



23 October 2025

Reuben Davidson MP  
Labour Party  
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## Free Speech Union: The collusion union? An invitation to dialogue

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 address claims about the Free Speech Union that you made in the House during the Second Reading of the Education and Training Amendment Bill (No 2).
3. In your speech, you expressed the following:
  - a. *"One of these [submissions on ETAB2] was from the misleadingly named Free Speech Union – partly because it doesn't really stand for free speech and also because it's not really a union."*
  - b. *"We welcome the Education and Training Amendment Bill, which the Free Speech Union contributed to extensively" – well there's a clue...that was the opinion of the Free Speech Union, who claim authorship for large parts of the bill..."*
  - c. *"... the Tertiary Education Union – now, that's a real union..."*
  - d. *"... on the one hand, you have an organisation who claim to have authored large parts of the bill, saying they think it's a great idea – surprise, surprise..."*
4. To clarify on a purely factual level, we refer your attention to the New Zealand Companies Office,<sup>1</sup> where the Free Speech Union is listed as a trade union:

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<sup>1</sup> New Zealand Business Number. (n.d.). *Free Speech Union (New Zealand) Incorporated*. New Zealand Companies Office. <https://app.businessregisters.govt.nz/sber-businesses/viewInstance/view.html?id=229a78e05307b6d8bf1b29667f00cb17bfc07f2d02776c17&timestamp=2567420580881426>.



<b>Incorporated Society Name</b>	FREE SPEECH UNION (NEW ZEALAND) INCORPORATED
<b>NZBN</b>	9429049127560
<b>Incorporation Number</b>	50060249
<b>Incorporated Society Status</b>	Registered
<b>Date of Incorporation</b>	11-Mar-2021
<b>Incorporated Societies Act</b>	1908
<b>Registered Union Status</b>	Registered

This incorporated society is a union registered under the Employment Relations Act 2000. Refer to the filings tab to view the Certificate of Registration.

5. Beyond technicalities, though, we wish to challenge the substance of your accusations, and invite dialogue with you, to discuss what we hope are simply points of misperception and misunderstanding.
6. Unions exist to represent their members and advocate for their rights and working conditions, especially when they become deleterious. Given our character as a union, our primary duty is to advocate for the individual academics (and students) who approach us with concerns about the working environment they experience on campus. In respect of the university, and given that we are the *Free Speech Union*, we are specifically concerned with the *speech conditions* that academics (and students) experience on campus, and the extent to which they feel free or unfree to exercise their legitimate speech rights that are supposed to be protected by relevant legislation.
7. This is vitally important from both a professional and a principled perspective: Academics have rights as employees of universities, that are specifically legislated precisely to enable *academics* (not universities) to speak as social critic and conscience. Beyond the individual scale, the principle of academic freedom is essential to the flourishing of our universities and their ability to maintain their character as institutions of higher learning, as well as their ability to uphold their societal functions, including the creation and dissemination of knowledge and human wisdom.
8. We have been hearing an ongoing stream of concerns for several years now, regarding the speech conditions on campus and internal challenges which, to a greater or lesser extent, impinge on academics' rights to academic freedom, and that serve to corrode the speech environment as a whole. The fact that these individuals feel afraid to speak publicly, and that the wider public therefore haven't heard their concerns, is not testament to the absence of a problem: It is, in fact, a symptom of it. The fact that these



rights simply exist in legislation is not sufficient to guarantee that they are being protected and upheld.

9. Whether the views that individuals bring to us are minority perspectives or not, and whichever political party chooses to take this up as an issue, are immaterial to us. We maintain a position of content neutrality, and do not choose to take on, or not, cases or campaigns, on the basis of their particular perspective. We advocate for individuals to be able to freely express themselves in accordance with their human rights, as determined by the Human Rights Act 1990, regardless of their political persuasions. In the university context, we advocate for the specific rights to academic freedom that academics and students are guaranteed by the Education and Training Act 2020.
10. Taken together, your comments in the House implied that the Free Speech Union has had covert involvement in the development of this bill. These claims are spurious and incorrect. We have publicised our involvement with this bill extensively since its inception, and publicly available records provide further insight to our input. For example, the Ministry of Education's report entitled "*University Freedom of Speech Legislation*",<sup>2</sup> documents some of our high-level input to the Ministry through the consultation process. The fact that the quote you cited in the House derived directly from a Media Release that we issued about the bill<sup>3</sup> is a testament to the openness we have maintained throughout the process.
11. Our responsibility as a union compels us to stand up for those whose rights are being suppressed, especially when the traditional mechanisms aren't working. That is exactly what we've done. We are grateful to the ACT Party for taking up the cause, however we would be equally pleased to support efforts from any political party that seek to address the issue. We are motivated to defend the speech rights of the individual academics who are currently experiencing fear to express themselves in their workplace. Our work is grounded in individuals, not in politics.

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<sup>2</sup> Ministry of Education. (November 2024). *Report: University Freedom of Speech Legislation*. Ministry of Education. [https://web-assets.education.govt.nz/s3fs-public/2025-02/4.%20ER%201338586%20Key%20Policy%20Settings\\_Redacted.pdf?VersionId=j40MV4NwQt0WZfFbFxxk7dMYC89a\\_52t](https://web-assets.education.govt.nz/s3fs-public/2025-02/4.%20ER%201338586%20Key%20Policy%20Settings_Redacted.pdf?VersionId=j40MV4NwQt0WZfFbFxxk7dMYC89a_52t).

<sup>3</sup> Free Speech Union. (June, 2025). *Academic freedom legislation important step to save universities from themselves*. Free Speech Union. <https://www.fsu.nz/blog/academic-freedom-legislation-important-step-to-save-universities-from-themselves>.



12. Free speech does not belong to a political perspective: It is an inalienable right that has been rightly safeguarded for generations, and which we recognise up a duty to uphold. It does not belong to the “right”, or to the “left”, it belongs to all of us: Hence its classification as a *human* right.
  
13. We recognise conversation and dialogue as a valuable bridge to enhanced understanding. In recognition of this, and in the spirit of good faith, we would like to request a meeting with you, to talk through any concerns you may have about our involvement with this legislation, answer any questions you may have, and explore how we might work together more constructively to ensure that the genuine concerns of those academics who are presently experiencing a climate of fear on our campuses might be addressed.
  
14. The Labour Party has a longstanding history as the ‘worker’s party’. Given that this is, contrary to your claims, the group that we ultimately represent, we implore you to receive this request how it is genuinely intended - in good faith.

Yours faithfully,  
**Free Speech Union (New Zealand) Inc.**

A handwritten signature in black ink, appearing to read 'Stephanie Martin'.

**Stephanie Martin**  
Stakeholder Relationships Manager, Free Speech Union  
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