



03 December 2024

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Hon Penny Simmonds
Minister for Tertiary Education
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Cc: Hon David Seymour
Associate Minister for Justice
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MASSEY UNIVERSITY TAKES POLITICAL STANCE ON TREATY PRINCIPLES BILL

Good afternoon,

1. The Free Speech Union is a registered trade union with a mission to fight for, protect, and expand New Zealanders' rights to freedom of speech, conscience, and intellectual inquiry. We believe that freedom of speech is not only a legal principle, but a social good that allows for people in modern liberal democracies to peacefully, freely advocate for the causes they care about without risking unjust retribution.
2. We write to you both, the Vice Chancellor and Minister, as a Massey University staff member has brought to our attention that Massey University has sent its staff the following Toitū Te Tiriti email banner as an option for them to use in their email signatures with a link to a campaign website (<https://toitutetiriti.co.nz>):



3. We write to express our concern that adopting an institutional view in opposition to the Treaty Principles Bill ("the Bill") and circulating advocacy material from an organisation that is known to be a proxy of Te Pāti Māori is not only entirely inappropriate conduct for a university but breaches its obligations of academic freedom under the Education and Training Act.
4. As you are aware, the Bill has become a highly contentious political issue. All staff and academics at Massey are welcome to hold and express their views on the Bill, including staunch opposition. However, as a publicly funded institution, we expect Massey, and all our universities, to facilitate and encourage debate around

the Treaty and the Bill, not to adopt the position of one political party. As we have previously discussed with you, institutional neutrality is a cornerstone of academic freedom.

5. We accept Massey may claim use of the email banner is optional, and students and staff are free to hold whatever views they wish on the Treaty and the Bill. However, positions of this kind by the university are directly related to, if not the cause of, why so many academics at Massey University fear that if they hold divergent political perspectives on issues of this kind, it will have a detrimental impact on their tenure in the university. Surely, you accept this is incompatible with academic freedom for your colleagues.
6. We invite both your comments on the following:
 - a. How can a publicly funded university that justify adopting a political stance on the Treaty and the Treaty Principles Bill?
 - b. Is it appropriate for a publicly funded university to circulate to its staff campaign material from an advocacy group with such direct connects to political parties?
 - c. How does Massey's actions here align with its obligations to promote and enhance academic freedom under the Education and Training Act?
 - d. Do you accept that it is action exactly of this kind that will lead to universities facing greater constraints on their autonomy?
7. We look forward to hearing from you.

Yours faithfully,

Free Speech Union (New Zealand) Inc.



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