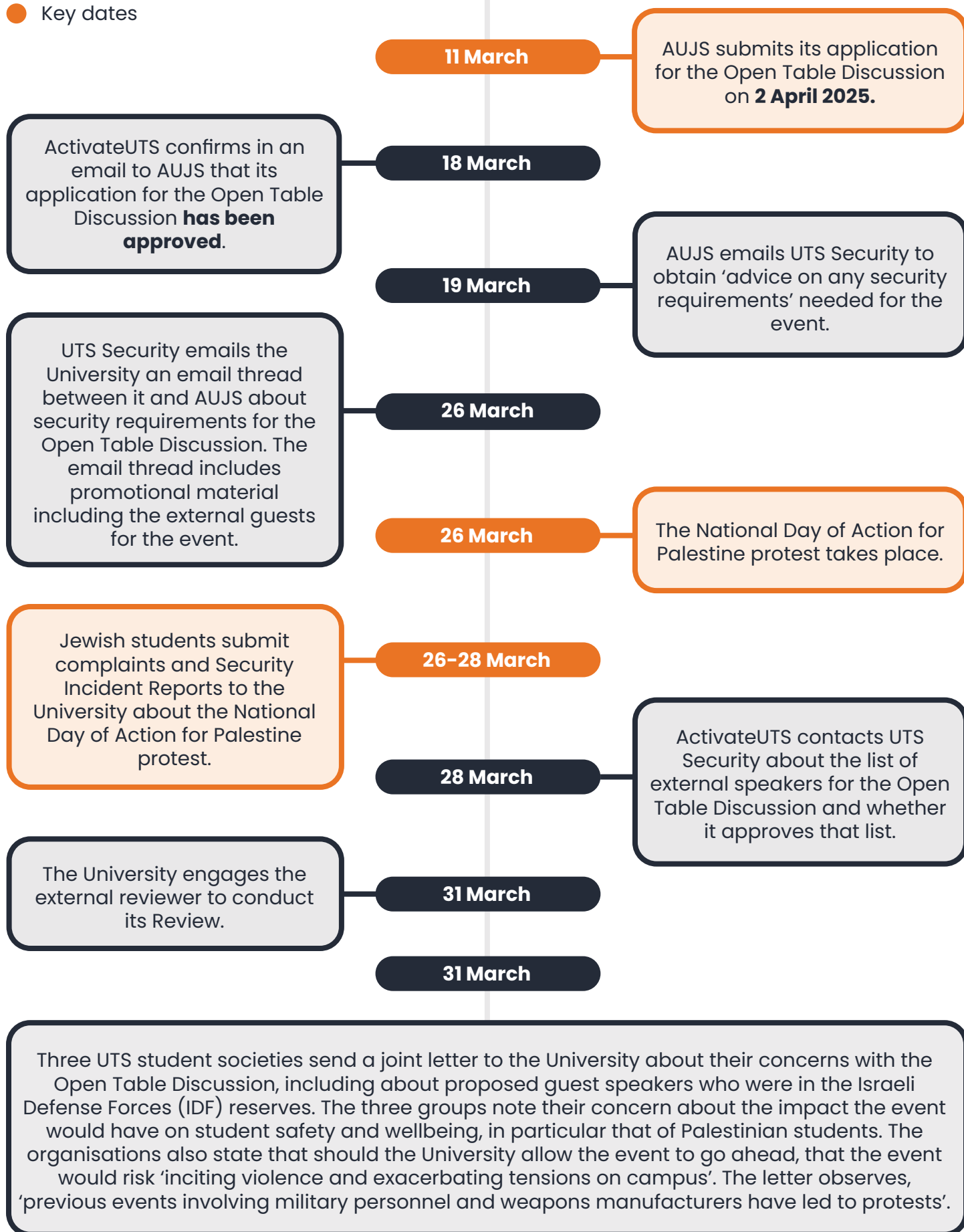
ActivateUTS is a not-for-profit organisation, separate to the University, which operates at the University to deliver student services such as clubs and societies. The University has delegated responsibility to ActivateUTS to approve applications for student events on campus. Students provide their event plans to ActivateUTS to assess. The assessment may include consideration of possible risks elicited by the inclusion of external speakers, which may then trigger escalation of the event to UTS and UTS Security for further management.



Complaint timeline

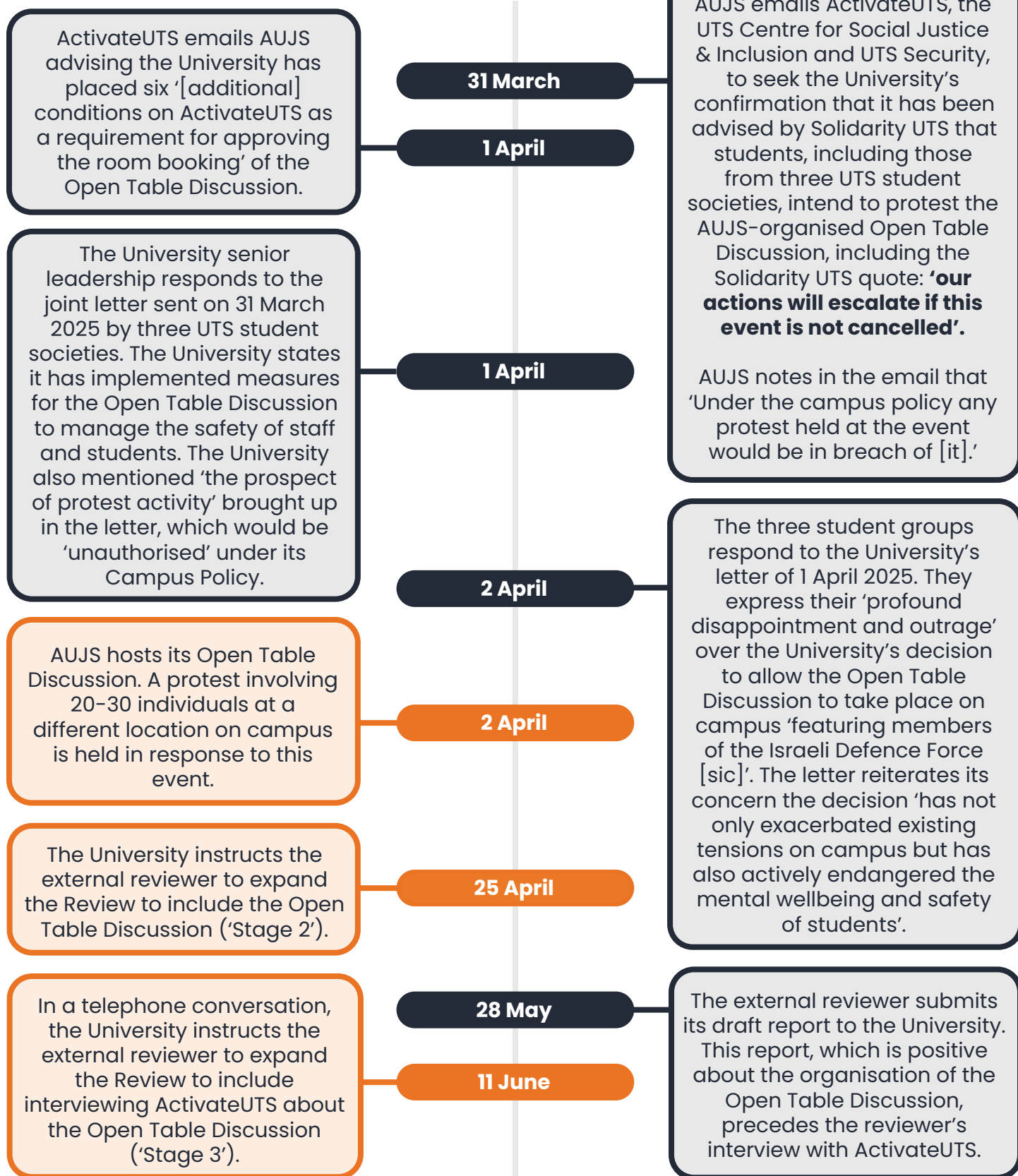
2025

● Key dates



Complaint timeline (cont)

2025



⁵'Solidarity' is a socialist group in Australia that includes local branches, some of which include university students and staff as part of its membership and organisation. Solidarity UTS is one branch of Solidarity, though it is not an official student club or society under the responsibility of the University or ActivateUTS. See [About – Solidarity Online](#).

⁶An ActivateUTS staff member wrote in an email that the Open Table Discussion was 'pitched as an "Interfaith discussion" with no externals or speakers listed in the package. ActivateUTS tentatively booked a space, but required further information such as risk management documents and externals list to confirm'.

Complaint timeline (cont)

2025

11 and 17 June

The University emails ActivateUTS and explains the scope/reasons of the interview by the external reviewer.

ActivateUTS members discuss among themselves the upcoming interview with the external reviewer, including 'some issues from [its] perspective' about the approval of AUJS's event.⁶

17 June

17 June

The University contacts ActivateUTS about its interview with the external reviewer and what to expect, noting the focus on 'just those [policies] relevant to the AUJS event'.

The external reviewer interviews ActivateUTS about the Open Table Discussion.

18 June

The external reviewer submits an updated and signed Legal Services Order to the University, in which it retroactively includes the expansion of the Review to Stage 3: 'Interview ActevateUTS [sic] and update report'.

The external reviewer submits its amended report to the University following Stage 3 (the interview with ActivateUTS). The University accepts the findings and recommendations contained, including those involving AUJS.

25 June

26 June

The University informs student leaders from two UTS student societies about the Review and their complaint about the Open Table Discussion. The University concludes, 'the event was held consistent with policy [...] and the University implemented stricter measures due to safety concerns, which was appropriate'. The University also stated it would not pursue misconduct proceedings against the organisers of the protest against the Open Table Discussion.

The University informs some students who made complaints about the National Day of Action for Palestine protest or who were involved in the Review about its finalisation. The University subsequently closes student complaints about the National Day of Action for Palestine protest.

6 August

6-8 August

7 August

The University of Technology Sydney Vice-Chancellor and President, Andrew Parfitt, issues a public message about the Review and publishes the UTS Action Plan informed by the Review, including publishing Recommendation 4 of the Review which wrongly names AUJS as non-compliant with ActivateUTS processes.

The broader context

Complaint handling

Our investigation does not focus on the broader pattern of elevated incidents of antisemitism and Islamophobia on university campuses since the October 7, 2023, Hamas terrorist attacks and subsequent Israel-Gaza war. Nonetheless, it is important to note that the events reviewed by our investigation occurred at a time of escalated protest activities on campus and reports of reduced student confidence in university complaint processes and responses.

Islamophobia and antisemitism have been significant issues on Australian university campuses, with the Australian Human Rights Commission (AHRC) Racism@Uni Survey reporting that 76.3% of Muslim respondents and 93.8% of religious Jewish respondents have experienced direct or indirect racism.⁵

The Tertiary Education Quality and Standards Agency (TEQSA) issued an interim sector update in August 2024 that stated:

‘The ongoing conflict in the Middle East is impacting many Australians, including students and staff within higher education institutions, and protest activities have escalated on some provider campuses.’⁶

TEQSA issued a Statement of Regulatory Expectations in October 2025, explaining:

‘Amid protests on provider campuses, students reported a wide range of challenges, including difficulties accessing grievance and complaint processes and concerns about a lack of transparency in how complaints were handled and progressed.’⁷

This investigation focuses on how UTS responded to complaints about protest activities and events.

⁵ Australian Human Rights Commission, [Respect at Uni: Study into Antisemitism, Islamophobia, racism and the experience of First Nations people](#), February 2026, 81 and 95.

⁶ Tertiary Education Quality and Standards Agency, [Interim sector update: Regulatory expectations of providers to assure safety and wellbeing on campus in relation to student protests](#), August 2024.

⁷ Tertiary Education Quality and Standards Agency, [Statement of Regulatory Expectations: Student grievance and complaint mechanisms](#), October 2025.

Issues uncovered in the investigation

Our investigation uncovered 5 issues with the University's actions following the NDAP protest, the AUJS Open Table Discussion and the protest of the Open Table Discussion.

The issues are that the University had:

1. **poor handling of individual complaints about a serious issue**, where the University's complaint handling departed from its usual process
2. **an inconsistent approach to compliance** by proposed event organisers with its rules and processes
3. **poor oversight of the Review**, which failed to identify bias or check factual inconsistencies in the findings
4. **missed opportunities within the Review** to learn from poor communication involving ActivateUTS about safety requirements and governance processes, and
5. **published incorrect and adverse findings about AUJS** without first providing AUJS with the opportunity to comment as part of procedural fairness.

Issue 1: Poor handling of individual complaints about a serious issue

Between 26 and 28 March 2025, 5 students complained to the University about concerns relating to antisemitic conduct at the National Day of Action for Palestine protest via multiple channels, including complaints to the UTS Centre for Social Justice & Inclusion, complaints to senior University leaders and concerns raised by filing a Security Incident Report with UTS Security. While the standard process is for a complaint to be made to the University's Student Complaints Resolution Office (SCRO), the University states that it has a 'no wrong door' approach to complaint handling and that

leaders are expected to refer complaints they receive to the SCRO.⁸ While ‘no wrong door’ is not directly defined by the University, this is a common expression to explain a position where a provider will still treat a student’s concern as a complaint even if it has been raised outside of the usual process. The two Security Incident Reports clearly met the definition of a complaint under the University’s Student Complaints Policy:

‘Complaint means a statement of dissatisfaction made by a student about the educational environment or learning experience under the direct control of the university where a response or resolution is explicitly or implicitly expected or legally required.’

Following the complaints it received about the NDAP protest, the University decided to manage the coordination of complaints and its responses at the Executive level.

Good complaint management includes updating students on the progress of their complaint and providing them with an outcome that genuinely considers the concerns that have been raised. However, the handling of complaints through the Executive appears to have contributed to the complaints being poorly managed. Although the University told us that it kept the SCRO ‘informed throughout the process’ of the Review, the SCRO did not conduct an initial complaint assessment or provide updates to students after the Review commenced.⁹

Summary of how the University handled complaints/reports

Students who submitted a complaint or Incident Report about the March protest	5
Students who received updates from the University	2
Students who received an update after the NSO contacted the University	1
Students who received no updates or outcomes about their complaint	2

⁸ See the University of Technology Sydney’s submission to the Inquiry into Antisemitism in New South Wales, 4 April 2025, for reference to a ‘no wrong door’ approach to complaints, [0028 University of Technology Sydney.pdf](#).

⁹ University of Technology Sydney, [Student Complaints Management Procedure](#), clause 4.4d.

Of the 5 students who complained, the University only provided updates to 2 students. A third student lodged a complaint with the NSO because they had been waiting over 3 months for an outcome to their complaint and had not received an update in the last 2 months; the University did not provide them with an update until the NSO raised the issue on 30 June 2025.

The 3 students who did receive an outcome to their complaint received outcomes between 6 and 8 August 2025, well outside of the 45 working day timeframe to which the University's Complaints Policy aspires. Clause 4.6 of the Complaints Policy states:

'[The University] aims to resolve complaints in 45 working days of receipt of the complaint. Where a complaint cannot be resolved in 45 working days, for example, due to complexities, the complainant will be advised of the delay, the reasons for the delay, and provided with a revised timeframe for updates on progress and resolution.'

When it became apparent those timeframes would be exceeded, the University should have provided clear and consistent updates about the progress of the external investigation, in line with the Office of the Commonwealth Ombudsman Best Practices Guide's advice that complainants should be advised as soon as possible about delays.¹⁰

Our review of the University's responses to the 3 students found that the University's outcome letters did not directly address each student's concerns or the specifics of their complaint. The University's responses to these students included information that appears as a near-repeat of parts of the Vice-Chancellor's public statement from 7 August 2025:

Outcome letter to a student delivered on 8 August 2025:

'As a result of the review, we have received recommendations, which we accept, that additional training, education and guidance for protest organisers is required to make sure they have considered, and sought to ensure, not just the physical safety but also the psychosocial safety of students and staff, in their planning for events on campus.'

¹⁰ Office of the Commonwealth Ombudsman, [Best Practices Guide for Complaint Handling at Universities](#), April 2016, 27.

Vice-Chancellor's public statement on 7 August 2025:

'The independent review has recently concluded, and the university has received recommendations from the reviewer.'

'The recommendations provide us with guidance about how UTS can ensure that, in collaboration with our community, all events can be conducted safely for all. They include that additional training, education and guidance for protest organisers is required to make sure they have considered, and sought to ensure, not just the physical safety but also the psychosocial safety of students and staff in their planning for events on campus.'¹¹

The students wrote specific, individualised complaint letters and understandably expected to receive tailored outcomes to their concerns about feeling safe on campus, instead of generic responses. One complaint drew attention to a poster used at the NDAP protest, 'We don't want [a] two state [solution], we want all of '48'¹² which the complainant understood as being a call for Israel to be replaced completely by Palestine. In another complaint, a student reported that protesters pointed them out as being Jewish and a member of AUJS, and they felt 'deeply unsafe and [in a] vulnerable position'. Students were unsatisfied by the University's impersonal letters; one student commented to us: 'It doesn't feel like there was any care behind the experience I went through.'

We also observed that the University did not provide a response to the 2 students who submitted Incident Reports about the NDAP protest. When we contacted the University to commence the investigation, it advised us that it intended the Vice-Chancellor's statement to address both the individual complainants and the University community after the outcome of the external investigation as an indirect response.

While the University advised us that its public statement was the response to the 2 students' Incident Reports, we note that there was no direct communication with the students that the statement was their outcome and as such the University had finalised

¹¹ University of Technology Sydney, Independent Review into March Protest and Event, 7 August 2025, [Independent review into March protest and event](#).

¹² The phrase, 'all of '48', alludes to events prior to and during the 1948 Arab-Israeli War, that saw among other things the mass expulsion and flight of Palestinians from the State of Israel.

their matters. The University also did not create any internal records to document the decision to finalise the complaints in this manner. This approach did not follow the University's Complaints Policy, which outlines that 'staff should endeavour to resolve complaints locally and directly with the student' and that the University 'seeks to finalise all complaints by offering the complainant a reasonable and appropriate resolution in response to the issues raised.'¹³

This is an example of poor complaint handling leading to student frustration. One student stated to the NSO that the University's position 'sounds quite unreasonable, and very impersonal for something that directly affected me.'

Seeking advice on responding to complaints as part of the Review

The University responded swiftly to student complaints about the NDAP protest by engaging an external reviewer. The University was taking seriously its obligations to ensure student safety at events like the NDAP protest, following heightened political discourse and conduct that was perceived as antisemitic and racially vilifying by complainants. The University's Vice Chancellor also provided a prompt written apology on 3 April 2025 to the student who was singled out by the external speaker when they said 'Jews [...] should feel uncomfortable, [...] and that includes that fellow over there', after the student filed a Security Incident Report and a complaint with the University.

These swift actions by the University align with its broader anti-racism actions over the last 3 years.¹⁴ They do not however mitigate the University's failures in individual complaints handling, including addressing students' individual complaint details, delivering an outcome to all complainants and providing progress updates during the external investigation.

¹³University of Technology Sydney, [Student Complaints Policy](#), clause 4.12 and 4.19.

¹⁴ University of Technology Sydney, letter submitted to Parliamentary Joint Committee on Human Rights *Inquiry into Antisemitism at Australian Universities*, 17 December 2024, <https://www.uts.edu.au/globalassets/sites/default/files/2025-03/uts-submission-inquiry-into-antisemitism-17-december-2024.pdf>.

A missed opportunity to address antisemitism

A number of public expert inquiries and reports over the past 2 years have issued recommendations that the higher education sector needs to do more to improve complaint handling practices and processes.¹⁵ These inquiries and reports emphasise universities and the wider sector need to take direct action to ensure complaint processes are student-centred and fit for purpose.

¹⁵ A list of recommendations made within the parliamentary inquiries and public reports can be found in the [Appendix](#) of this report.

Inquiries and reports since February 2024

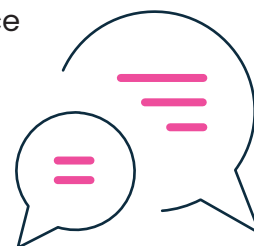
3 parliamentary inquiries (including **over 700** total submissions and **6** total public hearings).



Reports by Expert Council on University Governance and Australian Human Rights Commission (AHRC).

11 recommendations into university governance principles for handling complaints, feedback and input.

Regulatory statement on student grievance and complaint mechanisms.



February 2025

10 recommendations from Inquiry into Antisemitism at Australian Universities:

- simplify complaint procedures
- establish a single central office to process complaints
- adopt a clear definition of antisemitism
- deliver ongoing training to students, staff and leadership on recognising and addressing antisemitism.



From AHRC's Respect at Uni report and survey in **February 2026**, **68.9%** of domestic students and **62.3%** of international students surveyed were **dissatisfied** or **very dissatisfied** with their university's handling of their complaint about racism.



Note: The Appendix includes a full list of the complaint handling recommendations that have been made to the higher education sector since 2024.

The University's own submission to the Inquiry into Antisemitism at Australian Universities was summarised by the Committee in the report:

'The University of Technology Sydney stated that it has a strong track record in addressing racism and promoting inclusion, including through awareness raising campaigns, a complaints mechanism, and the provision of support services. It noted that since 7 October 2023, it has met with leaders of AUJS, the Palestinian Society and representative students, and stated that it has continued to reach out to such groups since antisemitic attacks in the community. It also noted that the university has engaged with the Race Discrimination Commissioner Mr Giridharan Sivaraman regarding the current study of the prevalence of racism at universities.'

Both the Commission of Inquiry and the Inquiry into Antisemitism at Australian Universities released their recommendations for action before the protests in March and April 2025 and subsequent complaints to the University. The University's approach did not align with the finding from the Commission and Inquiry that antisemitism should be clearly called out. While UTS advised that it has made multiple public statements rejecting antisemitism, when it came to the NDAP protest the University did not deliver a clear statement to the public that it does not tolerate antisemitic conduct.

While Jewish students directly called out specific actions from NDAP protest attendees as antisemitic and racially vilifying in their initial complaints and incident reports, the Vice-Chancellor's statement on 7 August 2025 (following the external review) framed the comments of the external speaker at the NDAP protest as a more general 'risk to safety'.¹⁶ While the University found the speaker was in breach of its Campus Policy and formally cautioned them, it did not address the question of whether the speaker's actions during the NDAP protest were antisemitic.

Individual complaints and incident reports submitted to the University about the NDAP protest included reference to unacceptable behaviours such as:

- protest chants of 'There is only one solution, the Intifada Revolution'

¹⁶ University of Technology Sydney, Independent Review into March Protest and Event, 7 August 2025, [Independent review into March protest and event](#).

- the use of a poster with the slogan, 'We don't want two state [solution], we want all of '48', and
- that a student had been directly singled out by protesters as Jewish and a member of AUJS, which made them feel 'deeply unsafe and [in a] vulnerable position'.

In response to concerns about antisemitism, our view is the University could have engaged in a conversation with protest organisers and the student community about how the right to protest must be balanced with student responsibilities, to ensure speech on campus does not cross the line by targeting other students based on their ethnoreligious identity and creating a risk of harm.¹⁷ The University asserted to us that it had engaged in conversations with these protest organisers on this topic at the time, and had also introduced education and training for student association leaders. However, the University did not make this readily apparent to the Jewish students who had complained about the NDAP protest. In its outcome letters, it stated it would 'now work with student organisers and others across the university' to develop training 'to better enable protection of the psychosocial safety of the university community'.

Similarly, the Vice-Chancellor's Statement did not make clear the University had engaged with organisers of the NDAP protest to counsel them on when speech and conduct cross the line into racial vilification and harassment. It would have assisted the broader Jewish student community, alongside the complainants of the NDAP protest, had the University been transparent about its actions in the immediate aftermath of this event. The University could have set out clear expectations on what is and is not antisemitic speech, rather than deliver euphemistic public commentary on how a comment that 'target[ed] an individual risked harm and escalation'. Had the University done this, it would have sent a clear message to Jewish students and the broader community that it cared about and was actively working towards addressing antisemitism on its campus.

¹⁷ Note: in response to a draft of this report, the University stated that it did engage with protest organisers, and following the external review introduced training for student association leaders with a focus on race and faith-based inclusion. A copy of the University's response is included at Attachment A.

Finding 1. The University failed to comply with its own complaints policy and procedure

The National Student Ombudsman is of the opinion that the action taken was, in all the circumstances, wrong, as per s 21AV(b)(iii) of the Ombudsman Act 1976.

Finding 1A. The University did not provide students with updates on their complaints in line with its policy and procedure

Of the 5 students who made complaints, 3 received sporadic updates. The University did not provide regular updates or inform them about when they would receive an outcome in line with the progress made with the Review. Knowing that its external review would take more than the 45 business days referenced in clause 4.6 of its Complaints Policy, the University could have advised individual students of the likely delay, the reason for it and when an outcome might be expected.

TEQSA set regulatory expectations in October 2025 that providers give a clear timeline to student complainants on the resolution of their complaint (including ‘potential factors that may foreseeably and reasonably cause delays’) and that they are given regular updates during the complaint process.¹⁸ Had this been in effect at the time of events in this investigation the University’s lack of action could have been considered in breach.

Finding 1B. The University did not respond to some complainants

The University failed to provide 2 students with individual updates or with outcomes in response to their Incident Reports. It was unreasonable for the University to view the public statement it made about the Review as a sufficient response to students who had lodged individual complaints, especially when the 2 students were not informed that this was the case and when the public statement did not address the issues of antisemitism that the complaints raised.

This failure to provide outcomes is contrary to clauses 4.12 and 4.19 of the University’s Complaints Policy, which state the University seeks to finalise complaints by offering a

¹⁸ Tertiary Education Quality and Standards Agency, [Statement of Regulatory Expectations: Student grievance and complaint mechanisms](#), 1.b.ii and 1.e.

reasonable and appropriate resolution to the issues raised, and endeavours to resolve complaints locally and directly with the student.



Recommendation 1

Within 1 month, the University should apologise to students who complained about the National Day of Action for Palestine protest for the poor handling of their complaints. This should include an apology to the 2 students who did not receive any response to their complaint, contrary to the University's Complaints Policy and Procedure.

Recommendation accepted

University of Technology Sydney response

'After receiving the draft version of this report, the University issued a written apology and outcomes letter to the two students who submitted incident reports and did not receive a response to their complaints. The University will issue an apology to the remaining students for its failure to keep them regularly updated during the course of the external review, and for the fact that its outcome letters did not specifically address some aspects of their complaints within the timeframe recommended by the NSO.'

Issue 2: Inconsistent approach to event compliance

Lack of compliance action – an 'unauthorised protest' or a 'peaceful vigil'?

The second issue we identified was that the University treated AUJS differently when considering compliance concerns for how the Open Table Discussion had been organised, in comparison to the protest against the Open Table Discussion. Two days before the Open Table Discussion was scheduled to take place, on 31 March 2025 three UTS student societies wrote to the University asking for the event to be cancelled.

In its joint letter, the student societies expressed they were 'deeply concerned' the Open Table Discussion would involve bringing IDF members onto the University campus. Their physical presence on campus would, according to these student groups, compromise 'the safety of Palestinian students and any others on campus who may feel threatened or targeted by their presence'. The letter included personal testimony from a Gazan student at the University who shared the ongoing trauma and ramifications of Israeli-Palestinian conflict, and that there was no way to 'rule out the possibility that one or more of [the IDF speakers...] are directly responsible for the death of a student's family member or loved one'. It also drew attention to the contested actions of the IDF according to the United Nations, the International Court of Justice and the International Criminal Court.

The letter also drew attention to what it viewed as the event's incompatibility with ActivateUTS's Code of Conduct and the University's Student Rules. The student groups wrote the Clubs Code of Conduct 'requires clubs to act in the best interests of the university community, exercising judgment in ensuring events do not endanger student welfare'.¹⁹ Citing 16.2.11(11) of the Student Rules,²⁰ the letter commented that 'if [AUJS's] event is allowed to go ahead, 'it will also threaten the safety of students and staff at the university and interfere with the freedom of students to pursue their studies and participate in the life of the University'.

The University's response to the joint letter on 1 April 2025 was to advise that it would allow the Open Table Discussion to proceed. Its letter did not specifically engage with the student groups' reference to parts of the UTS Student Rules and ActivateUTS Code of Conduct to which they believed the Open Table Discussion was noncompliant. However, the University explained that it had put additional measures in place in response to 'the issues raised in [the] letter' by 'significantly reduc[ing] the risk' that participants who were members of the IDF would interact with the broader student

¹⁹ The letter did not cite an explicit section or statement in the Clubs Code of Conduct when forming this conclusion.

²⁰ 16.2.1(11) of the UTS Student Rules as of 24 April 2025 outlines that Student Misconduct includes, but is not limited to, 'unreasonably interfering with the freedom of other persons to pursue their studies, carry out their functions or participate in the life of the University'. See [Section 16 – Student misconduct and appeals](#). The University has since amended and repealed the UTS Student Rules such that general misconduct now falls under its Student Conduct Rules.

community. In its view, these measures would 'significantly reduce the risk that anyone in [its] broader student populations [would] encounter the event speakers'.

The University's Campus Policy required all students to formally notify UTS Security of an intent to protest '48 business hours' ahead of a planned protest. This requirement supported UTS Security to coordinate measures to mitigate risks to student safety. In line with this requirement, the University said in its response to the three UTS student societies that as it had not received prior notification of an intent to protest the Open Table Discussion, a protest would be unauthorised according to its Campus Policy:

'In terms of the prospect of protest activity, I understand that UTS has not received formal notification of any intent to protest, as is required under the Campus Policy. As such, I must advise that any protest activity planned for 2nd April [2025] will be unauthorised. I would urge you to encourage students not to participate in an unauthorised protest.'²¹

Noting the recent risk to student safety during the previous March protest, the administration's response and decision not to authorise the protest was reasonable, as it did not comply with the Campus Policy's minimum timeframe requirement. Likewise, it was reasonable for the University to request of AUJS some additional security measures in light of the student groups' concerns, including coordination of the arrival, movement and departure of the IDF attendees by UTS Security while on campus.²²

However, although the University advised the student groups that the protest on 2 April 2025 would be 'unauthorised', it chose not to take compliance action against any students or to consider the protest as being in breach of its Campus Policy requirements.

During our investigation, we asked the University why it did not take compliance action, noting its prior communications to dissuade students from attending the 'unauthorised' protest. In a meeting with the NSO, the University told us the event was not seen as a

²¹ University of Technology Sydney, [Campus Policy](#), clause 4.56 (in v2.3, in effect as at the time of the AUJS event).

²² The University's letter to the student organisations did not make this point explicitly known, though this requirement was communicated to AUJS on 1 April 2025.

protest by it or UTS Security, but rather as a 'peaceful gathering.'²³ However, this response from the University conflicts with its own contemporaneous documents and communications. Records made by UTS Security staff and written descriptions of the event specifically characterise the event as a 'protest'. Our view in reviewing the evidence is that the event met the UTS Campus Policy definition of a protest or demonstration:

'Demonstration means any march, rally, sit-in, sit-down, interest group meeting or other form of protest or public assembly on any campus attended by any campus user.'²⁴

The University told us UTS Security decided to let the protest proceed, 'view[ing] the gathering as a peaceful vigil' while it was underway and that it was 'within the purview of the UTS Security Team' to make decisions on behalf of the University leadership on whether the protest could continue. It is clear that UTS Security viewed and described the event as a 'protest', including in a follow-up email about the event to other university staff.

Contrast in approach to the Open Table Discussion

In contrast, the University subsequently named AUJS in Recommendation 4 of its public UTS Action Plan as an example of how the University should improve coordination between UTS Security and ActivateUTS to ensure that student clubs 'like AUJS, do not avoid the processes of Activate UTS'.

Finding 2. The University did not take a consistent approach to whether campus events complied with its own processes

The National Student Ombudsman is of the opinion that the action taken was, in all the circumstances, wrong, as per s 21AV(b)(iii) of the Ombudsman Act 1976.

The University was inconsistent in its approach to policy compliance by student-organised campus events. The student protest against the AUJS event was directly contrary to the Campus Policy, as the University was not informed of the demonstration

²³ The University had also described the protest as a 'small vigil' that had 'less than 30 people' who 'dispersed peacefully' after one hour.

²⁴ University of Technology Sydney, [Campus Policy](#), '6. Definitions'.

at least 48 business hours before it was to take place. The protest was also contrary to explicit advice from the University that it was unauthorised. While our investigation has not examined which students organised the protest, we did receive the University's confirmation that it decided not to take any action about the protest despite the breach of policy. In contrast, the AUJS event application was submitted appropriately and in line with the University's policies and procedures, and AUJS was advised by ActivateUTS that its event application was approved – yet AUJS was publicly named by the University as a student group that did not follow the proper approval processes.

The decision not to take action against the protest organisers was open to the University, however the decision to publicly and incorrectly stigmatise AUJS as supposedly being non-compliant was inconsistent and unfair.



Recommendation 2

Within 6 months, the University should review its Campus Policy and procedures as they apply to demonstrations and protests, and consider whether any updates would assist consistent application and enforcement, including under similar circumstances of the 'unauthorised protest'.

Recommendation accepted

University of Technology Sydney response

'The University's policies and procedures are the subject of regular reviews, as part of a program of continuous improvement. The University has made several changes to its Campus Policy in June 2025 and subsequently, to implement the external reviewer's recommendations, and other changes to improve procedures in relation to protest authorisation. The most recent version of the Campus Policy, version 3.4, was released on 28 May 2026. UTS considers the changes proposed by the recommendation to be complete.'

The University will conduct a further review of its Campus Policy as part of its regular review process, and as recommended by the NSO will consider

whether any further updates would assist consistent application and enforcement.'

Issue 3: Poor oversight – facts and bias

Did AUJS follow the rules?

ActivateUTS's view, and the one it put to the external reviewer, was that AUJS was at fault and had not followed official processes. AUJS had the opposite view – that, as a student group, it had complied with official processes but had then been unfairly impacted through the publication of the Action Plan suggesting it had not complied. We explored these competing claims as part of our investigation of the complaint by an executive member of AUJS.

We found that the University adopted the view of the external reviewer that AUJS had not followed official processes. This occurred due to a fundamental failure by the University in adopting uncritically the external reviewer's recommendation about AUJS.

The external reviewer formed the view that AUJS had bypassed the governance processes of ActivateUTS as a result of the reviewer's engagement with ActivateUTS.

To understand how ActivateUTS had reached its perspective that AUJS was at fault, we relied upon the Review, which included details from the external reviewer's interview with ActivateUTS on 18 June 2025, and we met with ActivateUTS directly.

ActivateUTS gave 4 reasons for believing AUJS acted inappropriately. It set out these reasons in an internal email ahead of its interview with the external reviewer. These reasons were:

1. AUJS bypassed ActivateUTS by going straight to UTS Security to get the event approved and did not comply with timeframes.
2. AUJS included an event description that was deliberately ambiguous about its content (suggesting it was 'faith-based').
3. ActivateUTS asked for more details and AUJS did not immediately respond but did engage directly with UTS Security.

4. ActivateUTS only became aware of the details of the external speakers after communicating with UTS Security.

Did AUJS bypass the usual processes of ActivateUTS?

During our discussion with ActivateUTS, we asked it to clarify its comment to the external reviewer that AUJS had inappropriately contacted UTS Security in a way that ‘bypassed’ its usual event approvals process. Our investigation had seen an email from ActivateUTS to AUJS on 18 March 2025, approving the proposed Open Table Discussion, the day before AUJS contacted UTS Security.

ActivateUTS perspective
ActivateUTS told our investigation that its approval of the Open Table Discussion was ‘pending’ until ‘all conditions’ were met, including further information from AUJS, with a list of externals and a risk assessment.
What the evidence tells us
AUJS’s initial application to hold the event (its Event Operations Package, or EOP) included a risk assessment that noted the themes of the event were ‘sensitive and potentially polarising’, which may lead to emotional distress, ‘disruptions’ and a ‘mild protest’. AUJS indicated it would use control measures such as ticketing the event and a risk assessment by campus security and its internal security team to ensure safety. On 18 March 2025, AUJS received an email from ActivateUTS stating, ‘Your event application for October 7th Open Table Multi-Faith Discussion [...] has been approved’. There was no indication in this email that the approval that had been given was ‘conditional’ approval, with no indication given to AUJS that final approval was for UTS to decide, noting clause 5.2 of the Campus Policy sets out that: <i>‘The Head of Security and Emergency Management is responsible for reviewing and approving requests in line with this policy and, in particular, for the safety of all campus users.’</i> If ActivateUTS meant to only give AUJS ‘conditional’ approval for its event, ActivateUTS needed to communicate that clearly in its email and then advise AUJS on any conditions.

Did AUJS apply late?

ActivateUTS claimed that AUJS submitted a late application to host the Open Table Discussion. ActivateUTS raised this view when it was interviewed by the external investigator, seemingly contributing to the external reviewer’s conclusion that AUJS did not comply with ActivateUTS’s event approval processes.

The evidence does not support ActivateUTS’s view. On its Club Event Application webpage, ActivateUTS advises event applications ‘need **at least 10 business days’ notice**’.²⁵ AUJS submitted its application for the Open Table Discussion 17 business days in advance of the proposed event, thereby meeting this requirement (AUJS submitted its application [EOP] on 11 March 2025 with a proposed event date of 2 April 2025).

Did AUJS submit an event description that was ‘deliberately ambiguous’?

When we discussed with ActivateUTS its view that the AUJS application was ambiguous and lacked transparency, it framed this concern as being about AUJS not including information about planned external guest speakers in its EOP (‘there were no specific details about [Israeli Defense Forces] reservists’) and that AUJS was not transparent in framing the Open Table Discussion as an ‘interfaith’ event.

ActivateUTS perspective
AUJS did not include information in its EOP about its guest speakers being IDF reservists. ActivateUTS queried why AUJS omitted to include this information, as IDF speakers were likely to be controversial and present a higher-risk profile for the event.
What the evidence tells us
AUJS was not obliged to, and in fact complied with, ActivateUTS’s guideline by <i>not</i> including an External list. The ActivateUTS Event Documentation webpage states that External lists are only necessary for events ‘happening on weekdays after 10PM and weekends’. ²⁶

²⁶ ActivateUTS, Event Documentation, [Event Documentation – Activate UTS](#).



In its EOP, AUJS's proposed date and time for the Open Table Discussion was Wednesday 2 April 2025 from 12:45–2:00pm, so an External list was *not* required by ActivateUTS.

ActivateUTS has a separate 'Externals List Submission' webform stating it is mandatory for clubs to provide an external guest list if their event 'includes high-profile attendees.' This description does not appear in ActivateUTS's EOP template or on its publicly accessible webpages. Given the advice on ActivateUTS's Event Documentation webpage that external lists are only needed for out of business hours events, a student applying for an event within standard business hours would be unlikely to see any need to open the Externals List Submission webform and read about this requirement.

ActivateUTS suggested to us it viewed the inclusion of IDF speakers as high risk and that this was a determining factor for why its approval of the event was 'pending' or 'conditional' – although we saw no evidence that AUJS was ever advised that the approval was pending or conditional, or that it was required to provide an External list.

ActivateUTS perspective

AUJS diminished the controversial nature of its event by pitching it as an 'interfaith discussion'.

What the evidence tells us

The description AUJS included in its EOP acknowledged sensitivities surrounding the planned event, not only via its risk assessment but also in its focus on utilising VR to enhance the audience's understanding of the experiences of survivors from the October 7, 2023 attacks.

In support of its description as an 'interfaith discussion', AUJS stated in its EOP the event would include 'leaders from different faiths (Christian, Druze, Muslim, Jewish)'. Marketing material for the Open Table Discussion proceeded to list speakers who identify as Druze, Christian and Jewish.

Did AUJS respond to UTS Security but not respond to information requests from ActivateUTS?

Our investigation requested through the University a copy of all relevant documents and communications about how the Open Table Discussion was organised. Our investigation also involved meeting with ActivateUTS directly. ActivateUTS claimed it made requests to AUJS for further information, but the documents we viewed did not support this claim.

The records we reviewed included an email from AUJS to ActivateUTS on 31 March 2025, ahead of the event on 2 April 2025, following up on an earlier meeting that day between AUJS and the University. In the email, AUJS outlined the security measures it had put in place for its event (including ticketing the event, providing the prior risk assessment to ActivateUTS and notifying campus security). ActivateUTS replied on 1 April 2025 to impose additional conditions on behalf of the University.

ActivateUTS did not send AUJS any written requests for information following its email on 18 March 2025 approving the event. It was not until UTS Security emailed ActivateUTS on 26 March 2025 that ActivateUTS became aware of external speakers. On 28 March 2025, ActivateUTS emailed UTS Security with concerns about the speakers list that was provided, requesting Security to assess the risk of external speakers (assessing the risk of external speakers is part of the usual process for the University when a list of external speakers is required and provided during the application), noting that UTS's Academic Freedom and Freedom of Expression Policy sets out that UTS can apply additional requirements to an event when visiting speakers are involved. Our investigation also saw an internal ActivateUTS email on 17 June 2025, over 2 months after the event, outlining ActivateUTS's perspective on the timeline of approval for the Open Table Discussion. This email noted that on 28 March 2025 ActivateUTS had handed responsibility for event management to the University, which explains why further requests to AUJS came from UTS Security.

At the procedural fairness stage for this report, ActivateUTS advised that it no longer maintains a view that it had made a written request to AUJS for speaker or content detail which AUJS did not respond to.

What the University requested from AUJS

...for [UTS] to put in a list of... intense requirements [for the AUJS event] fees like a very unfair thing to put on us because other students were going to undertake an unapproved protest. It feels like an unfair burden just because others didn't want us there.

[Telephone conversation with an AUJS student member about the AUJS event application process]

After the University on 28 March 2025 took carriage of management of the proposed AUJS event, the University imposed a series of requests that required a response from AUJS for the event to progress.

Some of the University's requests to AUJS were reasonable in response to concerns raised by the three student groups about the presence of IDF speakers on campus. The University's Academic Freedom and Freedom of Expression Policy empowers it to impose 'additional approval and requirements [...] when visiting speakers are included in campus events'.

However, it was unreasonable for the University to only communicate these requirements to AUJS on 1 April 2025, the day before the event took place. The requests included:

- a vetted list of all attendees submitted to ActivateUTS and UTS Security at least 24 hours before the event,
- VR video content provided for review and approval prior to the event,
- all attendees to sign a consent form before engaging with the VR experience,
- all speakers to comply with UTS Security at all times, including arrival, movement and departure on campus,
- ID checks to be conducted at the door to confirm attendance against the pre-vetted list, and
- all further promotions and registrations for the event to cease.

The University's requirement for AUJS to action this series of requests in order for its event to progress, only one day before the event was scheduled, demonstrates issues with communication and timely decision-making. The requirement to suddenly cease promotion of the event or further registrations was also not reasonable.

Finding an explanation for the repeated inaccurate claims by ActivateUTS about AUJS

Bias: the action of supporting or opposing a particular person or thing in an unfair way, because of allowing personal opinions to influence your judgement.²⁷

[Cambridge Dictionary, definition of Bias]

We found in our investigation that the mischaracterisation by ActivateUTS of how AUJS had engaged in the approval and planning of its event went beyond misunderstanding the facts of the matter. This included factual errors in how ActivateUTS characterised the event: that approval was 'pending' or 'conditional'; the event application as late; that the event description was 'deliberately ambiguous'; not providing a required list of external attendees as part of its initial application; and that AUJS was not responsive to information requests. These mischaracterisations by ActivateUTS are particularly surprising where they are contrary to ActivateUTS's own event processes, requirements and documents.

During our investigation, we asked ActivateUTS a number of questions when we met with it in December 2025. We raised specific examples of evidence that conflicted with the perspective provided by ActivateUTS to the external review (for example, the need for AUJS to provide it with a list of external attendees/speakers). ActivateUTS continued to emphasise its previous position and offered to verify its position and revert to the NSO with documentation. It provided explanations and its complete contemporaneous record during procedural fairness. Its procedural fairness response and record clarified some of the factual inconsistencies that we raised, including from its perspective that AUJS's risk assessment for the Open Table Discussion no longer applied once it became aware from UTS Security of 'high-risk' external speakers.

We cannot conclude based on the evidence made available to us exactly what led to ActivateUTS misdescribing its own event processes and mischaracterising actions by AUJS to both the external review and our investigation. However, our investigation does view the actions taken by ActivateUTS as reflecting a consistent, ongoing display of

²⁷ Cambridge Dictionary, 'Bias', [BIAS | English meaning - Cambridge Dictionary](#).

impaired judgement that is not explainable outside some form of bias against AUJS with respect to this event.

It was inappropriate for ActivateUTS in the course of its professional responsibilities to unfairly misrepresent AUJS with this consistent and ongoing negative view, with the ultimate consequence of reputational damage to AUJS.

Finding 3. The University failed to identify the potential for bias by ActivateUTS to impact the external review. This led to incorrect findings that were critical of AUJS

The National Student Ombudsman is of the opinion that the action taken was, in all the circumstances, wrong, as per s 21AV(b)(iii) of the Ombudsman Act 1976.

ActivateUTS coordinates student events on behalf of the University, which has delegated this responsibility. Ultimately, it is the University that is responsible for ensuring that student events are coordinated appropriately and safely – and this was demonstrated by ActivateUTS’s referral of the Open Table Discussion to UTS Security on 28 March 2025 for management and the imposition by UTS Security of additional security requirements for the event to proceed.

While ActivateUTS was the source of the comments that unfairly placed blame on AUJS for how the Open Table Discussion was organised, and the external reviewer could have readily identified the same factual inconsistencies with those comments that our investigation has observed, ultimately the University had an ongoing responsibility to ensure that the findings of the Review and its recommendations were accurate and did not unfairly prejudice anyone or any group. The University restricted the external reviewer to only talking to ActivateUTS for stage 3 of the review and failed to consider safeguards to ensure that this restriction did not skew the external review. Once it received the review, the University failed to identify that bias from ActivateUTS against AUJS *had* affected the findings of the Review.

Part of the University’s oversight responsibility for any external review that it commissions includes assuring itself of the facts and findings after receiving the final report. Had the University taken this necessary step, it could have identified bias in ActivateUTS’s commentary on AUJS, including the incorrect view that AUJS had ‘bypassed’ its usual event processes by engaging with UTS Security prior to ActivateUTS

giving approval for the Open Table Discussion. Simply obtaining key documents such as AUJS's event application (its EOP) and reviewing ActivateUTS's event guidelines would have cast doubt on the reliability of ActivateUTS's claims about AUJS.

The University appears to have accepted the external reviewer's findings uncritically, in effect giving over ownership of the Review and its ensuing recommendations. In relinquishing responsibility over the Review, restricting the reviewer's process and not factchecking prior to publishing Recommendation 4 of its Action Plan, the University caused AUJS to suffer reputational damage through the negative commentary and damaged trust with the student club.

'We also experienced the impact of this during Orientation Day. Several students appeared hesitant to approach our stall, sign up or accept merchandise because they were concerned about being associated with AUJS.'

'We have no way of knowing how many students chose not to engage with AUJS, how many staff or external stakeholders formed adverse impressions, or how far the University's findings spread beyond the campus community.'

[AUJS student members]



Recommendation 3

Within 1 month, the University should offer a public apology to AUJS for naming it in Recommendation 4 of its Action Plan. The apology should acknowledge that AUJS did not 'avoid the processes of ActivateUTS' and that it was compliant with ActivateUTS's event processes when applying for the Open Table Discussion.

Recommendation accepted

University of Technology Sydney response

'The University will issue to its student members of AUJS, and publish on its website, an apology for naming AUJS in the Action Plan, for any adverse impact on AUJS as a result of that naming and for failing to provide AUJS

with an opportunity to review and respond to the Action Plan prior to its publication. The University did not hold the view that AUJS “avoided the processes of ActivateUTS” or was non-compliant with ActivateUTS’s event processes regarding the event.’

Finding 4. The University missed opportunities to take meaningful action on communication issues between the University (including UTS Security) and ActivateUTS

The National Student Ombudsman is of the opinion that the action taken was, in all the circumstances, wrong, as per s 21AV(b)(iii) of the Ombudsman Act 1976.

The impact of the University not checking the facts as part of its oversight responsibilities (as identified in Finding 3 above) is that the University missed opportunities to identify and implement process improvements, as had the external reviewer.

ActivateUTS’s event application process failed to articulate what ActivateUTS subsequently said was required of AUJS, including inconsistent references to when external attendees must be supplied. While the UTS Action Plan recommends improving UTS Security and ActivateUTS coordination, the actions did not get to the real issue: which is that the fault was not AUJS ‘bypassing’ ActivateUTS, but rather that ActivateUTS’s processes and the process between ActivateUTS and UTS Security were flawed.

This lack of clarity revealed that responsibilities were not clearly defined and that ActivateUTS was not aware for some time about the information UTS Security possessed regarding external speakers, and resulted in a reactive approach by the University to impose last-minute and unreasonable event conditions on AUJS for the Open Table Discussion. Requesting information about external attendees is reasonable, but the approach taken towards communicating these extensive additional expectations 1 day prior to the event, was unreasonable.



Recommendation 4

Within 3 months, the University should work with ActivateUTS to review event guidelines and consider changes to its event requirements and approval process. The outcome of these changes should:

- enable the University and ActivateUTS to obtain all necessary information to conduct a full risk assessment and document safety requirements prior to approving a student event, and
- ensure that consistent and thorough information sharing occurs between ActivateUTS and UTS Security to support the implementation of any safety requirements and assess changes to risk.

Recommendation accepted

University of Technology Sydney response

'The University has worked with ActivateUTS to review event guidelines and consider changes to its event requirements and approval process, including information gathering and sharing arrangements between the University and ActivateUTS.'

Issue 4: Missed opportunities within the Review

From Stage 2 to Stage 3

The University initially engaged the external reviewer in Stages 1 and 2 to examine how it can better manage safety and wellbeing concerns during protests and other on-campus activities dealing with contested geopolitical concerns. The design of the Review made sense in the context of the NDAP protest, including as it did interviews with student leaders involved in the NDAP protest and a review of the University's policies.

Stage 3 (which looked at the Open Table Discussion) was included in the Review after the external investigator had already delivered a draft report to the University, with findings and recommendations based on information obtained during Stages 1 and 2. Stage 3 comprised only an interview of ActivateUTS. The reviewer's report following Stages 1 and 2 was positive about the organisation of the Open Table Discussion, including that there were 'enhanced security measures' in place. The addition of ActivateUTS at Stage 3, without any engagement by the external reviewer with parties other than ActivateUTS, ultimately resulted in factual errors about the AUJS event process being relied upon in the final report and the University's resulting Action Plan.

From the perspective of student safety and wellbeing (the original scope of the Review) it appeared both the organisers of the NDAP protest and AUJS had organised events that considered potential safety risks and cooperated with UTS Security. It was therefore unclear to us why the University decided it was necessary to expand the Review to Stage 3, and specifically for that stage to only include an interview of ActivateUTS and to focus the interview on the Open Table Discussion alone and not other events.

We put these questions to the University in a December 2025 meeting. Its response was:

'[The University] added ActivateUTS at Stage 3 to make sure that ActivateUTS's processes were appropriate. [The University] wanted to understand what ActivateUTS did or did not know about the AUJS event and its list of external speakers. [The University] was unaware of the event happening until receiving the first complaint.'

The University also supplied a copy of correspondence between senior leaders on 9 June 2025, demonstrating interest in understanding ActivateUTS's responsibilities over student clubs and societies:

'Relationship between Activate Clubs and UTS: There are a number of Activate clubs involved in this and the role of Activate wasn't clear to me in terms of their responsibilities (if any), particularly in relation to training of club executives. As [the external reviewer] provided a detailed overview of the Students' Association's role and responsibilities, it may make sense that [they complete] a similar task with Activate – maybe interviewing [Mr S] and/or [Ms T].'

In considering our meeting with the University and internal correspondence between senior leaders, the University's decision to expand Stage 2 to Stage 3 seems to have resulted in shifting the Review's focus toward event compliance. This was *not* in the Review's initial scope, and shifting focus from student safety and wellbeing to event compliance ultimately had negative repercussions for AUJS. The design of Stage 3 was narrow, focusing only on interviewing ActivateUTS about the Open Table Discussion event.

The University could have designed the scope of Stage 3 to provide a more holistic view of the organisation of events involving ActivateUTS. If Stage 3 was to focus only on the Open Table Discussion but had also included interviewing AUJS about how it complied with the event organisation processes and how it found the experience of communicating separately with ActivateUTS and UTS Security, the incorrect view of AUJS compliance conveyed to the external reviewer by ActivateUTS would likely have been identified and Recommendation 4 may not have been made by the reviewer or published by the University. The perspective of AUJS would have also assisted the University to understand and focus on the role of ActivateUTS (which the University had identified as being unclear in their correspondence of 9 June 2025) and how the event approval process and the communication process between ActivateUTS and UTS Security could both be improved.

Finding 5. The University's design of the Review was not appropriate, leading to incorrect findings about AUJS

The National Student Ombudsman is of the opinion that the action taken was, in all the circumstances, wrong, as per s 21AV(b)(iii) of the Ombudsman Act 1976.

Design and ‘independence’

Across its communication with our Office and public statement, the University was consistent in framing the Review as an ‘independent’ examination of whether its existing measures were sufficient to ensure the wellbeing and safety of its community during campus events.²⁸ Given the University characterised the Review as ‘independent’, it was unusual for the University to instruct the external reviewer to only interview ActivateUTS. This instruction went beyond the general instructions that came prior to Stage 3, including a broader consideration of the NDAP protest and Open Table Discussion and the University’s policies/procedures to enable community safety at on-campus events. Following the instruction from the University to the external reviewer, the latter produced inaccurate findings about AUJS’s noncompliance with ActivateUTS’s event processes. Had the University left the external reviewer to design Stage 3 for itself, its Review may have yielded different conclusions about ActivateUTS, AUJS and recommendation 4 of the Action Plan.



Recommendation 5

Within 3 months, the University should develop internal guidance to outline the roles and responsibilities of the University to maintain oversight over an external review/investigation and critically consider all findings.

Recommendation accepted

University of Technology Sydney response

‘The University agrees that, as a matter of principle, it is generally appropriate that it develop guidance outlining the roles and responsibilities of the University and other parties in the conduct of an external review or investigation. That guidance will include guidance in relation to the critical consideration by the University of the findings of an external reviewer. The expected timeframe is 3 months.’

²⁸ In response to our investigation notice, the University stated, ‘We requested advice from [the external reviewer] to ensure the review was independent. We wanted to ensure that UTS was doing all that it could to allow the safe expression of a diversity of perspectives, in line with our obligations for academic freedom and freedom of expression’.

Issue 5: Denial of procedural fairness

As part of its complaint to the NSO, AUJS raised a concern that the University did not provide the student group with the opportunity to respond to Recommendation 4 from the UTS Action Plan, prior to its planned publication alongside the Vice Chancellor's public statement.

'[The University] published its recommendations, painting us in this way without us even knowing about it. It gave more substance for other groups to imply that we didn't follow procedures and rules. We never had the chance to defend it.'

[AUJS student member]

The right of reply is a fundamental component of procedural fairness: it involves giving a subject of adverse comments the opportunity to advise of any apparent errors of fact and comment on whether it agrees with how it has been characterised in outcomes and recommendations. As part of our investigation, we asked the University why AUJS was not afforded procedural fairness including a right of reply. In response, the University told us that in its view the recommendation's wording was not critical of AUJS, and therefore a right of reply was not necessary.

Finding 6. The University did not provide a procedurally fair process prior to publishing adverse comments about AUJS

The National Student Ombudsman is of the opinion that the action taken was unjust as per s 21AV(b)(ii) of the Ombudsman Act 1976.

We do not accept the University's claim that there was no requirement for it to offer procedural fairness to AUJS, or that the wording of the recommendation was not critical in nature. The wording of Recommendation 4 from the UTS Action Plan ('to ensure that clubs, like AUJS, do not avoid the processes of ActivateUTS') specifically named AUJS as an example, and includes a strong implication that AUJS did not comply with official ActivateUTS processes. The context of the Vice Chancellor's statement to release the UTS Action Plan including a description of the role of the 'independent review' to examine measures in place at the University to support safety and wellbeing also

wrongly implied that AUJS placed student wellbeing at risk by not following ActivateUTS processes.

The University's failure to provide a procedurally fair process prior to publishing its adverse comment about AUJS would have been concerning even if Recommendation 4's characterisation of AUJS's compliance was correct. If the University had invited AUJS to respond to the draft findings, this would have provided the University with an additional opportunity to identify inaccuracies in the material provided by ActivateUTS. Identifying these inaccuracies prior to publication would have assisted the University to focus on genuine issues, and adopt evidence-based actions to improve its approach to balancing the organisation of student protests with the physical and psychological safety of students.



Recommendation 6

Within 1 month, the University should deliver a public apology to AUJS for not affording it procedural fairness before naming the student group in Recommendation 4 of the UTS Action Plan.

Recommendation accepted

University of Technology Sydney response

'This is addressed in the response to Recommendation 3 above.'



Recommendation 7

Within 3 months, the University should reconsider and reissue its Action Plan in light of this investigation, with a view to correcting inaccuracies and ensuring findings are not wrongly critical of AUJS.

If the draft version of the revised UTS Action Plan contains adverse comments about AUJS, the University should provide AUJS with the opportunity to submit a procedural fairness response prior to publication.

Recommendation not accepted

University of Technology Sydney response

'The external reviewer's report was delivered in July 2025, and in the 13 months since the report was delivered, the University has taken steps to address the recommendations of the external reviewer. The University does not intend to take any further action in response to the external reviewer's recommendations which would warrant the publication of a further action plan, and the University notes that the original Action Plan has been taken down from the University's website.'



9 September 2026

Mr Iain Anderson
National Student Ombudsman

By email to: 

Dear Mr Anderson

**Investigation report into complaint 2026-817698 about the University of Technology
Sydney (UTS)**

Thank you for your letter dated 25 August 2026 responding to Vice-Chancellor, Professor Andrew Parfitt's letter of 27 July 2026 concerning the draft report (**Draft Report**) of your investigation of complaint 2025-817698 (**Complaint**).

We appreciate you taking the time to carefully consider and respond in detail to UTS's comments on the Draft Report. Thank you also for providing UTS an opportunity to review and respond to an updated report of your investigation of the Complaint (**Updated Report**), including Recommendations 1 to 7 in the Updated Report.

The Updated Report contains a number of significant changes which we respectfully consider to be appropriate in light of our comments on the Draft Report. This includes additional content which makes clearer the nature of the complaints under investigation, the basis for the Ombudsman's decision to investigate and the facts and matters relied upon by the Ombudsman to make certain of its findings.

The Updated Report also appropriately includes further detailed factual information about the circumstances under investigation, which is helpful to put into context the decisions that were made by UTS as well as those made by third parties, including ActivateUTS and the external reviewer.

Having considered the Updated Report, UTS is now in a position to respond to Recommendations 1 to 7 and has accepted all but one recommendation. As outlined in **Attachment A**, actions to implement these recommendations are in train or complete, with many implemented in response to the external review which is the subject of this investigation. In this context it is worth noting that the events under investigation took place more than 12 months ago and UTS has over that time worked hard with students and staff to continue to improve our processes and communications.

While UTS appreciates the clarifications in the Updated Report, we continue to disagree with some aspects of the Ombudsman's findings, particularly that there was an inconsistent approach to the compliance of campus events. In every instance UTS sought to ensure the safety of our community and we stand by our decision-making in relation to each of the student-initiated events described in the report.

Nevertheless, we accept the Ombudsman's central criticism that UTS should not have published the Action Plan, including Recommendation 4 naming the Australasian Union of Jewish Students (**AUJS**), without first considering and critically analysing the recommendation (and the findings underpinning the recommendation) in order to be satisfied there was a reasonable basis for the external reviewer's conclusion that AUJS had bypassed ActivateUTS's usual processes.

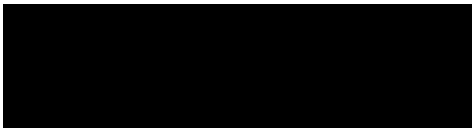
UTS also accepts that it failed to allow AUJS an opportunity to respond to the text of Recommendation 4 before it was published. As acknowledged by you, UTS did not form a negative view of AUJS, nor did it intend to be critical of AUJS in any way. We are sorry for the impact this has had on the students.

In that context, we reiterate our recent submission to you that the Updated Report be amended to reflect that the NSO is not suggesting UTS formed a negative state of mind against AUJS.

Finally, given that the Ombudsman has reassessed the Draft Report and provided UTS with an Updated Report, UTS considers that our response to the Draft Report has been superseded by the Updated Report and this letter and does not warrant publication.

I look forward to receiving your response to the issues raised above.

Yours sincerely



Professor Kylie Readman
Acting Vice-Chancellor

ActivateUTS
Response to the draft investigation report
Complaint 2025-817698

National Student Ombudsman

Attention: Strategic Investigations and Reporting

By email: [REDACTED]

Date: 1 July 2026

Our reference: ActivateUTS response to draft investigation report, complaint 2025-817698 (provided for procedural fairness on 9 June 2026)

Dear Ombudsman,

Introduction

1. This is the first occasion on which ActivateUTS has been given an opportunity to respond to, or to correct, the matters in the draft report that concern it. The report makes adverse findings and characterisations about ActivateUTS, yet those were reached without ActivateUTS having seen the report or been asked to address the relevant material, and without the documents that ActivateUTS holds and now provides with this response.
2. ActivateUTS participated in the National Student Ombudsman's inquiry under section 21AZ of the Ombudsman Act 1976 (Cth) to assist the investigation. It is a not-for-profit organisation that is separate from the University of Technology Sydney (UTS) and is not the subject of the investigation. It responds in its own right.
3. The factual corrections set out below are material. Properly corrected, they bear directly on the findings and characterisations that name ActivateUTS, in particular the characterisation of bias, and ActivateUTS respectfully submits that those findings should be reconsidered in light of them. The corrections are provided as errors of fact, consistent with section 21AU(3)(a) and the scope of the Ombudsman's letter, and are supported by the documents now provided, several of them for the first time.
4. ActivateUTS also respectfully draws attention to the course of the investigation as it concerned ActivateUTS. At the meeting of 4 December 2025 and in subsequent correspondence, the Office recognised that it should have engaged ActivateUTS directly from the outset, that documents were missing from the material it held, and that ActivateUTS's correspondence was material it wished to obtain (described as documents it would be keen to see), and it undertook to seek it. ActivateUTS offered to provide it. The Office did not return to ActivateUTS for that material before issuing the draft report. The adverse characterisations of ActivateUTS were therefore made without its input, and without the documents the Office had itself identified as relevant. These matters are developed at items 8 to 10.
5. The purpose of this response is to correct the factual record concerning ActivateUTS and to assist the accuracy of any published report.

Part A: Corrections of fact

1. The role of ActivateUTS, and the distinction between approving an application and authorising an event

6. The report states (p10) that ActivateUTS approves the delivery of student events. ActivateUTS asks that this be corrected as it applies to higher-risk or external events, and that two matters the report conflates be distinguished: approving an application as lodged, and an event being authorised to proceed.

7. ActivateUTS operates on campus subject to UTS policy, which governs the use of University spaces and the security arrangements for events. ActivateUTS's authority to permit an activity on campus does not extend beyond what UTS policy allows. Under the UTS policies in force at the relevant time (Attachments 11 and 12), public events must be approved in advance and must be organised and run in line with the Campus Policy and any additional security requirements identified in the event-approval process (Campus Policy v2.3, clauses 4.30 and 4.33); campus users must comply with the directions of UTS Security, and the Head of Security and Emergency Management is responsible for reviewing and approving such requests and for the safety of all campus users (Campus Policy v2.3, clauses 2.2 and 5.2); and UTS determines the terms and conditions on which external visiting speakers may speak on UTS land, including security requirements (Academic Freedom and Freedom of Expression Policy v2.0, clause 4.10).

8. The event was booked into a UTS teaching space (room CB04.03.320, later relocated by UTS Security), which is a UTS-managed space and not an ActivateUTS-operated venue, so these UTS policies applied to it. Approving an application is therefore not authority for the event to take place: the venues are UTS spaces, and UTS may decline or impose conditions at any time under its policy. That is what occurred here. UTS imposed conditions, UTS Security relocated the event, and ActivateUTS handed event management to UTS on 28 March 2025, with the event proceeding only on UTS's terms. ActivateUTS's actions were consistent with this framework: recognising that, under the provisions cited, the decision to permit an event of this profile and the provision of security rested with UTS, it referred the matter to UTS Security and handed over management.

9. Separately, an approval attaches to the event as described in the application. A material change to that record, here the addition of three high-risk external speakers not disclosed in the application, changes what was approved and requires re-assessment, including UTS Security clearance. For an event of this profile, the decision to permit it and the provision of security rested with UTS under the powers cited above. This accords with the report's own observation (p38) that the University is ultimately responsible for ensuring that student events are coordinated appropriately and safely, as demonstrated by the University taking over the event from 28 March 2025. ActivateUTS accepts that the referral and escalation steps were not fully set out in its own club-facing instructions, a gap it has since addressed (see Part B).

2. The approval of 18 March 2025

10. The report records (pp11, 32 to 34) that the event was approved unconditionally on 18 March 2025. ActivateUTS does not dispute that its email of 18 March 2025 communicated approval of the application as lodged and did not state further conditions. ActivateUTS asks that the factual context be corrected.

11. That approval was an assessment of the event as described in the application before ActivateUTS. The application identified a single external who did not attend, and the three external speakers that determined the event's risk were not named in the application; their identities reached ActivateUTS through UTS Security on 26 March 2025, not through the application. For an event of this profile, any approval ActivateUTS gave was necessarily subject to UTS's authority over its campus and events, including UTS Security's role in approving and directing them on safety grounds and UTS's control of the terms for external speakers (see item 1). ActivateUTS asked UTS Security on 28 March 2025 to confirm whether the external speakers were approved and received no confirmation of approval, and no approval was given; UTS subsequently imposed conditions for the event to proceed (1

April 2025). The approval of 18 March 2025 did not extend to the event as it subsequently developed. Because the external speakers were not identified in the application, the referral step was not triggered at the point of approval; it occurred once UTS Security forwarded the speaker details on 26 March 2025.

12. For completeness, to the extent ActivateUTS earlier indicated that it had asked AUJS to provide further detail (including an external speaker list) before the event, that is not supported by the contemporaneous email record and ActivateUTS does not maintain it. Consistent with the Ombudsman's own observation (p35), ActivateUTS did not send AUJS a written request for information after its approval email of 18 March 2025; aside from the standing line in the 11 March 2025 acknowledgment and a request for an attendee list on 31 March 2025, no written request for the external speaker details was made, and those details reached ActivateUTS through UTS Security on 26 March 2025.

3. The timing of the application

13. To the extent the report records (pp31 to 33) that ActivateUTS claimed AUJS submitted a late application, ActivateUTS corrects the record. AUJS submitted its application on 11 March 2025 for an event on 2 April 2025, within ActivateUTS's standard notice period. The matter ActivateUTS raised was not the timing of the application but that the external speakers that determined the event's risk were not provided with the application and reached ActivateUTS through UTS Security on 26 March 2025, shortly before the event.

4. The description of the event, and the internal email of 17 June 2025

14. ActivateUTS asks that any suggestion be corrected that it regarded AUJS's application as incomplete or its description as concealing the nature of the event. AUJS's application of 11 March 2025 (Attachment 1) was titled "October 7th Open Table Discussion", included a completed risk assessment that identified the sensitive subject matter, the VR survivor experience and the prospect of protest, and listed one external. The accurate and narrow point is that the three high-risk external speakers that gave rise to the safety concern were not named in the application and were disclosed by AUJS to UTS Security rather than to ActivateUTS, becoming known to ActivateUTS only when UTS Security forwarded the correspondence on 26 March 2025.

15. The report also relies (pp31 and 35) on an internal ActivateUTS email of 17 June 2025 describing the event as "pitched as an interfaith discussion with no externals or speakers listed in the package". ActivateUTS corrects the record. That email was an internal briefing note prepared quickly the day before the external reviewer's interview and was not checked against the lodged application. It is inaccurate in two respects: the application was titled "October 7th Open Table Discussion", not presented merely as an interfaith discussion, and it did list one external. ActivateUTS accepts that the internal note overstated the position and does not maintain it.

5. The external-speaker requirement

16. The report addresses (pp33 to 34) ActivateUTS's expectation that AUJS provide an external list. ActivateUTS corrects the factual position as to its own knowledge. The external list field in ActivateUTS's standard application package named a single external, who did not attend the event. The three external speakers that determined the event's risk profile were not named in the application; they became known to ActivateUTS when UTS Security forwarded the relevant correspondence on 26 March 2025. ActivateUTS notes the report's finding (pp33 to 34) that AUJS was not required to provide an external list, and ActivateUTS does not suggest otherwise. ActivateUTS notes only that its own event-guideline wording on external lists is not internally consistent, and it does not rely on that wording to attribute any failure to AUJS.

17. The requirement to assess external speakers of this profile, and to obtain UTS Security clearance, derives from UTS policy governing events and security on campus and from the event's risk, not merely from an internal ActivateUTS rule: under the policies in force at the time (Attachments 11 and 12), UTS determines the terms and conditions on which external visiting speakers may speak on UTS land, including security requirements (Academic Freedom and Freedom of Expression Policy v2.0, clause 4.10), and events must be run subject to the security requirements identified in the event-approval process (Campus Policy v2.3, clause 4.33). Consistent with that framework, once the external speakers became known to ActivateUTS it provided their details to UTS Security on 28 March 2025 and stated that they "should be taken into consideration in the approval process for this external list", treating their clearance as a matter for UTS Security; it asked UTS Security to confirm whether the externals were approved and received no confirmation of approval, and no approval was given.

18. At application stage the application disclosed the subject matter, the VR experience and the flagged prospect of protest, together with the controls AUJS proposed (ticketing, registered attendees only, a moderator, no public marketing) and an indication that campus security was being engaged. The risk assessment in the application rated the event's risks as low to medium, consistent with a manageable event; the high-risk character that required UTS Security clearance emerged only with the addition of the three external speakers, which were not disclosed to ActivateUTS. For context, and as reported in ActivateUTS's public 2025 annual report, ActivateUTS delivered 5,459 club events in 2025; assessment at the application stage relies on the material risks being disclosed in the application, and the speakers that determined this event's risk were not.

6. The flow of information, and AUJS's responsiveness

19. To the extent the report records (pp34 to 35) that AUJS did not provide further information to ActivateUTS, ActivateUTS clarifies the position. AUJS provided the relevant information about the event and its speakers to UTS Security on 19 to 20 March 2025. ActivateUTS was not a party to that correspondence and received it only when UTS Security forwarded it on 26 March 2025, following which ActivateUTS contacted UTS Security about the external speakers on 28 March 2025. AUJS also responded to the request ActivateUTS made before approval, providing its membership list on 12 March 2025. The position reflects that ActivateUTS was not included in the correspondence between AUJS and UTS Security, rather than any failure by AUJS to respond to ActivateUTS.

20. For the avoidance of doubt, to the extent ActivateUTS indicated at the meeting of 4 December 2025 that it had made a specific request to AUJS for speaker or content detail that went unanswered, that is not supported by the contemporaneous email record and ActivateUTS does not maintain it. Consistent with the Ombudsman's observation (p35), no such written request was made after 18 March 2025.

7. Accuracy of the Campus Policy citation

21. This observation goes to the accuracy of the report's policy citation and the version of the Campus Policy that applies; it does not concern ActivateUTS's conduct or the protest. The report cites (pp28 to 29) the demonstration-notification requirement as clause 4.58 of the UTS Campus Policy with a 48-hour notice period. In the Campus Policy version in force at the relevant time (v2.3, effective 3 September 2024), the requirement to notify UTS Security of an intended demonstration a minimum of 48 business hours beforehand was clause 4.56; clause 4.58 in that version is the separate provision dealing with demonstrations on or including non-UTS spaces and notification to NSW Police. For accuracy, the version that applied at the relevant time is Campus Policy v2.3 (effective 3 September 2024, Attachment 11), in which the demonstration-notification requirement is clause 4.56; the report's citation of clause 4.58 for that requirement is therefore incorrect.

Part B: Procedural observations and the characterisation of bias

8. ActivateUTS's conduct at the meeting of 4 December 2025

22. The report states (p37) that, at the meeting on 4 December 2025, ActivateUTS “dogmatically continued to emphasise its previous position” and “did not provide any explanations that clarified the factual inconsistencies”. ActivateUTS respectfully addresses those two characterisations only. The Ombudsman’s minutes of the meeting record ActivateUTS giving risk-based explanations for its handling of the event and, on several occasions, offering to verify particular matters and revert with documentation (including the timing and method of any external request and the conditional-approval question). To that extent, ActivateUTS respectfully submits that it did provide explanations and offered to provide further material.

23. ActivateUTS accepts that the minutes also record it maintaining positions it has since corrected in this response, and it does not suggest otherwise; its point is confined to the characterisations “dogmatically” and “did not provide any explanations”. ActivateUTS further notes that, where it offered at the meeting to verify particular matters and revert with documentation, the Ombudsman did not subsequently return to ActivateUTS to request that documentation or clarification before issuing the draft report, notwithstanding its indication on 23 December 2025 that it had questions regarding documentation and would follow up in the new year. ActivateUTS also notes that it sought clarification of the scope and use of the meeting on 4 January 2026, followed up on 13 January 2026, received a holding response on 27 March 2026 and scope clarification on 17 April 2026, and awaited that clarification before providing further material. The minutes of 4 December 2025 were not confirmed by ActivateUTS as an agreed record.

9. The Ombudsman's evidence-gathering and procedural fairness

24. ActivateUTS participated in the inquiry under section 21AZ to assist the investigation and provides the primary documents with this response. ActivateUTS respectfully observes that the sequencing of the Ombudsman’s requests bears on the report’s observation (p49) about the completeness of information. The Ombudsman’s minutes of 4 December 2025 record the Director noting that, in hindsight, the Office should have contacted ActivateUTS independently from the outset, that some documents were missing from what UTS had supplied, and that the Office would formalise its document request to ActivateUTS shortly.

25. The Office itself identified ActivateUTS’s documents, in particular the ActivateUTS and UTS Security correspondence, as useful to its investigation and to filling the gaps it had acknowledged in the material supplied by UTS (the investigation team noting these were “documents we’d be keen to see”), and recorded that its visibility of relevant decisions was incomplete (p49). Consistently, in its email of 23 December 2025 the Office stated it had questions regarding documentation and would follow up in the new year. ActivateUTS offered at the meeting to verify particular matters and revert with documentation, and on 13 January 2026 confirmed it was willing to provide factual clarifications once the scope and use of the notes were clarified. ActivateUTS raised those scope-and-use queries on 4 January 2026, followed up on 13 January 2026, received a holding response on 27 March 2026, and received scope clarification on 17 April 2026. Having reserved its position on the use of the notes, ActivateUTS reasonably awaited both the indicated follow-up and that scope clarification before providing further material.

26. The Office compelled and obtained the relevant correspondence from UTS, so this is not a submission that it acted on no evidence. The point is narrower: before forming its adverse characterisations of ActivateUTS’s conduct (as distinct from its findings on the documents), the Office did not return to ActivateUTS for the clarification ActivateUTS had offered and the Office had itself flagged, and did not hold ActivateUTS’s complete contemporaneous record,

which it acknowledged was incomplete. The next contact was the provision of the draft report on 9 June 2026.

10. The characterisation of bias

27. ActivateUTS makes this point as a submission, not as a contended error of fact. The characterisation of bias is an inference, and ActivateUTS respectfully submits it was drawn on an incomplete record. It rests on the propositions that ActivateUTS's conduct was "not explainable outside some form of bias" and that ActivateUTS "did not provide any explanations".

28. The contemporaneous documents now provided supply the explanation the inference assumed did not exist. AUJS lodged a complete application on 11 March 2025; the three external speakers that gave rise to the safety concern were not named in it. ActivateUTS approved that application on 18 March 2025 without objection or condition; its subject matter and the external organisation it identified raised no concern at approval. ActivateUTS's concern arose only on 26 March 2025, when it learned through UTS Security of three external speakers whose profile created a heightened security and protest risk. Those speakers were disclosed by AUJS to UTS Security on 19 to 20 March 2025 and reached ActivateUTS only when UTS Security forwarded the correspondence on 26 March 2025, after which ActivateUTS contacted UTS Security about them on 28 March 2025. For an event of this risk profile, UTS Security's approval of the external speakers was required and was not given. ActivateUTS's response was a reasonable reaction to a high-risk event about which it held incomplete external information, received late and through UTS Security rather than through its own application channel. That ActivateUTS approved the application without objection and raised concern only when that risk emerged is inconsistent with the disposition against AUJS that the inference assumes; the concern was a response to risk, not to the subject matter of the event or to AUJS.

29. ActivateUTS held information directly relevant to the matters on which the report names it, and in particular to the characterisation of bias, and at the meeting the Office recognised that this information was relevant and undertook to seek it. The adverse characterisation was not put to ActivateUTS, and the clarification and documents it offered were not taken up, before that characterisation was formed. On the complete record now before the Ombudsman, ActivateUTS respectfully submits that the inference is not supported and that the characterisation should be reconsidered.

Acceptance and remediation

30. ActivateUTS accepts that the process and information-sharing between ActivateUTS and UTS Security in relation to this event warranted improvement. ActivateUTS has since implemented changes, including monthly meetings between ActivateUTS and UTS Security with club events as a standing agenda item, ActivateUTS's inclusion in the Campus Safety Weekly Stand Up, and arrangements for UTS Security to include ActivateUTS where club events are discussed.

Request

31. ActivateUTS respectfully requests that the factual record concerning ActivateUTS be corrected as set out in Part A, and that the characterisation of bias be reconsidered in light of the documents now provided. ActivateUTS remains available to assist the Office and to provide any further information the Ombudsman requires.

Yours sincerely,

Cameron Kenney
Chief Executive Officer, ActivateUTS

Schedule of attachments

1. AUJS Event Operations Package (application as lodged), 11 March 2025.
2. Email, "Event Application Received" (ActivateUTS to AUJS), 11 March 2025.
3. Email, "Event Application Approved" (ActivateUTS to AUJS), 18 March 2025.
4. Email thread, "AUJS Membership List" (AUJS and ActivateUTS), 7 to 31 March 2025.
5. Email thread, "Security for April 2 Event" (AUJS and UTS Security, forwarded to ActivateUTS 26 March 2025), 19 to 28 March 2025.
6. Email thread, "Urgent: Concerns about AUJS Event Next Week" [REDACTED] and ActivateUTS), 27 to 31 March 2025.
7. Email thread, [REDACTED] and ActivateUTS), 1 April 2025.
8. National Student Ombudsman and ActivateUTS meeting notes, 4 December 2025.
9. NSO and ActivateUTS correspondence on the scope and use of the meeting notes, 23 December 2025 to 17 April 2026 (including the NSO holding response of 27 March 2026).
10. Email, ActivateUTS to AUJS imposing the UTS conditions for the room booking, 1 April 2025.
11. UTS Campus Policy (v2.3, effective 3 September 2024).
12. UTS Academic Freedom and Freedom of Expression Policy (v2.0, effective 17 July 2024).
13. AUJS and ActivateUTS meeting confirmation (Bookings record), 28 March 2025.

Appendix

Important terms used in the report

Antisemitism: there is no universal definition of antisemitism, though 39 of Australia's universities have as of February 2025 endorsed the working definition of antisemitism by Universities Australia (UA). Non-university higher education providers may have a different definition of antisemitism.

We have provided two definitions of antisemitism below in the absence of universal agreement. The NSO has adopted the International Holocaust Remembrance Alliance (IHRA) definition of antisemitism in line with the Australian Government's position. However, the IHRA definition does not in itself determine how we approach or decide a complaint. The NSO assesses the actions of higher education providers in relation to the unique circumstances of each individual student complaint from the perspective of what is fair, reasonable and lawful in those circumstances.

For the purposes of considering the issues dealt with in our investigation, we considered the harassment and intimidation of Jews on the basis of their identity as a Jewish person and calls to globalise the Intifada or replace the state of Israel entirely.

UA working definition of antisemitism: 'Antisemitism is discrimination, prejudice, harassment, exclusion, vilification, intimidation or violence that impedes Jews' ability to participate as equals in educational, political, religious, cultural, economic or social life. It can manifest in a range of ways including negative, dehumanising, or stereotypical narratives about Jews. Further, it includes hate speech, epithets, caricatures, stereotypes, tropes, Holocaust denial, and antisemitic symbols. Targeting Jews based on their Jewish identities alone is discriminatory and antisemitic.

'Criticism of the policies and practices of the Israeli government or state is not in and of itself antisemitic. However, criticism of Israel can be antisemitic when it is grounded in harmful tropes, stereotypes or assumptions and when it calls for the elimination of the State of Israel or all Jews or when it holds Jewish individuals or communities responsible for Israel's actions. It can be antisemitic to make assumptions about what Jewish individuals think based only on the fact that they are Jewish.

'All peoples, including Jews, have the right to self-determination. For most, but not all Jewish Australians, Zionism is a core part of their Jewish identity. Substituting the word "Zionist" for "Jew" does not eliminate the possibility of speech being antisemitic.'²⁹

International Holocaust Remembrance Alliance working definition of antisemitism:

'Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.'³⁰

Bias: the action of supporting or opposing a particular person or thing in an unfair way, because of allowing personal opinions to influence your judgement.³¹

Complainant: an individual who makes a complaint to their provider about an issue or the actions of another individual.

Complaint investigation: refers to an investigation prompted by and that seeks to resolve a complaint.

Governance: refers to the processes, rules and structures by which an organisation operates and is controlled.

Higher education provider: an institution registered with the Tertiary Education Quality and Standards Agency (TEQSA) that offers or confers a regulated higher education award (degree).

Islamophobia: Australia's Special Envoy to Combat Islamophobia notes there is no universally accepted definition of Islamophobia. The Special Envoy provides the broad explanation that Islamophobia 'is a perceived "fear" (Gabsi, 2024, p. 17) of, and "threat" (Awan & Zempi, 2020, p. 7) from, Islam and Muslims, and encapsulates a range of anti-

²⁹ Universities Australia, 'Statement on Racism', 27 February 2025, [Statement on racism – Universities Australia](#).

³⁰ International Holocaust Remembrance Alliance, 'Working definition of antisemitism', [What is antisemitism? | IHRA working definition](#).

³¹ Cambridge Dictionary, 'Bias', [BIAS | English meaning – Cambridge Dictionary](#).

Muslim behaviours, such as anti-Muslim hatred, anti-Muslim sentiment, and anti-Muslim prejudice.³²

Procedural fairness: relates to acting fairly and without bias when making administrative decisions.

Psychosocial safety: involves measures put in place to alleviate psychosocial risks or hazards in an environment. In the higher education context, a psychosocial risk or hazard could be a student protest or confronting material in a course lecture. Psychosocial safety would involve implementing controls to manage these risks, such as clear communication or engaging with individuals who could be most affected by these risks.

Racial vilification: describes a public act that 'could incite hatred, serious contempt or severe ridicule towards people of a particular race.'³³

How we investigated

The NSO initiated its investigation of the University on 9 October 2025 and included with it a written Request for Information (RFI). Our RFI sought to know:

- how the University responded to student complaints about the NDAP protest and AUJS event
- why the University commissioned the Review and how it was involved in and responded to the Review, and
- how the University handled the NDAP protest and AUJS event from a compliance perspective.

Some challenges began to arise during our investigation. The University returned a partial response to our RFI, which prompted us to send a second RFI on 6 November 2025 with a repeat of some questions from our first. In addition to the University asking for extensions to our RFIs, we had a concern that its manual approach to collecting information relied heavily on staff members' full compliance with our requests, rather than having the aid of organisation-wide software.

³² Australia's Special Envoy to Combat Islamophobia, [A National Response to Islamophobia: A Strategic Framework for Inclusion, Safety and Prosperity](#), September 2025, 5.

³³ Anti-Discrimination NSW, 'Racial Vilification', [Racial vilification webpage](#).

Another problem was that the University claimed some information requested by our Office 'may be held' by ActivateUTS, an 'associated, but separate corporate entity to UTS', and that it was seeking its cooperation to obtain relevant records. Although the University eventually supplied us with correspondence between the University (including the UTS Security team), ActivateUTS and AUJS, our lack of visibility in knowing how the University communicated our request to ActivateUTS – and our uncertainty over whether ActivateUTS fully complied with the request – means it is unclear if there is any missing information.

With these challenges in mind, the NSO utilised a power in its legislation (section 21AZA of the *Ombudsman Act 1976* (Cth)) to compel the University to provide information so that it could ensure its conclusions would not be influenced by having incomplete visibility of important decisions made by the University about the Review.

We supplemented our section 21AZA notice to UTS with meetings conducted with it and ActivateUTS separately in December 2025. Our meeting with the University was an opportunity for us to identify and fill gaps in our knowledge, particularly on how diligent the University was in verifying the accuracy of the external reviewer's findings and why it chose not to enforce its Campus Policy after the 'unauthorised' protest on 2 April 2025.

We viewed it as critical to engage with ActivateUTS to obtain documentation it held in connection with AUJS's event, having previously sought this information indirectly via the University. We also met with ActivateUTS to test its claims about AUJS by introducing counterevidence including AUJS's EOP and ActivateUTS's own event guidelines. This is because ActivateUTS's commentary about AUJS in Stage 3 appears to have been a pivotal turning point in the Review. ActivateUTS's commentary led the external reviewer to make adverse findings about AUJS's noncompliance with ActivateUTS's event processes, which the University then adopted as Recommendation 4 of the UTS Action Plan.

List of complaint handling recommendations from public reports and inquiries

Following the Australian Universities Accord Final Report in February 2024, there have been a further 11 recommendations made about complaint handling, from 3 parliamentary inquiries and 2 public reports.

Commission of Inquiry into Antisemitism at Australian Universities Bill 2024 (No. 2)³⁴

Recommendation 1:

‘The committee recommends that, in collaboration with the Tertiary Education Quality and Standards Agency (TEQSA) and the Special Envoy to Combat Antisemitism, all Australian universities urgently review their complaints processes and give effect to any and all changes necessary to ensure these processes are known to and understood by students and staff, and deliver real and meaningful outcomes for complainants.’

Parliamentary Joint Committee on Human Rights – Inquiry into Antisemitism at Australian Universities³⁵

Recommendation 2:

‘The committee recommends that Australian universities should review their complaints procedures with a view to their simplification, including giving particular consideration to: establishing a single central office to receive and process all complaints; adopting a clear definition of antisemitism that aligns closely with the International

³⁴ [Commission of Inquiry into Antisemitism at Australian Universities Bill 2024 \(No. 2\) – Parliament of Australia](#), October 2024.

³⁵ Parliamentary Joint Committee on Human Rights, [List of recommendations – Parliament of Australia](#), February 2025.

Holocaust Remembrance Alliance definition; and providing for alternative dispute resolution mechanisms.'

Recommendation 7:

'The committee recommends that universities deliver ongoing training to students, staff and leadership on recognising and addressing antisemitism.'

Education and Employment Legislation Committee – Quality of governance at Australian higher education providers (Interim report)³⁶

Recommendation 12:

'The committee recommends that universities examine and enhance their complaints processes to ensure they are effective and accessible to all members of the university community.'

Expert Council on University Governance – Final Report and Principles³⁷

Principle 6.3:

'The governing body should:

- a. require that there are effective, confidential, and transparent processes to regularly capture student input on the university's strategy, policies, performance, culture, student experience, wellbeing and safety,
- b. require that there are effective, confidential, and transparent processes to regularly capture staff input on the university's strategy, policies, performance, culture, staff experience, wellbeing and safety,

³⁶ [Quality of governance at Australian higher education providers – interim report](#), September 2025.

³⁷ [Final Report and Principles | Expert Council on University Governance](#), October 2025.

- c. require that there are effective external systems for students, staff and others to confidentially raise concerns and complaints and to provide appropriate feedback, with whistleblower complaints referred to appropriate people, and
- d. monitor complaints and feedback, including trends and themes, and require that appropriate and timely action is taken in response.'

Australian Human Rights Commission – '*Respect at Uni*'³⁸

Recommendation 27:

'All universities should review complaint policies to ensure explicit reference to racism and protection against victimisation and clearly outline the grounds for lodging a valid complaint.'

Recommendation 28:

'All universities should increase awareness of complaint processes by communicating clearly how to make a complaint, what support is available, how long the process will take and likely outcomes, including through de-identified case studies.'

Recommendation 29:

'All universities should provide training to staff handling complaints to ensure responses are culturally capable and trauma-informed, with tailored content on anti-racism and the experiences of different groups that experience racism.'

Recommendation 30:

'All universities should ensure complaints units and equity offices are adequately resourced and staffed to manage racism-related complaints effectively.'

³⁸ Australian Human Rights Commission, [Respect at Uni: Study into Antisemitism, Islamophobia, racism and the experience of First Nations people](#), February 2026.

Recommendation 31:

‘All universities should collect and analyse de-identified complaints data to identify systemic risks and improve practice, with regular reporting to Vice Chancellors and senior leadership.’

Recommendation 32:

‘All universities should implement multiple complaint avenues, including anonymous and independent options.’

Recommendation 33:

‘All universities should strengthen staff complaints supports by communicating clear escalation pathways beyond line management, identifying designated contacts, and reporting annually on staff awareness, satisfaction and use of these pathways. Universities should include this information in their publicly accessible annual reports to ensure consistency, accountability and transparency.’





🏠 > ... > ... > 08 > Independent review into March protest and event

INDEPENDENT REVIEW INTO MARCH PROTEST AND EVENT

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Posted on 7 Aug 2025 3 minutes read Campus and community University updates

A message from Vice-Chancellor Professor Andrew Parfitt.

In response to a student-led protest and a subsequent student-organised event that generated several complaints in March this year, UTS commissioned an independent review of the incidents that occurred. The independent review was also asked to examine the measures we have in place to support the safety and wellbeing of our community, while ensuring our staff and students can exercise their rights to protest.

The independent review has recently concluded, and the university has received recommendations from the reviewer.

The recommendations provide us with guidance about how UTS can ensure that, in collaboration with our community, all events can be conducted safely for all. They include that additional training, education and guidance for protest organisers is required to make sure they have considered, and sought to ensure, not just the physical safety but also the psychosocial safety of students and staff in their planning for events on campus.

Indeed, UTS has a non-delegable duty to ensure the safety of staff, students and visitors to campus, including from the risk of psychosocial harm. Staff, students and visitors have a responsibility to cooperate with UTS to ensure a safe environment for all.

We accept the recommendations and are now developing an action plan for implementation in partnership with staff and student organisers, as well as across the UTS community.

An external speaker was found to have made comments that created a risk to safety, in that a comment targeting an individual risked harm and escalation of what was otherwise a peaceful protest. That action was a breach of our campus policy and UTS has formally cautioned that individual. It is unacceptable for any member of our community to be singled out in this way.

We remain committed to our efforts to ensure UTS is a place safe for education (first and foremost) and a place safe for all to exercise their rights. I ask every member of our community to be mindful of the responsibilities that accompany those rights – responsibilities we all share to ensure we maintain a safe, inclusive and respectful UTS community. This shared responsibility calls on all of us to actively uphold the values of respect, inclusion and safety in everything we do.

SHARE



ACKNOWLEDGEMENT OF COUNTRY

UTS acknowledges the Gadigal people of the Eora Nation, the Boorooberongal people of the Dharug Nation, the Bidiagal people and the Gamaygal people upon whose ancestral lands our university stands. We would also like to pay respect to the Elders both past and present, acknowledging them as the

traditional custodians of knowledge for these
lands.



City Campus

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Summary of recommendations, observations and actions arising from safety review of protests on campus March/ April 2025.

Recommendations

Ref	Recommendation	UTS Action/Response
1	UTS to develop an approval process for demonstrations and protests (like events) with a vetting of external organisers and or speakers.	Supported. DVC (ES) will sponsor development of a risk-based approval process and checklist in consultation with Security and other relevant stakeholders, including student leaders. This will update existing process and is enabled via the Campus Policy.
2	UTS to support and deliver training to demonstration and protest (event) organisers.	Supported. DVC (ES) will sponsor development of training for organisers in consultation with Security, Centre for Social Justice and Inclusion and other relevant stakeholders, including student leaders. Consideration will also be given to who should receive training, and timing for delivery. Designs for training will take a principled approach, focusing on obligations regarding safety held by organisers and using UTS policies as a guide. The following framing policies will inform the contents of training: Campus Policy, Equity, Inclusion and Respect Policy, the Student Rights and Responsibilities Policy, the Code of Conduct and the Health, Safety and Wellbeing Policy.
3	UTS to provide information on <i>responsibilities</i> to organisers and speakers to help the University ensure safety	Supported. As per above DVC (ES) will sponsor development of an information pack for organisers and speakers in consultation with Security, Centre for Social Justice and Inclusion and other relevant stakeholders, including student leaders and Activate UTS.

		Proposed. The University will propose to Activate UTS to amend the Clubs and Societies handbook to provide further guidance on organising external speakers for Club events, the considerations and the processes to be followed. Supported. DVC (ES) to provide paper to Activate UTS board about governance and management of safety obligations and shared responsibility between UTS, Activate and Student Executives of Clubs & Societies.
4	Improve communication and co-ordination between UTS Security and ActivateUTS to ensure that clubs, like AUJS, do not avoid the processes of ActivateUTS.	As above, proposed. The University will propose to Activate UTS to amend the Clubs and Societies handbook to provide further guidance on organising external speakers for Club events, the considerations and the processes to be followed. Completed. Monthly meetings between Activate and UTS Security are underway already. Completed. A Campus Safety Weekly Stand Up has been established and is attended by UTS managers, UTS security and Activate to share information on upcoming events and activities on campus.
5	Except for misconduct or a serious incident, concerns arising from protests could be dealt with more effectively by a concise internal review, a debrief with stakeholders and reaffirmation of the University's provision of the right with the expectation of responsibility.	Supported. A post-protest debrief will be built into the process for organising a protest. The debrief will take a 'lessons-learned' approach, will be led by UTS Security and will to be attended by the Organiser/s. The debrief will identify if any action/response is required by the university or organisers.
6	The Student Association is a body that is funded by and represents all students. While the elected body of student representatives voted in favour of the protest,	Proposed. This is a matter for UTSSA to consider.

	the Association needs to be conscious of the optics of it supporting a cause that may alienate or offend a group of students that it is funded to represent. It may wish to place limits on its activities that recognise these matters. For example, not using funds to supply tote bags.	Supported. DVC (ES) to provide paper to UTSSA SRC about governance and management of safety obligations and shared responsibility between UTS and UTSSA.
7	There were views expressed by some elected representatives that may not properly recognise the rights of others to counter protest, or the responsibility to not cause harm. This can be resolved by education.	Supported. This will be addressed in training for event organisers referred to at item 2 above.

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