Regulations - Revocation and Relinquishment of an Honorary Degree

(1) The following Regulations set out the processes to be followed in relation to a decision to revoke an honorary degree in accordance with Statute 6.3 - Admission to Degrees: Revocation and Relinquishment of Honorary Degrees.

(2) These Regulations apply to an honorary degree conferred by Senate, whether before or after the commencement of these Regulations.

Establishing a prima facie case for revocation

(3) In accordance with clause (2) of Statute 6.3 - Admission to Degrees: Revocation and Relinquishment of Honorary Degrees, a prima facie case for the revocation of an honorary degree is established if any of the following circumstances exist and information or material (whether written or oral) in relation to those circumstances (Information) becomes known or is made available to the University following the award of an honorary degree:

a. the details provided in support of the nomination are subsequently found to be false, inaccurate or incomplete; and / or
b. the person awarded the honorary degree has been convicted of a crime or offence under a law of Australia; and / or
c. the person awarded the honorary degree has behaved in such a way, whether before or after the conferral of the degree, that has brought or is likely to bring, the University into disrepute.

Obtaining Information

(4) For the purposes of clause (3), the ways in which the Information becomes known to the University may include, but are not limited to:

a. Information provided by a law enforcement agency or other public body;
b. Information provided by the individual in receipt of the honorary degree or, in the case of a deceased honorary degree holder, their personal legal representative or next of kin;
c. Information revealed by media reports; and / or
d. Information provided by an office holder of ACU, a member of staff, a student or a member of the public.

(5) Where a person has reasonable grounds to believe that they possess Information relevant to the revocation of an honorary degree as provided for in clause (3), they should report the matter to the Secretary.

Notification to Senate

(6) On receipt of the Information described in clause (5), the Secretary has a duty to refer the matter, with any supporting evidence, to a meeting of Senate at the first available opportunity.

(7) Where Senate determines that a prima facie case exists for revoking a recipient's honorary degree, it must establish a panel to review the available evidence before any resolution is passed to revoke the honorary degree.

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Review Panel

(8) A review panel is constituted by at least three (3) people, including at least two (2) members of Senate and the Chair, Audit and Risk Committee. Senate must appoint one review panel member to act as Chair.

Review of the Evidence

(9) The review panel is not bound by the rules of evidence but will observe the rules of procedural fairness.

(10) The Chair of the panel must notify the recipient of the honorary degree or, in the case of a deceased recipient, that person's personal legal representative or next of kin, that a panel has been constituted under clause (7) to review the award of the honorary degree.

(11) The review panel must provide the honorary degree recipient, or their personal legal representative or next of kin, as appropriate, an opportunity to respond to the Information referred to in clause (3) and any further information obtained pursuant to clause (12) with the exception of any confidential legal advice provided to the panel.

(12) In the course of its review, the panel may obtain information or inform itself of any matter in any manner it deems appropriate, including, but not limited to:

a. consulting, interviewing or receiving oral or written submissions from any person or body the panel considers appropriate including the honorary degree recipient or, in the case of a deceased recipient, that person's personal legal representative or next of kin;
b. making enquiries with any law enforcement agency or other public body; and / or
c. seeking confidential legal advice from the Office of General Counsel or an external legal practitioner.

Report to Senate

(13) The review panel must report its findings to Senate together with a recommendation for the consideration of Senate no later than three (3) months following the constitution of the review panel. Senate may, in its absolute discretion, extend the time granted to the review panel to provide its report.

(14) The report should be in writing and shall include:

a. a summary of the alleged cause for revocation consistent with the grounds contained in clause (3);
b. a summary of the Information considered by the panel and the manner in which it was obtained;
c. a statement of the panel's findings; and a recommendation as to whether the degree should or should not be revoked and the reasons for making such a recommendation.

Senate's Determination

(15) All documentation submitted to the Senate under these Regulations must be treated as confidential.

(16) On receipt of a report and recommendation, Senate must determine whether the honorary degree is to be revoked.

(17) A revocation decision made by Senate is final and takes effect from the date resolved by Senate.

Notification of Decision and Update of Records

(18) In circumstances where Senate has resolved under clause (2) of Statute 6.3 - Admission to Degrees: Revocation and Relinquishment of Honorary Degrees to revoke an honorary degree, the Chancellor will notify the recipient, their personal legal representative or their next of kin, as appropriate, of the decision. The Chancellor shall further inform

the recipient that they must return to the University the certificate awarded within a specified period. In circumstances where the recipient of the honorary degree is deceased, Senate shall retain the discretion to require the certificate to be returned to the University by the personal legal representative or the next of kin.

(19) No public announcement shall be made regarding a revocation made under clause (2) of Statute 6.3 - Admission to Degrees: Revocation and Relinquishment of Honorary Degrees unless Senate resolves that this action is reasonably necessary in the public interest or in the interests of the University.

(20) When an honorary degree is revoked in accordance with these Regulations, the following step shall be taken by the Secretary as soon as practicable after the resolution of Senate to revoke the honorary degree, in addition to any step ordinarily taken following the making of a resolution by Senate:

a. The University's list of honorary degrees conferred shall be amended (including any list appearing on the University's website) by deleting the name of the relevant recipient.

Relinquishment of an honorary degree

(21) In any case where the recipient of an honorary degree determines to relinquish the degree (whether personally or in the case of a deceased recipient, that person's personal legal representative or next of kin), the following process shall apply:

a. the person or their personal legal representative or next of kin shall notify the Secretary in writing of the intention to relinquish the honorary degree, with or without reasons;
b. the Secretary shall bring the anticipated relinquishment to the attention of Senate at the next available meeting;
c. Senate shall resolve to accept the relinquishment effective from the date of the resolution of Senate;
d. No public announcement shall be made regarding such a relinquishment unless Senate resolves that this action is reasonably necessary in the public interest or in in the interests of the University;
e. Upon the relinquishment taking effect, the process outlined in clause (20) shall apply.

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