



src activism
advocacy
representation

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**Students' Representative Council,
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MINUTES of the **5th** meeting of the Executive Committee, 91st SRC, held on March 8th in the Gosper Room, SRC Offices, at 9am.

PRESENT: Jacky He (Chair), Dane Luo[^], Niamh Callinan*, Xiaoyu Jin, Vonnie Li, Prudence Wilkins-Wheat.

Apologies: Caitlyn Chu[^], Josie Jakovac, Yuxuan Yang*

Minutes: Cameron Caccamo

In attendance: Melissa de Silva, Thomas McLoughlin, Chitra Narayanan

Meeting Opened: 9.29am

**[^]Joint position holders, counted together towards quorum.*

Jacky He opened the meeting at 9.29am

1. Acknowledgement of Country

The University of Sydney Students Representative Council acknowledges the traditional owners of this land, the Gadigal people of the Eora nation. We pay our respects to the Elders both past and present of the Eora nation and extend that respect to other Aboriginal people present.

2. Apologies

Apologies were received from Caitlyn Chu, Josie Jakovac, and Yuxuan Yang.

Motion: That the apologies be accepted.

Moved: Niamh Callinan

Seconded: Dane Luo

The motion was put and **CARRIED.**

Procedural Motion: That the meeting move to Agenda item 15.5

Moved: Prudence Wilkins-Wheat

Seconded: Niamh Callinan

The motion was put and **CARRIED.**

15. Other Business

15.5. Request from the Residential College Officer

One of the Residential College Officers, James Ardouin, has put the following motion;

That the Residential Colleges Department be able to access the Budget of the Student Housing Department, until the next SSAF allocations are budgeted.

Discussion:

Prudence Wilkins-Wheat: This would be a bad decision, Colleges have money, their students have money, they have a high concentration of high-SES students. They have a bubble culture, and already hold so many events. That money can be used for International student housing or other student housing. Makes no sense. If he wants to do events, it's unclear, hasn't given a budget. If it's for activism, surely that money would be better spent in sexual harassment department. Student Housing should get this money.

Niamh Callinan: Completely agree.

Dane Luo: Yeah absolutely. I don't know what this motion would do, there is no budget, this hasn't been done in consultation with the Student Housing Officers.

NC: There's no reason given why access should be given. We have asked for what everyone wants to do, can't give access to budget without a reason why. No indication he's spoken to the Student Housing Department.

Xiaoyu Jin, and Vonnie Li enter the room at 9.33am

Jacky He briefly explained the motion and what had been discussed.

Motion: That the request be REJECTED.

Moved: Prudence Wilkins-Wheat

Seconded: Niamh Callinan

The motion was put and **CARRIED.**

Standing orders were resumed.

3. Minutes

Minutes of the Fourth Meeting of the Executive held on the 19th of February were distributed.

Motion: that the minutes of the Fourth Executive Meeting be accepted.

Moved: Niamh Callinan

Seconded: Dane Luo

The motion was put and **CARRIED.**

Procedural Motion: That the meeting move to Agenda item 4.2

Moved: Prudence Wilkins-Wheat

Seconded: Niamh Callinan

The motion was put and **CARRIED.**

4. Business arising from the minutes

4.2 Regarding the Report of the Publications Officers

Procedural Motion: That the meeting move *in camera*.

Moved: Niamh Callinan

Seconded: Vonnie Li

The motion was put and **CARRIED.**

The Meeting went *in camera* at 9.38am

Motion: that the Executive accept the recommendations of the Publications Committee, and the new process for Directors of Student Publications to follow.

Moved: Dane Luo

Seconded: Xiaoyu Jin

The motion was put and **CARRIED.**

Procedural Motion: That the meeting move *ex camera*.

Moved: Dane Luo

Seconded: Prudence Wilkins-Wheat

The motion was put and **CARRIED.**

The Meeting went *ex camera* at 9.50am

Standing orders were resumed.

4. Business arising from the minutes

4.1 Executive Attendance

Two members of the Executive have failed to meet the attendance requirements mandated by the *Regulations*:

REGULATIONS, PART THREE:

6. ATTENDANCE AT MEETINGS:

- (a) Attendance at Executive Meetings is compulsory for all members of the Executive

FORMAL APOLOGIES:

- (b) A member of the Executive who is unable to attend either part or all of a meeting, having not expressed their intention of resigning their membership, may formally apologise for their absence, either:
 - (i) By letter or email (or other written communication, at the discretion of the Executive Committee), to the President or Secretary to Council, and in their absence the General Secretary or the Vice President, to be received prior to the meeting; or

(ii) In person, during the meeting.

(c) A member who formally apologises will not be deemed absent.

ABSENCE:

(d) A member of the Executive shall be deemed to be absent, unless they have signed the attendance book both:

- (i) Within fifteen (15) minutes of the meeting being declared open; and
- (ii) During General Business.

DISMISSAL:

(e) A member of the Executive who is deemed to be absent at two (2) consecutive Executive meetings or three (3) Executive meetings in total and where that member of the Executive received at least forty-eight (48) hours notice of all meetings where they have been deemed absent shall be eligible for dismissal from the Executive.

- (i) Their dismissal takes effect upon the passing, via simple majority, of a motion calling for their dismissal.
- (ii) Council shall then elect a representative to fill the vacancy according to Section 5 d of the Constitution.

Both Yuxuan Yang and Alex Yang were deemed absent at the meetings on the 18th of January and the 19th of February. Yuxuan Yang did not provide an apology for the 18th of January Meeting, and arrived approximately thirty minutes late for the 19th of February Meeting without an apology. Alex Yang provided no apologies for either meeting.

This is not a motion for their dismissal (it would require a motion at a Council Meeting with two weeks notice), it is simply a notice to the Executive regarding attendance requirements and which Executives have not met those requirements.

Discussion

Dane Luo: Precedent here is Rusiti as VP several years ago when he was deemed absent three times, a recommendation was made that Council dismiss him but the motion was never made Council

Prudence Wilkins-Wheat: So Alex is one thing, what about Yuxuan? Isn't he neglecting his duties as General Secretary?

Jacky He: He is doing his job, yes. He's been quite sick. Doing a lot of work, on WeChat...

PWW: I hear a lot of people doing work with WeChat, what else is being done? I know Dane is doing so many other things.

Xiaoyu Jin: We're doing more than that.

JH: One of our big things is International student outreach, need to be working on WeChat.

PWW: What about Caitlyn, she's also getting a stipend and working on WeChat too! What is Yuxuan doing?

JH: Sounds like you're attacking Yuxuan more.

PWW: Yuxuan is getting a stipend though, I'm not defending Alex. What else did (Yuxuan) do? I know he did some Welcome Week stuff, but so did Niamh, I saw that in the Orientation Committee meetings she ran, where was he?

JH: He does plenty of other things.

DL: I understand tensions are running high, can we bring this back to meeting attendance? Council is the place to work these things out. I understand you are time-limited Prudence.

Niamh Callinan: So what do we do with this, do we have to take it to Council?

DL: No, but we can if we would like.

PWW: So if we're talking about taking it to Council isn't discussing the work he has done important?

XJ: He organised plenty of things, the International student tour and the like.

PWW: What was the International Student Tour?

JH: I've mentioned it in previous reports.

PWW: So what is he working on now?

JH: Opal Card Concessions is one thing he is working on...

PWW: I thought that was an Education Officer campaign?

DL: Lots of people are working on various things.

(Back and forth between PWW and JH regarding duties of Gen Sec)

DL: Again, let's bring this back to attendance.

PWW: Ok then what are we doing about this then?

NC: I'm happy to give them one more chance at the next Executive meeting.

PWW: I agree.

DL: It appears to me that I am now in the minority and I have the misfortune of disagreeing with other Executives because I believe that all Executives should be held to a higher standard than this. I believe the publicly available Regulations are explicit and clear.

The notice was noted by the Executive.

5. Correspondence

There was no correspondence.

Prudence Wilkins-Wheat left the room at 10.04am.

6. Workplace Health and Safety Report

Melissa de Silva entered the room at 10.06am.

Melissa de Silva submitted this report:

I spoke with Gabi (women's officer) about a promo that she wants to run collecting donations for a charity. I can't remember the name of the charity though, but I'm sure she will be able to brief you with all the relevant details. We spoke about the SRC being a cashless organisation, and how collecting money could present some difficulties and be a potential threat. We spoke about some alternatives, including using QR codes or EFT, which we agreed would be possible to do. It was really great to have found an easy solution for Gabi to be able to run that campaign.

Melissa de Silva, as acting Casework and Policy Manager, asked to give the Casework and Policy Manager report at the same time. The Executive agreed and moved directly to Item 11.

11. Report of the Casework and Policy Manager

Melissa de Silva submitted this report:

We did lots of welcome talks at different faculty welcomes as well as talks organised by the Student Transition and Retention team. We used a short (1 min) video to explain the work that caseworkers do. This was far more effective than using power point slides and talking, as it was a completely different format to all of the other speakers.

We visited every satellite campus during O-week and week 1, with the exception of Westmead and Singapore, where we made email contact. We were very well received by both students and staff, and we will continue to maintain this contact during the year. Most importantly we reinforced the information that we are committed to providing our services to all Uni of Sydney students, regardless of their campus.

While speaking about satellite campuses, just a quick report on Dentistry. The degrees are obviously pitched at the ruling class, it's very hard for working class students to attend. Can't work due to number of contact hours, and have to pay for equipment including practice teeth. I want dentists to practice a lot so it's very expensive. We now have a contact and working well there. With every visit we try to engage students and staff. Effort has paid off.

We provided wall planners to all of our campuses, including a customised version for our Singapore students. Many students were very excited to receive these wall planners, with quite a few raving to us about how good it was to have these wall planners in the last year or two. Some staff also have wall planners that will ensure that we stay in their consciousness when they need to refer a student for assistance. This was an excellent project that was very successful for us, with fewer than 100 planners left over. That is over 9, 900 planners distributed.

We are working with Dane to organise health days for students at nursing and Cumberland campuses. I believe this will provide very helpful information, and further reinforce our commitment to these students.

We have been working with Dane to get the Research office position filled. Hopefully we will have someone employed by early April.

I've been working with Chits and Dane to get the C&P department's SSAF paperwork done.

Sadly Louise will be finishing her term with us on Thursday 4th April. She has been a terrific caseworker and an excellent colleague to us all.

We would like to attend a training course on vexatious complaints handling. There might be a course that is appropriate through the NSW Ombudsman's Office which will cost less than \$500. Can you please approve up to \$500 for this?

Motion: That the Executive approve \$500 of expenditure for the purpose of Vexatious Complaints Training.

Finally, just on University Committee work; I'm currently repairing a relationship there. If we don't turn up it proves the University's point that we shouldn't be there. The fact that so many of you ran on assisting International Students makes this more disappointing.

Discussion:

Jacky He: Just on that issue there, did the International Student Officers not respond to your email?

Dane Luo: They just didn't show up.

Melissa de Silva: They didn't respond to my emails and didn't attend the meeting.

Motion: that the Reports of the Workplace Health and Safety Officer and the Casework and Policy Manager, and the motions therein, be accepted.

Moved: Niamh Callinan
Seconded: Dane Luo
The motion was put and **CARRIED**.

Melissa de Silva left the room at 10.29am

7. Report of the President

Jacky He moved the chair to the Deputy Chairperson, Dane Luo.

Jacky He spoke to the Report:

I haven't submitted a written one due to many reasons, apologies.

Big thing I did this week: Chanum Sean and I were at Academic Board; presenting findings, statistics etc on OLEs. On Wednesday, we met with Peter McCullum (interdis. Studies), convincing arguments put forward and recommendations to be made at future Committee meetings.

Discussion:

Niamh Callinan: Please clarify the recommendations.

Jacky He: We've recommended more six-credit OLEs, maybe changing 2-credit to 3-credit courses but would make it difficult for current students. Also OLEs could be done through other Universities. All to be confirmed

Met with some Officers recently: including Student Housing, Residential College, others like Welfare have met themselves. Looking forward to meeting ACAR and Environment Officers in the coming weeks.

Coming events: 3 main events for Semester. International Students Legal Advice Seminar, a party similar to SUPRA's wine and cheese party, and potential networking events in faculties like Engineering. Networking opportunities can really help students, this has been a priority of mine.

Motion: That the report of the President be accepted.

Moved: Kimmy

Seconded: Vonnie

The motion was put and **CARRIED**.

Dane Luo returned the Chair to Jacky He.

8. Report of the Vice Presidents

Caitlyn Chu and Dane Luo submitted this report:

Most of our work recently has been recorded in our report to Council on 6 March 2019. To avoid repetition, this report should be read in conjunction with that Council report.

Engaging with Faculty Societies

At the last Executive meeting, we requested funding for food at the SASS x SRC Arts Welcome Session and the SULS First Year Crash Course. We can report that these events went incredibly successfully and Dane was able to inform all attendees about the SRC's services. We received a lot of students asking us questions about Centrelink and transferring courses, and we were able to refer to them to our amazing caseworkers to get more information.

Dane attended a student meeting with the **Sydney University Dental Association (SUDA)** on Monday evening. They are an incredibly active Faculty Society. Dane was very impressed by how active their members were and how engaged the community was with student issues and providing student services, including distributing charging stations, scrubs and pocket masks to their students and hosting cohort-specific events. SUDA was very welcoming and Dane had a great discussion over some dinner. There were concerns raised about some of the facilities and heavy administrative burden faced by students, which we hope to help with. For a cohort that have great difficulty having part-time jobs because of the demanding nature of their degree and the need to travel around Sydney to attend placements and different locations (Camperdown/Darlington, Sydney Dental Hospital, local health districts and Westmead), they are supportive of concession Opal cards for international students.

In terms of engaging with Faculty Societies, we have the following things coming up:

- Another round of meetings with Faculty Society Presidents. In the first round in January, we discussed orientation and transition for first year students. In the second round, we meeting with a focus of student wellbeing and welfare.
- Holding another Faculty Society Committee meeting to have an informal discussion of issues that Faculty Societies are facing.
- Making a written submission with **SUDA** regarding the structure, system and processes for Bachelor of Oral Health students. This is very wide but for a specific example, the United Kingdom makes it very hard for Australian dentists to practice in that country despite having a shortage of dentists and the fact that UK dentists can easily practice in Australia. SUDA will work with us to lobby the University to promote Australian dentistry students to be able to practice overseas after they graduate.
- Collaborating on a welcome and wellbeing picnic on Saturday 30 March 2019 (week 5) in Victoria Park with **HealthSoc** for Faculty of Health Sciences students.

Health Days and Welfare Week

Since the last Executive meeting, we have been in contact with several NGOs to see if they can come out and assist us. Our caseworkers are helping us create resources and giving us contacts they know. We are currently considering whether to produce a dedicated small A5 Student Support Services Guide for satellite campuses. This would be helpful because the support services for each satellite campus varies greatly and can be very different to what

students at Camperdown/Darlington have access to. We will keep the Executive and Council updated on how this goes.

In the next few weeks, we will start planning for Welfare Week, a wonderful initiative started by our predecessors, for early semester 2.

Consultation Hours

We are introducing consultation drop-in times for any student to speak to us every Thursday 11am to 1pm in the SRC offices. We will be advertising these times on the SRC website and in our *Honi Soit* reports.

New Research and Policy Officer

As we discussed in the Council meeting, we hope to start advertising for a Research and Policy Officer to supplement our Casework and Policy Department. This is the first time the SRC is getting this dedicated position and we are very proud and excited to expand the Casework and Policy Department this year!

The first major project that this new position would be working on would relate to student accommodation. This is an issue that we are strongly want to see action in and we firmly believe that student accommodation on campus should be affordable and should be prioritising regional and international students. We hope that the Student Housing Officers and any other interested Officers can contribute to this project as well. The second project being contemplated is assessing groupwork but this needs to be developed further.

By passing our report, the Council has determined to create this as a staff position. Dane has been working with the Mel and Lorna to write up a job description and advertisement. Once that is ready and reviewed by Chitra, we hope to advertise the position.

Motion: That, the Executive approves expenditure of \$350 for advertisements to be placed in job listing websites to find candidates for a new Research and Policy Officer.

Discussion:

Niamh Callinan: What job websites are being used?

Dane Luo: Utilising several of them, including Ethical Jobs, NCOSS, the University's CareerHub and several others.

Motion: that the report of the Vice Presidents, and the motions therein, be accepted.

Moved: Niamh Callinan

Seconded: Xiaoyu Jin

The motion was put and **CARRIED.**

9. Report of the General Secretaries

Discussion:

Niamh Callinan: Please see our Council Report a couple of days ago, not much more to report.

10. Report of the Administration Manager

Chitra Narayanan entered the room at 10.37am.

Procedural Motion: That the meeting move *in camera*.

Moved: Dane Luo

Seconded: Vonnie Li

The motion was put and **CARRIED.**

The Meeting went *in camera* at 10.38am.

Procedural Motion: That the meeting move *ex camera*.

Moved: Dane Luo

Seconded: Niamh Callinan

The motion was put and **CARRIED.**

The Meeting went *ex camera* at 10.45am.

10.1 Financial Year-End Adjustment B & A Fund (Hani Bazawir)

I hereby submit a report to executive regarding the suggested provisions for doubtful debts and the proposed write-offs of bad debt of the B & A Fund for the financial year ended 30/11/2018. If approved, these journal entries will be recorded into the accounts of the 91th Council.

I am requesting the current executive authorise to approve on behalf of the 91th executive the write off of \$300 for bad debts, which is made up of 6 emergency loans, and authorise a provision of \$600, representing 12 emergency loans. All the before-mentioned loans have been categorised as delinquent due to the borrower's refusal to honour their loan contracts.

The period that we are writing off this bad debt is from 2016.

Motion: That this bad debt be written off.

Motion: that the report of the Administration Manager, and the motions therein, be accepted.

Moved: Dane Luo

Seconded : Niamh Callinan

The motion was put and **CARRIED.**

Chitra Narayanan left the room at 10.50am

12. SRC Legal Service Report

Thomas McLoughlin entered the room at 10.52am.

Thomas McLoughlin spoke to the report:

Just a quick update. Pressing issue is workload. 650-700 students use our service every year so it's quite a lot of pressure. Annie has resigned, process of job searching has started. Job advertisement is out, Seek is glitching but ethical jobs is up. I've started asking professional contacts. One inquiry, following that up. Ideally would be a female solicitor, so any student has the choice of a male or female solicitor. When Annie was hired she didn't have the desirable 5 years of experience, but the workload and complexity probably needs it. Problem is pay rate which is relatively low. Selection panel would need three people; someone from SRC, someone from SLS, and someone high up in the profession, have already started speaking so some of my professional contacts about that.

Thomas McLoughlin left the room at 10.56am.

Jacky He passes the Chair to Dane Luo.

Jacky He left the room at 10.57am.

Motion: that the report of the SRC Legal Service be accepted.

Moved: Niamh Callinan

Seconded : Xiaoyu Jin

The motion was put and **CARRIED.**

13. Approval of Payments

13.1. Invoices

There were no invoices to consider

13.2. Reimbursements

Jacky He (Council)	\$13.89	Uber to University for Meeting
	\$22	Facebook advertising for SRC
	\$75	Five \$15 gift cards for WeChat competition
Swapnik Sanagavarapu (ACAR)	\$143	Stickers for ACAR Welcome Week (See Appendix 1)
^Alex Vaughan (Environment)	\$116.73	Welcome Drinks
Steff Leinasars (Queer)	\$6	Nine Welcome Week Posters
Carol Vuong (Queer)	\$24	Clothing Rack, two storage boxes

^Jiale (Wayne) Wang (Global Sol)	\$151.15 \$198.50	Snacks for Campus Tour Food, Welcome Week volunteers
Melissa de Silva	\$157.96	Uber: Wallplanner delivery
Sharon Maher (Staff)	TBC	Ubers, Satellite outreach (215km)
Chitra Narayanan (Staff)	\$26	Uber to and from Payroll training
	\$8.95	Key cut for President's Office
	\$195	Post Box Annual Renewal
	\$221.72	Hosting + Security, Casework Database
Jacky He (Welcome Week)	\$14.40	Extension cord and cable ties

^Emails have been sent to Officers to see if they have consulted with the Senior Executive and their fellow Officers, and no response has been received.

Discussion:

Niamh Callinan: Can this WeChat gift card expense be explained please?

Cameron Caccamo: The Gift Cards are awards for winning a competition run through WeChat.

Xiaoyu Jin: It's great advertising for us.

Dane Luo: For the Environment Collective expense, how many people attended?

NC: 30 people, it was quite well attended.

DL: I disagree with the \$349.65 of Global Solidarity reimbursements. That seems very high for snacks and food. I would like to see a report from those Officers to ensure better accountability of student money. I see that other Executive members agree to this item of expenditure so I think I'm in the minority here as well.

Motion: That all reimbursements be approved en bloc.

Moved: Niamh Callinan

Seconded: Vonnie Li

The motion was put and **CARRIED.**

13.3. Requests

There were no requests.

14. Any Other Reports

14.1. Report of the Women's Officers

Gabi Stricker-Phelps and Crystal Xu submitted this report:

International Women's Day and Posters:

1. We will be attending the UN IWD breakfast with a contingent of other UYSD Women. We were involved a training day last Saturday for 1.5hrs regarding the purpose and activities of UN Women. On the day of the breakfast we will need to be talking to guests about the activities of UN women, and asking for donations. The breakfast will go from 5:45am-9:15am.
2. Our plans are set to go ahead for International Women's Day . We have 26 people interested or going on our event page as of currently. We will submit our food receipts later for executive approval. While we hoped this number would be greater we are working to try and reach out to more USYD women via our Facebook and Wechat channels. Also, we have reached out to the USU to get information on postering around university campuses to spread the word about the SRC Women's Officers and the community group we are attempting to build.

Sanitary Item Project:

We have made contact with three sanitary item companies and are currently working out program logistics, donation options for Kind Necessities and creating posters to raise awareness of the project.

Safer Communities Meeting Report:

Will attach minutes when received to update on this and report on the issues raised. One point to take action on is looking at making it compulsory for all councillors of the SRC as student leaders to attend the MATE Bystander Awareness training session which teaches about what to do when you witness assault or harassment to enable you to safely intervene. As far as I am aware, and through my discussions with Mel, all of the SRC staff have undertaken such training.

Bettina Arndt Response:

“The college letter distributed by Bettina Arndt is unacceptable, dangerous and hugely misleading. The letter invalidates the experience of victims of sexual assault and harassment. Arndt's male apologist attitude undermines the work of student activists, the university, the colleges and importantly the #MeToo movement that have been working to create a more supportive environment for victims of sexual harassment and assault to speak out about their experiences. The letter uses emotive language and hyperbole which encourages a gender divide where men are being pitted against women on an issue that if we are serious about solving requires gender unity. If Ms Arndt was actually interested in taking part in an educational and consultative approach in creating sexual assault and harassment policy on campus this is certainly not the way to do so.”

Meetings:

We have met with women's representatives from the USU, Sydney University Women In Engineering - SUWIE, the Breakfast Club and the UHS Health Education

Officer to work on an upcoming idea regarding introducing a Women's Health Week on 2-6th of September. We have a meeting scheduled for today the 6th March with a group of eager USYD women to form a committee dedicated to fostering the USYD women community. We would like to request a meeting with the executive to discuss our budget for the year.

Motion: that the report of the Women's Officers be accepted.

Moved: Vonnie Li

Seconded: Xiaoyu Jin

The motion was put and **CARRIED.**

15. Other Business

15.1. Staff Leave

Sharon Maher	Annual, 21/10/19-1/11/19
Chitra Narayanan	TIL, 1/3/19 and 21/3/19, 2 days, 14 hours
Lorna Pringle	Annual+TIL, 17/6/19-18/7/19, 15 days (12 Annual, 3 TIL), 105 hours

Motion: That the staff leave be approved en bloc.

Moved: Niamh Callinan

Seconded: Xiaoyu Jin

The motion was put and **CARRIED.**

15.2. Swipe Card Access

The following students have requested swipe card access to the SRC Offices. Those marked with an asterisk have completed all necessary forms.

Lily Campbell*
Madeleine Powell*
Pasindu Siriniwasa*
Liam Thomas*
Mingxiao Tu*
Ellie Wilson*

Motion: that the Swipe Card Access requests be approved en bloc.

Moved: Niamh Callinan

Seconded: Xiaoyu Jin

The motion was put and **CARRIED.**

15.3. Further Opinion regarding Number of Councillors Interpretation

Dane Luo (Vice President) filed a further opinion on the Executive's interpretation relating to the number of Representatives (see Appendix 2).

15.4. Statement

Dane Luo (Vice President) made the following statement:

Annie Zeng

Last week, Annie informed me that she will be resigning from the SRC Legal Service (incorporated as a limited liability company with ASIC under the *Corporations Act 2001* (Cth) and a registered charity with ACNC). I thank Annie for all the work she has done as a solicitor and registered migration agent. In her time, she has assisted many students and is known as a dedicated, kind and helpful person. She has made a significant contribution to the students that have sought the assistance of the legal service and I believe the SRC staff and students will miss her. I was very sad to hear that she will be leaving us. I wish her the very best in her next role and in the future.

Cameron Caccamo

I thank Cameron for his contribution as a staff member in the SRC from Deputy Electoral Officer in 2018 and Secretary to Council in 2018-19. In this period, he handled several challenges skillfully and graciously. He is unwaveringly kind, generous with his time, and his advice always thoughtful and fair. Without Cameron's hard work, which he would quip as simply 'doing my job', many of my own initiatives and ideas could never have taken off, let alone be accomplished. It is sad that Cameron was only a staff member for such a short period and I wish him all the best with the future.

Niamh Callinan, Jacky He, Josie Jakovac, Xiaoyu Jin and Vonnie Li concurred and agreed with Dane Luo's statement.

The opinion was noted by the Executive.

The acting Chair, Dane Luo, declared the meeting closed at 11.03am

APPENDIX ONE

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ACAR

AUTONOMOUS COLLECTIVE AGAINST RACISM

APPENDIX TWO

Opinion of Dane Luo (Vice President)

1. At the Council meeting on 1 August 2018, the Electoral Officer (EO), Karen Chau, strongly urged the 91st Council and President to take action in resolving constitutional issues relating to the number of Representatives well in advance of the appointment of the 2019 Electoral Officer.
2. The Council took action on 6 February 2019, which I will discuss at the end. Before that Council meeting, the Executive, acting as the Chairperson of the Standing Legal Committee,¹ carried, by circular, an interpretation on the *Constitution* relating to the role of Council in determining the number of Representatives.²
3. In my opinion to that interpretation, I stated, at paragraph 17, that the EO would be applying a formula prescribed in s 3(a) of the *Constitution* and the student data that the SRC receives from the University of Sydney.³ In that opinion, I did not explain how the Electoral Officer would apply this formula. In this opinion, I will elaborate on this issue.

Preliminary matters

4. It is important to note that my opinion on this matter, unlike the opinion of the Chairperson of the Standing Legal Committee, does not bind the Council nor the EO. This is because the Chairperson of the Standing Legal Committee is the sole interpreter of the *Constitution* and *Regulations*.⁴ This opinion would, at best, be persuasive.
5. I have reviewed the *Constitution* and *Regulations* as of April 2017, minutes of Council, the 2010 EO Report, which increased the number of Representatives from 31 to 33, and the 2013, 2015, 2017 and 2018 EO Reports⁵ in forming my opinion. I have also considered advice given to me by Thomas McLoughlin, the Solicitor Practitioner Director of the SRC Legal Service Pty Limited, and other staff members of the SRC.
6. At the time of writing, the most up-to-date University of Sydney Annual Report was the 2017 version. This provided that, as at 31 March 2017, there were 34,012 undergraduate enrolments at our University. However, based on the data that was sent to the SRC, as at the 2018 Annual Elections, there were 33,447 students enrolled in an undergraduate degree.

Consideration

¹ See Minutes of the 1st Executive Meeting of the 91st SRC, 4 December 2018, item 15.2.

² Minutes of the 4th Executive Meeting of the 91st SRC, 19 February 2019, appendix E.

³ Ibid.

⁴ *Regulations* pt 9 s 13.

⁵ I am very grateful to Karen Chau, Cameron Caccamo and Chitra Narayanan for their assistance in providing these materials.

7. In writing this opinion, I am engaged in the task of statutory construction, which must begin with consideration of the text itself.⁶
8. Section 3(a) of the *Constitution* states:
 - (a) The number of representatives shall be calculated by providing for one representative for every one thousand (1000), students enrolled in an undergraduate degree, or part thereof, and if the result is an even number by then raising that number to the next odd number, provided that the number of representatives shall be no less than twenty nine (29).
9. The comma after (1000) and before 'students' is problematic. The commas offset appositives from the rest of the sentence. According to a literal reading in accordance with rules of grammar, the sentence should be still readable if one deletes the part between the commas because commas are placed to surround a non-essential clause or phrase. Thus, it would read, 'one thousand (1000), students enrolled in an undergraduate degree, or part thereof'. However, this does not work and the sentence is illogical.
10. The literal structure of the sentence is confusing as to whether the phrase 'or part thereof' refers to either the immediately preceding 'undergraduate degree' ('the first interpretation') or to 'every one thousand...students' ('the second interpretation').
11. If the first interpretation is correct and it is indeed 'part thereof' an undergraduate degree, then there is one Representative for every 1000 students. As such, the natural meaning would provide that if the number of students meeting this definition are between 32,000 and 33,999 students, there would be 33 Representatives. If the number of undergraduate students are between 34,000 and 35,999 students, there would be 35 Representatives.
12. If the second interpretation is correct, this provides for one Representative for every 1000 students or part thereof. So there would be one Representative for every 1000 students and an extra Representative for the remaining 1 to 999 students, followed by rounding to the nearest whole number. The natural meaning of the clause would provide that if the number of undergraduate students are between 31,001 and 33,000 students, there would be 33 Representatives. If the number of undergraduate students are between 33,001 and 35,000 students, there would be 35 Representatives.
13. There appears to be conflicting opinions by former Electoral Officers.
14. In the 2010 EO Report, Paulene Graham wrote that '[t]he undergraduate student numbers...having passed the 32,000 mark the number of SRC position[s] rose to 33 as per the rules of the organisation.' It appears that Ms Graham's view would provide for 33 Representatives there were between 32,000 and 33,999 undergraduate students. By extension, there would be 35 Representatives if undergraduate enrolments exceed 34,000. The Report did not explain why there

⁶ *Alcan (NT) Alumina Pty Ltd v Commissioner of Territory Revenue* (2009) 239 CLR 27, 46 [41].

would be 31 Representatives if the number of students were below 32,000. This approach appears to support the first interpretation.

15. In contrast, in the 2018 EO Report, Karen Chau wrote that ‘the Electoral Officer should define 35 councillors...should undergraduate enrolment numbers exceed 33,000 students.’ Ms Chau’s interpretation of the constitutional clauses is consistent with the second precedent.
16. In light of conflicting application by former Electoral Officers and without the guidance of rulings or opinions by former Electoral Legal Arbiters or Chairpersons of the Standing Legal Committee, I proceed to consider the text of the provision to find the intent of the student body when enacting the *Constitution*.
17. Whether the first interpretation can stand depends on whether an ‘undergraduate degree’ can be ‘part thereof’?
18. I do not believe part-time degrees offered by the University of Sydney are ‘part thereof’ of an undergraduate degree because all students are required to complete the same number of credit points and, by the time they complete their degree, that student would have paid the same amount of fees (subject to inflation).
19. The acting Casework and Policy Manager, Melissa de Silva, told me that the University of Sydney does not have part degree enrolments, which exist, for example, at Charles Sturt University. Indeed, Ms de Silva confirmed that the University of Sydney has never had such degrees.
20. It may be arguable that full-fee paying one-off units of study could meet that description. I disagree. This would be a departure from the plain and ordinary meaning of the text. A one-off unit of study could not be said to be completing part of a degree. I doubt whether resumes accurately state that a person has completed a ‘part of a Bachelor of Arts degree’ after a person has completed only 6 out of the 144 credit points needed to be a successful candidate.
21. In my opinion, the second interpretation should be preferred.
22. Firstly, it is the most logical interpretation in the University of Sydney context. Context is an important consideration in statutory interpretation where there is ambiguity.
23. Secondly, the ‘student body’ is already defined in section 1(a) of the *Constitution*.
24. Thirdly, I believe that the interpretations by Ms Graham and Ms Chau are in conflict. The interpretation proffered by Ms Chau is, in my view, in harmony with the text. Neither the conclusion which Ms Chau reached, nor the reasoning on which it is based can be characterised as clearly wrong. In those circumstances, I should follow Ms Chau’s decision.

25. The next question is the relevant time period for making this determination. It is no surprise that numbers of undergraduate students fluctuate throughout the academic calendar. It is possible that at one point of the year, there are 33,000 students or less. Other times, there could be more.
26. In previous years, former Electoral Officer, Ms Graham used projections of what the size of the student body would come the SRC election in September.⁷
27. In contrast, Ms Chau stated in the 2018 EO Report that ‘the Electoral Officer should define 35 councillors to sit on the 92nd Students’ Representative Council (term commencing 1 December 2019) prior to the commencement of nominations for the SRC’s 2019 Annual Elections, should undergraduate enrolment numbers exceed 33,000 students in Semester 1 2019’ (emphasis in original). She did not specify at what point in time in semester 1 that the undergraduate student population should be measured at.
28. In my opinion, the relevant time period should not be projections for the Annual Elections, which is usually based on data from the previous year. Rather, it should be at the most recent census date.
29. Firstly, this is the official date used by the University to mark the precise number of students. It is a widely promoted date that students are made aware of and are required to finalise their enrolment by.
30. Secondly and most importantly, if a student is enrolled after the census date, even if they discontinue their enrolment after the census date, that student is required to pay the Student Services and Amenities Fee (SSAF).⁸ Given that 97% of the SRC’s income came from the SSAF in 2018, any undergraduate student enrolled after the census date is a financial stakeholder of the SRC. Those students should receive representation on the Council, which makes decisions on how the SRC’s allocation is spent.
31. Thirdly, using data from the preceding year may not reflect the unique circumstances of the year of election and the next term of Council. If the 2019 Annual Elections used the number of students from the 2018 Annual Elections, students would be electing the Representatives for the 92nd Council based on information at a point in time of the 90th Council. This is particularly problematic if there is a significant fluctuation in the number of enrolments from one year to another, as we have seen in the postgraduate student population recently. Using a figure from the same year as the Annual Elections would, therefore, be preferable.
32. I wish to make a note about whether the EO should use the semester 1 or 2 census date. Section 3(b) of the *Constitution* states that ‘[t]he Electoral Officer shall determine [the number of Representatives] each year prior to the Annual Elections’, which gives wide discretion. In my view, the temporal focus of the Annual Elections begins on the date that nominations open because

⁷ Ibid.

⁸ *Higher Education Support Act 2003* (Cth).

nominations are an essential part of the election process.⁹ Furthermore, ensuring that the number of Representatives are finalised before nominations open promotes fairness and certainty. Therefore, the EO should make a decision under s 3(b) of the *Constitution* before opening nominations using the most recent, publicly available number of undergraduate students from a census date.

33. In previous years, nominations were open before the semester 2 census date so the EO would generally be using the semester 1 census date. But if the semester 2 census date data is available before nominations open, that should be used instead of semester 1 census date data.

34. In summary, I conclude that the *Constitution* demands the following process:

- a. Before nominations open, the EO should seek out the most recent, publicly available number of undergraduate students from a census date (semester 1 or 2).
- b. If the number of undergraduate students are between the range in column 1, then the EO should determine the number of Representatives from the corresponding row in column 2.

Column 1	Column 2
Number of undergraduate students from the census date	Number of Representatives
1 – 29,000	29
29,001 – 31,000	31
31,001 – 33,000	33
33,001 – 35,000	35
35,001 – 37,000	37
37,001 – 39,000	39
39,001 – 41,000	41

35. Over the last few weeks, I have carefully reviewed the Executive’s interpretation. I am fully conscious of the weight of opinion opposed to my own. And I regret that I am in disagreement with all other Executive members on this point, all of whom I greatly respect.

Council and interpretation

36. Notwithstanding my opinion, I turn to the actual interpretation and the actions of Council.

37. The interpretation made by the Executive, acting as the Chairperson of the Standing Legal Committee, stated that ‘if the [EO] Report is accepted by Council, the number of Representatives for the 2019 elections shall increase to 35. If the Report is rejected by Council, the number of Representatives shall stay at 33.’

⁹ *Regulations* pt 8.

38. On 6 February 2019, the Council accepted the EO Report in full.¹⁰ Applying the interpretation, the number of Representatives for the 2019 elections shall increase to 35.

¹⁰ Minutes of the 1st Ordinary Council Meeting of the 91st SRC, 6 February 2019, item E2.