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advocacy  
representation

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**MINUTES** of the **9th** meeting of the Executive Committee, 91st SRC, held on 2nd May 2019 in the Gosper Room, SRC Offices.

**PRESENT:** Jacky He (Chair), Yuxuan Yang\*, Dane Luo^, Caitlyn Chu^, Josie Jakovac, Vonnie Li, and Prudence Wilkins-Wheat.

Apologies: Niamh Callinan\* and Xiaoyu Jin

Minutes: Julia Robins

In attendance: Jessica Syed, Liam Thorne, Melissa de Silva, James Campbell, Chitra Narayanan, and Thomas McLoughlin

Meeting Opened: 11:17am

\*^Joint position holders, counted together towards quorum.

### **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 Niamh Callinan\*, Alex Yang, and Xiaoyu Jin.

Dane Luo spoke to the apologies noting that this is the now the 9<sup>th</sup> meeting and he has missed 8. Dane noted that at the 5<sup>th</sup> meeting the Executive decided to take it to council if Alex Yang missed another meeting. It's now the 9<sup>th</sup> meeting and he believed the Executive should act. Dane Luo added he didn't think the Executive should accept his apologies.

Josie Jakovac agreed with not accepting the apologies of Alex Yang saying she has been overseas. Adding that she has sent apologies and tried to call in where possible accounting for different time zones and as far as she was aware Alex Yang has been in Sydney the entire time and thus saw no excuse for his continued absence.

**Motion:** To accept the apologies of Niamh Callinan and Xiaoyu Jin and reject the apologies of Alex Yang

Moved: Dane Luo

Seconded: Josie Jakovac

The motion was put and **CARRIED.**

### **3. Minutes**

Minutes of the meeting of the Executive held on the 15<sup>th</sup> April 2019 were distributed.

Prudence Wilkins-Wheat asked what the reasoning behind the Singapore trip was?

Dane Luo spoke to the trip noting that there is a University of Sydney campus there for nursing and that they pay the same SSAF as all other student but do not receive any of the services. Dane Luo gave examples such as if they have an academic appeal they have to come to Sydney for it, same for any of the University's mental health support. As such the SRC would like to send a caseworker to their O-Week to let them know of the SRC's services available to them.

**Motion:** that the minutes of the 15<sup>th</sup> April 2019 be accepted.

Moved: Caitlyn Chu

Seconded: Yuxuan Yang

The motion was put and **CARRIED.**

**4. Business arising from the minutes**

*There was no business arising from the minutes.*

**5. Correspondence**

*There was no correspondence.*

**6. Workplace Health and Safety Report**

*Melissa de Silva gave the WH&S report*

We did our first meeting/training for “lock in”. The next one will be Tue 7 May at 3pm. Could all members of exec who did not attend this morning (Yuxuan, Josie, Vonnie and Prudence) please either attend this meeting or let me know when you are free. I am going to set a date to meet with Honi, and try to get OB’s/activists to attend as well.

Blinds will be ordered for Publications office.

Chits and Mel will do an audit of all locks, and make sure that security’s phone number is attached to each office phone – currently the stickers are sticky enough and fall off.

**Motion:** that the report of the Workplace Health & Safety Officer be accepted.

Moved: Prudence Wilkins-Wheat

Seconded: Caitlyn Chu

The motion was put and **CARRIED.**

**7. Report of the President**

**Since the 8th Executive meeting I have:**

- Continued leading the ongoing SSAF negotiations, communicating with staff and other student organisations, aiming for an amount that will be adequate to support out student projects and caseworker projects. The SSAF outcome will likely be decided in the next Student Life Committee Meeting. The council will be notified after the SSAF funding have been finalised.
- Met with Professor Pip Pattison and Helen Ash to inform them about the importance of SRC’s projects, and SRC’s views on SSAF distribution
- Presented at Academic Board Meeting on 16<sup>th</sup> of April to speak about reforming the Code of Conduct Policy to the university executives, academics and student representatives
- Successfully hosted the venue for our first breakfast initiative for students on 18<sup>th</sup> of April, handed out over 30 sets of breakfasts, interacted with about 50 undergraduate students
- Helped with promoting the SRC at Cumberland Campus Health Day
- Spoke to Chitra about the Enterprise Bargaining Agreement process, and have been thinking about an appropriate starting date of the Enterprise Bargaining Process
- Raised a few concerns from the SRC’s perspective about a few of the agenda items on the May Academic Quality Committee meeting

- Raised a few concerns from the SRC's perspective about a few of the agenda items on the May Student Life Committee meeting
- Helped to organise written article works on WeChat

**Upcoming Plans:**

- Negotiate a new Enterprise Bargaining Agreement
- Hosting a Sex and Consent Day in May, reach out to caseworkers, Wom\*n's Officers, convenors of the Wom\*n's Collectives
- Ongoing presence on WeChat
- Reviewing the applications for the 2019 electoral officer and conduct interviews with the candidates before the May Council meeting, so that a recommendation can be put to the May Council Meeting
- Fully complete the OLE reform, which will take effect in 2020 the earliest
- Attending the World University Network Presidents' Conference at Dublin around mid-May

Jacky read out from his report. Adding that he would like to have a sex and consent day in semester 2 as well, right now the day would mostly be seminars and also a stall with some information.

**Discussion:**

Prudence Wilkins-Wheat asked what the concerns at the Academic Quality committee were.

Jacky He said they were to do with academic dishonestly and the University's inefficiency in processing those cases. There are still open cases from semester 1 2018. Also around access to retention data that is yet to be provided.

Prudence Wilkins-Wheat asked about the Student Life Committee meeting.

Jacky He said that he spoke on the sex and consent compulsory module, and where people are exempt for it, how they are informed of that, and if they would know that non-completion was why their results were being withheld.

Prudence Wilkins-Wheat asked where the SRC would be advocating for exemptions.

Jacky He said it was for people who may have experienced trauma in that area for whom it could be triggering, religious reasons were cited in the meeting as a possibility, as it's a serious issue simply not wanting to do it isn't a valid reason.

Prudence Wilkins-Wheat asked what example of religion was used.

Jacky He said he did not want to go into detail.

Prudence Wilkins-Wheat asked what the rationale around religion was as it was very generic.

Jacky He said he would raise it at the next committee meeting.

**Motion:** That the report of the President be accepted.

Moved: Yuxuan Yang

Seconded: Caitlyn Chu

The motion was put and **CARRIED.**

## **8. Report of the Vice Presidents**

### **Executive Summary**

Since the 8<sup>th</sup> Executive meeting, we have:

- Submitted proposals to alter parts 8, 12 and 13 of the *Regulations*, which will be presented at the next meeting of Council;
- Hosted the inaugural Health Day at Mallet Street on Tuesday 16 April 2019 with SUPRA;
- Met with the Dean and Dean of Student Life at St John's College to discuss reforms at that College;
- Joined Jacky and Niamh in a meeting with Professor Pip Pattison and Helen Ash regarding the 2019 SSAF allocation;
- Organised a Media Law make-up session between DSPs, Thomas (Principal Solicitor) and Amanda (Publications Manager) for Thursday 2 May 2019 at 11am. However, due to conflicting court commitments, this will need to be rescheduled;
- Attended the batyr@Uni presentation on Wednesday 24 April 2019;
- Hosted the second Health Day at Cumberland on Tuesday 30 April 2019 with SUPRA;
- Updated four pages on the website with new and updated text, and currently working on videos for our website; and,
- Assisted the President and General Secretary with negotiations for a new Enterprise Bargaining Agreement, which officially began in the mid-semester break.

Upcoming plans:

- Welfare Week (semester 2 week 3) will be our largest focus;
- Mental Health Workshop with support organisations;
- UE Workplace Health and Safety Committee meeting on Monday 6 May 2019;
- UE Research Education Committee meeting on Thursday 9 May 2019;
- Hosting a Business and Engineering Networking session in May/June;
- Satellite campus visits to Camden, SCA, Westmead, Surry Hills and Conservatorium;
- Continue working on reviewing other parts of the *Regulations*;
- Assisting the President and General Secretaries with SSAF and budgetary preparation;
- Negotiating for a new Enterprise Bargaining Agreement; and,
- Hosting 90<sup>th</sup> Anniversary Reunion for late October or early November.

### **Regulation Reform**

Ta-da! The first batch of reforms to our *Regulations* have been sent around to Representatives and other members of Council. These reforms deal with pts 8, 12 and 13 of the *Regulations* pertaining to our Annual Elections, by-elections and referenda. In total, over 200 hours was spent working through these reforms. We considered the Electoral Officer Reports from 2010 and the views expressed to us from students and other members of Council. We consulted and checked the final product with Jacky, General Secretaries, Chitra (Administration and Systems Manager), Julia (Secretary to Council) and Karen (Past Immediate Electoral Officer). We want to thank them very much for all their assistance and we hope that the Executive, by passing our report, thanks and acknowledges them as well! Overall, we are incredibly proud of this proposal, which would simplify and clarify our current Regulations.

We would like to thank the many people that came before us who have attempted to change the *Regulations* in these areas including Cameron Caccamo, Riki Scanlan, Georgia Kriz, Bella Pytka, Daniel Ergas, Samuel Chu and Imogen Grant. Looking back at minutes of the Council and Standing Legal Committee, their contribution and debate was instrumental in our proposals.

The proposed reforms needs to be considered by the Standing Legal Committee soon and then debated and voted in the Council. As a matter of fairness to the incoming Electoral Officer, it is important that they are able to prepare and conduct this year's elections with the proper set of *Regulations* so we hope that these reforms can be considered at the next meeting of Council.

### **Mental Health Workshop**

Caitlyn is working hard to host a mental health workshop with the Education Officer soon. We know that many students feel stressed from mid-term assessments or other problems in their life. Some even have depression and anxiety due to the pressure. We want to invite staff from mental health support services and let them introduce how can students prevent having mental health illness and how to face the mental problems for around 30 minutes. Jessy, one of the Education Officers, wants to organise some games which can help students release their stress. We will advertise this workshop on Facebook and WeChat and email to the mental health support groups soon. If any Executives are interested in this event, please reach out to us, we would love to have a meeting and discuss it.

### **Legal Advice**

Thomas has advised that the SRC requires external legal advice in relation to a legal matter that may affect the organisation. We request the Executive approve expenditure for legal advice for up to \$10,000.

### **Health Days**

The first Health Day was amazing at Mallet Street for Nursing and Midwifery students. We had an outstanding turnout with very high interest. We thought there would be 230 students. But so many students showed up that Dane had to go back to Subway and order more food! In total, we engaged over 300 students and we are really delighted with this. The following organisations were present: SRC caseworkers, SUPRA caseworkers, headspace, QuAC, NSW Nurses and Midwives' Association and specialist domestic violence officers from Newtown Police.

The second Health Day was also incredible. We had a slight hiccup with food but thanks to contingency plans, we still got all sausage sandwiches to students at the Cumberland campus studying Health Sciences. In total, we engaged over 200 students and reached out to 250 students. The follow organisations were present: SRC caseworkers, SUPRA caseworkers, NSW Health, Unions NSW, batyr and Auburn Police.

We would like to profusely thank the tremendous assistance from the Casework and Policy Department (Mel, Sharon, James, Lorna and Breda) for their assistance in making this initiative a success!

We have made feedback for future Health Days that we will share with the next Vice Presidents. A summary of the main points are:

- 11am to 2pm is a very good time for satellite campuses and will attract the bulk of students.

- It would be very ideal to enter into a partnership with our friends at SUPRA and maybe even the USU or CSG. Not only can we split costs and make the event bigger and better, but it avoids awkward questions such as 'are you postgrad or undergrad?' and only serve undergraduate students.
- Subways are great but perhaps consider getting some cheaper food because a large number of students (as we unexpectedly had) meant that costs increase significantly.
- Definitely play a game and have a raffle (videos of the game results are on the SRC HELP Facebook page). Perhaps even a chocolate wheel or something else as long as it is fun, engaging and eye catching.
- Promote the event in *Honi Soit* because it is delivered to all the satellite campuses. This year, we had the back cover for three editions in a row for the Mallet Street Health Day, which was brilliant!

Dane Luo added that he was keen on doing a third Health Day in semester 2 for another satellite campus. Currently, Sydney University Dental Association have requested one for the Westmead campus and Conservatorium Students Association has requested we come to the Conservatorium. There could also be an opportunity to return to Mallet Street. Will be discussed with the caseworkers to determine priority areas and how to best deliver for them.

**Discussion:**

Dane did an overview of the report and noted that the opinion at agenda item 15.1 goes into more detail of some of the information that will then be passed onto next year's Vice President(s).

Prudence Wilkins-Wheat asked about the meeting with the Dean of St John's College.

Dane Luo said that the meeting has been organised with SUPRA and the SRC and as there were cases with confidential information discussed he was not able to go into more information for legal reasons.

Prudence Wilkins-Wheat asked about the colleges reforms

Dane Luo said he did not speak for the colleges.

Prudence Wilkins-Wheat asked who she should contact for more information

Dane Luo recommended emailing them and noted that the colleges have been looking at the impact of some of their reforms, an example of which has been that since raising the required WAM to remain at college they have seen an improvement in behaviour.

Liam Thorne asked what the legal advice was for.

Dane Luo said he could not discuss that but had been advised to seek specialist advice for difficult issues.

Liam Thorne inquired as to whether the executive would receive more details about what was approved.

Dane Luo said that detail would need to be provided in camera.

Prudence Wilkins-Wheat asked if Dane Luo would provide the executive more information

Dane Luo noted that it would have to be in camera to avoid jeopardising the SRC's position.

Jessica Syed asked why there were police at Health Day.

Dane Luo said that the police had their own stand for the Mallet street campus day, the police there were Domestic Violence specialist as Nurses have high risk in that area. At Cumberland campus, it was Auburn police who had a stall on what they do and multilingual information

**Motion:** that the report of the Vice Presidents be accepted including \$10 000 for specialised legal advice.

Moved: Niamh Callinan

Seconded: Yuxuan Yang

The motion was put and **CARRIED.**

## **9. Report of the General Secretaries**

Since the 8<sup>th</sup> Executive Meeting

- Assisted in finalising election regulations amending Pats 8, 12 and 13 alongside Vice President;
- Hosted first SRC breakfast;
- Meeting with a number of office bearers and collectives regarding their plans for the year;
- Organising budget requests from various collectives and departments;
- Alongside Jacky and Dane, attended a meeting with Professor Pip Pattison and Helen Ash regarding the 2019 SSAF allocation;
- Assisted the Legal Director (Thomas) in the interview and selection process for a second solicitor for the legal service;
- Working with the President and Vice President with the negotiations of a new EBA;
- SRC Bingo game with CET student (reimbursement:152\$ for the first prize (one USYD crystal ball) and other souvenirs).

Ongoing:

- Hosting future SRC breakfasts;
- Organising and finalising the budget for the year;
- Assisting the Vice Presidents with their various events; including Welfare Week;
- Ongoing procedures and negotiations of the EBA;
- Continue working on potential changes to the Regulations with the Vice Presidents;
- Hosting 90th Anniversary Reunion for late October or early November;
- Assisting the Casework and Policy Department in the two research projects that are being undertaken;
- Assisting in the selection process of the Electoral Officer.

We would like to note the hard work and effort put in by both the caseworkers and the vice presidents for the organisation and execution of both Health Days. We are incredibly excited by the amount of students who have been engaged by these and happily support any future health days or visits to other satellite campuses.

Yuxuan Yang read through the report and added that he spoke to CET students about their experiences at the CET Event.

## Discussion:

Liam Thorne asked if budget requests had been received from all departments.

Yuxuan Yang noted that not all had submitted one yet and the General Secretaries had extended the due date for submissions. Adding that they hoped to submit the Budget at the June council meeting when SSAF was finalised.

Prudence Wilkins-Wheat asked if there were any major projects the General Secretaries wished to include in this years budget.

Yuxuan Yang said he wanted to focus on more face to face contact with students so they are aware of the services and collective and activities of the SRC and that is why they are running the breakfasts, not just to ensure students are getting a meal but also so they are getting SRC information to students.

Prudence Wilkins-Wheat suggested diversifying the time that the breakfasts are run to get to a greater number of students as many have different starting and travel times.

Yuxuan Yang agreed this would be good in the future and for now it is still being worked out as there has only been one so far.

Prudence Wilkins-Wheat asked if there was a variety of items to account for different dietary requirements.

Yuxuan Yang said there was.

Josie Jakovac asked about OLEs.

Jacky He noted that that was a part of his report at the last meeting, and that there was still a lot happening in that area and that any reforms that may pass would not be implemented any earlier than 2020.

*Jacky He passed the chair to Dane Luo to continue to comment.*

Jacky He said he would advise students if they wanted to take advantage of any of the proposed reforms to hold their OLE units over until semester 1 2020. Some of the proposed changes include

- The number of OLE credit point required
- Doing OLEs while on exchange or overseas
- Looking into the creation of more 6 credit point OLEs

Josie Jakovac asked what would happen to students who have reached the limit with Dalyell units? She enquired whether OLE units could be merged with Dalyell units?

Jacky He said he believe that issue had been raised.

*Jacky He resumed the chair*

Prudence Wilkins-Wheat asked what Yuxuan Yang was doing on the OLEs

Josie Jakovac clarified that she had been mistaken and OLEs had been brought up in the President's report not the General Secretaries.

Prudence Wilkins-Wheat apologised for the misunderstanding.

Motion: that the report of the General Secretaries be accepted including the \$152 expenditure.

Moved: Josie Jakovac

Seconded: Caitlyn Chu

The motion was put and **CARRIED.**

Prudence Wilkins-Wheat abstained.

*Meeting moved to agenda item 11 to accommodate the casework and policy manager:*

**11. Report of the Casework and Policy Manager**

*James Campbell entered the meeting and gave a verbal report*

Quick verbal report:

- Staff movement
  - o Louise Stack is no longer here
  - o I'll be full time again from now on
  - o Breda Dee is away on leave starting on the 13<sup>th</sup> for 6 weeks
  - o Appointed 2 new research officers Rafi Alam and Alvin Gavranovic
- We're doing awareness promotions, also done some work with the police on this
- There is a potential concern with Discontinue Not Fail
  - o In the past this has always been week 7,
  - o It was at the beginning of the year and our year planners reflect this
  - o The University has pushed the date back this year this may negatively affect some students, who may think they've missed the date and not apply while they are still able to.
- Show cause appeal are coming through
- Been liaising with STUCCO on emergency accommodation
- Need to meet with CAPS about some emergency support for students as they've not been very helpful
- Would like to send a couple of people to a free conference at ANU in September for university and student advisory groups
- There is a lot of committee work and a lot of demand on the president and there are a growing number of committees (Jacky He noted he is currently on 16 committees)
- The French report of Free Speech on Campus came in and found there was no crisis like suggested by people such as Bettina Ardnt.
  - o Important to note that protest is a form of free speech
  - o Misconduct complaint procedures seem to be being used to silence dissent

**Motion:** that the report of the Casework and Policy Manager be accepted.

Moved: Dane Luo

Seconded: Prudence Wilkins-Wheat

The motion was put and **CARRIED**.

**10. Report of the Administration Manager**

*Chitra Narayanan gave a verbal report.*

- Mid-year staff consult need to happen, this is usually in the first two weeks of May.
- Hoping to ask Cameron Caccamo to cover for Julia Robins for a couple of days while she is on leave as well as at the next council meeting
- Audit was completed before Chitra Narayanan went on leave, those documents need to be presented to council.

Chitra asked for nominations from the Executive to sit in on the mid-year staff consult. Dane Luo nominated himself.

Prudence Wilkins-Wheat asked why Dane Luo should be nominated since he is very busy.

Dane Luo said that he enjoys working with the staff and he is happy to take it on but said he would be happy to withdraw his nomination if other Executive members wished to take it.

Prudence Wilkins-Wheat said she was too busy.

**Motion:** that the report of the Administration Manager be accepted and that Dane Luo be nominated as a representative of the Executive to sit on the mid-year staff consult.

Moved: Josie Jakovac

Seconded: Prudence Wilkins-Wheat

The motion was put and **CARRIED**.

**12. SRC Legal Service Report**

Jacky He spoke on behalf of the SRC Legal Service Board noting that there had been a number of qualified candidates for the vacant solicitor position. There may need to be an increase in the income offered due to increased experience.

**Motion:** to move the meeting in camera

Moved: Dane Luo

Seconded: Caitlyn Chu

The motion was put can **CARRIED**.

*The meeting moved in camera at 12:11pm.*

*The meeting move ex camera at 12:23pm.*

Thomas McLoughlin entered the meeting

- SLC has been short a solicitor for 6 weeks now
- Completed client data input and they trust accounts for the external examiner
- Had a number of cases for student including a successful unfair dismissal case
- There is a number of student misconduct support happening
- We are hoping to appoint a new solicitor soon and hoping they will also be a migration agent.
- Hoping to some organise leave without it affecting any obligations to clients soon

## **Discussion:**

Dane Luo thanked Thomas McLoughlin for his work especially considering he has a new baby.

**Motion:** that the report of the SRC Legal Service be accepted including up to \$25000 extra funding for a new solicitor

Moved: Dane Luo

Seconded: Josie Jakovac

The motion was put and **CARRIED.**

Prudence Wilkins-Wheat abstained.

## **13. Approval of Payments**

*There were no requests received.*

## **14. Any Other Reports**

### **14.1. Report of the Women's Officers**

#### **ENID Platform**

The USYD Women's Committee have been working around the clock to get the ENID website up and running by clearing off older content to make room for new articles, videos and USYD women profiles. The website should be ready to start loading content this week. We will be reaching out to some women from around campus to engage in profiles for #WomenofUSYD posts. Suggestions are welcome.

#### **USYD Women Committee Event Proposal:**

We would like to hold an event to foster community spirit and engagement. The proposed event involved a musical bingo event with conversation, good food and of course music. As the details of the event become finalised, we would like to allocate a portion of our budget to cover catering costs and possibly venue hire.

#### **Women of USYD Past Present and Future Panels:**

We have also been working to deliver on the two panel events for next semester. The current theme for the panels is *Women of USYD Past Present and Future*. Sofia Zertitis from the Vice Chancellor's Office has been helping coordinate this event alongside the USYD alumni office. If you have any alumnae, you think would be perfect to hear from on the Q and A style panel we welcome suggestions.

#### **Campus Security and Walking Services:**

We have been in contact with Cheryl Wharton who is the Operations and Security Manager after we received feedback from students who expressed concerns about the fact the USYD walk service is no longer offered by campus security. This was raised in our last report to council. Upon her preliminary response she cited concerns regarding advertising such walks would attract predators to these areas. We have requested a further meeting to investigate but are yet to hear back. If we do not receive adequate response, we can raise this at a Safer Communities Advisory Group Meeting. At next council, there will be a motion put forward to increase visibility of the campus shuttle bus services which ties into the importance of ensuring the SRC is doing everything we can to facilitate safer environments on and around campus for students.

#### **Health Day at Cumberland Campus**

It was wonderful to attend Health Day at Cumberland campus. The student feedback received was positive and many commented on the fact they we really appreciated the presence of the SRC at their campus. Congratulations to Dane and Mel for working so diligently (as usual) to produce a really worthwhile day in the interests of USYD students and promoting visibility for the SRC across satellite campuses. Thank you also to the hard work of the case workers who attended. After talking to many women students at Cumberland there is also a strong desire for action to be taken on two points:

- (a) Provision of sanitary items in toilets (such as a machine to purchase sanitary items). We would also like to extend the sanitary item project to the Cumberland campus, by creating a box of free items situated in their library.
- (b) Increasing lighting at night, particularly, along some of the pathways surrounded by bushes.

### **1 Million Women LoveEarth Festival**

We would like to buy 10 tickets (costing between 15-55) to send USYD Women representatives to attend the festival. Once we have executive approval, we can start negotiating ticket prices to send the group of ten people.

#### **KEY INFORMATION:**

- Event Description from the Eventbrite page:

*IT'S 1 MILLION WOMEN'S 10TH BIRTHDAY AND WE'RE CELEBRATING!*

*Party with us at our LoveEarth Festival - be inspired by world leaders and women from the front lines of climate change, sustainable fashion gurus, zero wasters and performances from superstar musicians who have spent their careers fighting for what's right. Plus watch DIY demos on how to live a plastic-free, zero waste life!*

*Then browse our Solutions Marketplace that's bursting with products and ideas that enable us to live a life that's lighter on the planet.*

- Date: 25<sup>th</sup> May
- Where: Carriageworks

#### **Budget:**

We have created our estimated budget for the remainder of the year and are sending it to the General Secretaries by the end of this week for further discussion.

#### **Discussion:**

Dane Luo expressed his disappointment that the student walk service was no longer available as it was important for student safety.

Josie Jakovac asked for more detail on what the service was.

Dane Luo clarified that a student used to be able to call security as ask them to walk with them to the station at night, it could be done from fisher library etc.

Josie Jakovac asked if the change affected students with a disability

Dane Luo said he thought they were covered by a different service but would need to check.

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

Moved: Dane Luo

Seconded: Yuxuan Yang

The motion was put and **CARRIED.**

Prudence Wilkins-Wheat abstained.

## **15. Other Business**

### **15.1 Opinion of Dane Luo**

Dane Luo (Vice President) submitted an opinion relating to Officers of Council under section 6 of the Constitution (Appendix 1).

*The Executive noted the opinion of Dane Luo.*

### **15.2 Support for SOS Conference**

Prudence Wilkins-Wheat raised that the environment officers were having difficulty booking Cumberland campus for the Students of Sustainability conference, they wrote to the Cumberland students guild to get support for getting a venue but have not heard back. Prudence asked if Environment Officer Alev Saracoglu be able to get support from the executive in organising that.

Dane Luo noted that he would be speaking to venues from Cumberland campus today and could mention it in that call.

**Motion:** That the Executive support the Environment Officers in organising for the Students of Sustainability Conference venue at the University of Sydney Cumberland Campus.

Moved: Prudence Wilkins-Wheat

Seconded: Dane Luo

The motion was put and **CARRIED**

Josie Jakovac abstained.

*The meeting was declared closed at 12:41pm*

## APPENDIX 1

### Opinion of Dane Luo (Vice President)

1. Three weeks ago, I was asked about the procedure to remove a co-Officer by a member of the Executive. Ever cognisant that the Chairperson of the Standing Legal Committee is the sole interpreter of the *Constitution* and *Regulations*,<sup>1</sup> I informed the member of the Executive to contact the Secretary to Council to seek a binding interpretation from the Chairperson. Notwithstanding my reluctance, they still requested my own opinion. Having examined our *Constitution* and *Regulations*, I provided them with my own opinion. I now provide that opinion to the Executive because I believe that my actions should be transparent.

#### Preliminary matters

2. As I noted, my opinion on this matter, unlike that of the Chairperson of the Standing Legal Committee, is not binding and does not substitute the Chairperson as the sole interpreter of our *Constitution* and *Regulations*.<sup>2</sup> This opinion would, at best, be persuasive.
3. I have reviewed the *Constitution* and *Regulations* as of April 2017 and the binding rulings of the then-Chairperson of the Standing Legal Committee, Cameron Caccamo, on 14 March 2016.<sup>3</sup>
4. As a Representative and a member of the Executive, I have the ability to submit a motion to either the Council or Executive to overrule past interpretations.
5. However, in giving my opinion, I believe it is my duty to fully acknowledge the authoritative weight of past interpretations and follow them. Some students may have a view as to the correctness of past interpretations. However, I consider that my obligation is to give my opinion, in accordance with the law as enunciated by the Chairperson and as I understand it. Anything less would be a failing in this duty. I do not believe I am free to assume that certain matters had been overlooked by the Council or Executive or otherwise seek to distinguish the Chairperson's decisions on narrow grounds or fine points. The necessity of obedience to interpretations, even when I may have some doubts as to their correctness, is important in providing my opinions to the Executive and Council.
6. I have extensively reviewed the minutes of Council, Executive and Standing Legal Committee meetings.
7. On 4 June 2014, Bridget Harilaou moved a motion that included, amongst other things, a clause to remove Oliver Plunkett as co-Welfare Officer for allegedly failing to consult other Officers, running a campaign that was a 'complete waste of resources' and 'out right embezzlement'.<sup>4</sup> The then-Secretary to Council, Lisa Brennan, referred to motion to the then-Chairperson of the Standing Legal Committee, David Pink. Mr Pink held that '[t]he Constitution provides in section 6 (c) that Council has the exclusive power to remove Officers of Council'.<sup>5</sup> He held that an Officer can only be dismissed under the procedure prescribed by section 6(d) of the *Constitution*. He found that the minimum 10 days notice provision had not been met.<sup>6</sup> He ruled that, 'I, therefore, strike down the motion as unconstitutional and advise the Secretary to Council and President not to publish this motion as part of the agenda of the

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<sup>1</sup> *Regulations* pt 9 s 13.

<sup>2</sup> *Ibid.*

<sup>3</sup> Minutes of the 2<sup>nd</sup> Standing Legal Committee Meeting of the 88<sup>th</sup> SRC, 14 March 2016.

<sup>4</sup> Agenda of the 4<sup>th</sup> Ordinary Council Meeting of the 86<sup>th</sup> SRC, 11 June 2014, item S2.

<sup>5</sup> Email from David Pink to Secretary to Council, 'Standing Legal Committee Chair Ruling', 6 June 2014.

<sup>6</sup> *Constitution* s 6(d)(i).

upcoming Council meeting.<sup>7</sup> The motion was amended with the clause struck out. The issue as to whether removing a co-Officer was constitutional was not discussed

8. On 18 March 2016, the Executive considered the absences from meetings by co-Vice President Jamie Rusiti. A motion was carried to request Council to remove Jamie Rusiti from his position.<sup>8</sup> This is because Mr Rusiti was deemed absent on Executive meetings held on 16 December 2015, 9 March 2016 and 18 March 2016.<sup>9</sup> He apologised on meetings held on 14 January 2016, 27 January 2016 and 11 February 2016.<sup>10</sup> It appears to me that Mr Rusiti was deemed absent for two consecutive Executive meetings and three Executive meetings in total, and attracted reasons for dismissal as an Executive member under part 3 section 6(e) of the *Regulations*. However, I note that, despite the motion from the Executive, the issue is that this was not actually brought up at the next Council meeting.<sup>11</sup> On 1 June 2016, Mr Rusiti's resignation was accepted by the Council<sup>12</sup> but at no point did the Council vote on his removal.<sup>13</sup>
9. Although I made some observations regarding this particular issue in my research, which I discussed extensively with former Secretary to Council, Cameron Caccamo, and briefly raised at the 5<sup>th</sup> Executive meeting,<sup>14</sup> I am ultimately of the opinion that there is no authoritative weight that can be drawn on the method and practice of dismissing an Officer in that situation.

## Genera

### 10. Section 6 of the *Constitution* states:

(a) The Council shall include the following Officers:

- i. a Vice-President;
- ii. a General Secretary;
- iii. deleted 22 August 2006;

and such other Officers as Council shall establish by Regulation.

...

(c) No officer of the Council shall be removed from office without the consent of the Representatives present and voting at a meeting of the Council convened in accordance with this Constitution and the Regulations.

(d) An Officer of the Council shall be removed from office by the following procedure only:

- i. ten days notice of motion to dismiss the Officer shall be given in writing;
- ii. such a motion shall state clearly the reason for which the mover considers that the officer should be removed; and
- iii. the motion shall be included in the Motions on Notice section of the Agenda for the next meeting of the Council.

(e) The Council may elect two or more qualified persons to any office. Persons so elected shall be designated Co-Officers as appropriate; and provisions of Section 6 (c) and (d) shall apply to them.

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<sup>7</sup> Email from David Pink to Secretary to Council, 'Standing Legal Committee Chair Ruling', 6 June 2014.

<sup>8</sup> Minutes of the 6<sup>th</sup> Executive Meeting of the 88<sup>th</sup> SRC, 18 March 2016, item 2.

<sup>9</sup> See Minutes of the 1<sup>st</sup> Executive Meeting of the 88<sup>th</sup> SRC, 16 December 2015; Minutes of the 5<sup>th</sup> Executive Meeting of the 88<sup>th</sup> SRC, 9 March 2016; Minutes of the 6<sup>th</sup> Executive Meeting of the 88<sup>th</sup> SRC, 18 March 2016.

<sup>10</sup> See Minutes of the 2<sup>nd</sup> Executive Meeting of the 88<sup>th</sup> SRC, 14 January 2016; Minutes of the 3<sup>rd</sup> Executive Meeting of the 88<sup>th</sup> SRC, 27 January 2016; Minutes of the 4<sup>th</sup> Executive Meeting of the 88<sup>th</sup> SRC, 11 February 2016.

<sup>11</sup> Minutes of the 3<sup>rd</sup> Ordinary Council Meeting of the 88<sup>th</sup> SRC, 6 April 2016.

<sup>12</sup> Minutes of the 5<sup>th</sup> Ordinary Council Meeting of the 88<sup>th</sup> SRC, 1 June 2016, item E1.

<sup>13</sup> See, eg, Minutes of the 5<sup>th</sup> Ordinary Council Meeting of the 88<sup>th</sup> SRC, 1 June 2016, item Q5.

<sup>14</sup> Minutes of the 5<sup>th</sup> Executive Meeting of the 91<sup>st</sup> SRC, 8 March 2019, item 4.1.

11. It is clear to me that the term 'Officers' refers to the those officeholders listed in section 6(a) of the *Constitution* and part 1 section 3(a) of the *Regulations*. I note that 'Officers' does not include the President and Representatives, which enjoy greater protections from removal.<sup>15</sup> It does not include any of our staff members, members of Committees or the Directors of Student Publications. This is consistent with Mr Caccamo's interpretation on 14 March 2016.<sup>16</sup>
12. In my opinion, sections 6(c) and (d) (the 'removal clauses') are clear and straightforward regarding the process for removing an Officer of the Council. As it is the 'only' procedure for removal of an Officer, all three conditions must be satisfied.
13. Firstly, there needs to be 10 days notice of motion in writing (the 'removal motion'), presumably to the Secretary to Council or President. I note that this notice period does not include days which are part of a University vacation under the University calendar.<sup>17</sup> I believe this includes student vacation (STUVAC) immediately before examination periods and mid-semester breaks as they are periods in which most students enjoy vacation from study.
14. Secondly, the removal motion must clearly state one or more reasons for removal. Mr Caccamo wrote that '[f]alling foul of attendance requirements or not fulfilling the duties of their position would be among the more common Council motions, but any undergraduate student may move a motion outlining their own reasons for attempting to dismiss an Officer.'<sup>18</sup>
15. Thirdly, the removal motion will be included and listed in item Q of an ordinary meeting of Council.<sup>19</sup>
16. It is noteworthy that part 2 section 6 of the *Regulations* provides:
  - (a) The Officers (as defined in the Constitution and in Part One s.3 of these Regulations) shall act in accordance with job descriptions as set out in the policy of the Council
  - (b) The duties of the Officers who are elected to act as convenors of Departments shall be as set out in Part Seven of these Regulations
  - (c) Officers shall be required to attend all meetings of their Department. If an Officer fails to attend, without apology, two consecutive Department meetings or three Department meetings overall, there shall be grounds for complaint under the Complaint Resolution Procedure, in accordance with Part 1.5 of these Regulations.
17. Subsection (a) could provide a ground for removal if an Officer is failing to fulfil their job requirements but the current *Policy* does not prescribe any job descriptions.
18. Subsection (b) is problematic as the departments are not set out in part 7 of the *Regulations*, except to provide for ad hoc and Standing Committees.<sup>20</sup>
19. Subsection (c) appears to provide a ground for *complaint*, rather than a ground for *removal*. However, I am of the opinion that a failure to attend Department meetings (where such meetings take place and where notice has been provided) can be a ground for removal.
20. It is also noteworthy that part 3 section 6 provides:

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<sup>15</sup> *Constitution* ss 3(h), 4(e).

<sup>16</sup> Minutes of the 2<sup>nd</sup> Standing Legal Committee Meeting of the 88<sup>th</sup> SRC, 14 March 2016, item 1.3.

<sup>17</sup> *Constitution* s 19.

<sup>18</sup> See Minutes of the 2<sup>nd</sup> Standing Legal Committee Meeting of the 88<sup>th</sup> SRC, 14 March 2016, and the published interpretation.

<sup>19</sup> *Regulations* pt 10 s 1.

<sup>20</sup> *Regulations* pt 7 ss 2, 3.

- (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.

21. Subsection (e) provides for a ground of dismissal for members of the Executive who have missed two consecutive meetings or a total of three meetings. It is made under the power granted by section 9(l) of the *Constitution*.
22. Paragraph (i) requires a motion calling for dismissal but does not specify which body such a motion would be passed. Consistent with Mr Pink's ruling, this can only be passed by the Council. If the member of the Executive is the Vice President or General Secretary, they are protected by section 6 of the *Constitution* and thus must meet the procedure prescribed by that section. Likewise, if the member of the Executive is the President, they are protected by section 4(e) of the *Constitution* and must meet that procedure.
23. I do not read anything special in the wording that those Executive members 'shall be eligible for dismissal from the Executive.' I do not believe that the *Regulations* provide a scheme where the President, Vice President and General Secretary can be dismissed from the Executive but remain in their office. This is because it would be incompatible with the ordinary meaning of section 5(a) of the *Constitution* and their duty statements to report to the Executive.<sup>21</sup> We favour interpretations of the *Regulations* that avoid any contradiction with the *Constitution*. Thus, subsection (e) provides for dismissing an ordinary members of the Executive and possibly a ground for removal of an Officer.

#### Consideration

24. Some confusion has arisen as to the removal process for a co-Officer that is jointly holding a position with another co-Officer.

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<sup>21</sup> *Regulations* pt 2 ss 1–3.

25. The question is: can a single co-Officer be removed without affecting other co-Officers? If no, then do all co-Officers of a single office need to be removed together?
26. Section 6(e) of the *Constitution* provide that two or more persons can hold a single office. Part 1 section 3(d) of the *Regulations* constrain a single Officer position to be split and shared between two members of the student body.
27. When an office is split and shared, the two students act as a single Officer for the purposes of our foundational documents.
28. Reading sections 6(c) and (d) in isolation would suggest that it is the Officer (the two students where that is split and shared) that can be removed, not a single co-Officer.
29. However, reading the removal clauses in isolation would hardly conform with ordinary principles of statutory interpretation.
30. The second sentence of section 6(e) (the 'co-Officers clause') provide that sections 6(c) and (d) 'shall apply to them'.
31. The term 'them' was clearly referring to the '[p]ersons so elected' at the commencement of the co-Officers clause.
32. Having regard to the entirety of section 6(e), it is clear that those 'persons' were a reference to the 'two...qualified persons to any office'.
33. As such, the effect of the co-Officers clause is to extend the removal clauses to each person to any office.
34. Therefore, I conclude that, having regard to the plain and ordinary meaning of the removal clauses and co-Officers clause and reading them together, the removal clauses can apply to an Officer position as well as a single co-Officer when it is split and shared.
35. The language of the co-Officers clause indicates that persons within the same office are not bound to each other. If the student body had intended that the all co-Officers of an office are jointly subject to removal, the ending of the co-Officers clause should state that 'Section 6 (c) and (d) shall apply to them together' or similar.
36. The language of the text strongly favours the interpretation that co-Officers can be distinct for the purposes of a removal motion.
37. This interpretation is also consistent with notions of accountability of each co-Officer as well as the entire office. It is consistent with principle of fairness that a co-Officer is not held responsible and punished for the actions or omissions of another co-Officer. Furthermore, it is consistent with Mr Caccamo's interpretations on 14 March 2016.<sup>22</sup>
38. Accordingly, the question should be answered as follows: it is constitutionally permissible for a removal motion to seek the dismissal of a single co-Officer without affecting the office held by the other co-Officer.

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<sup>22</sup> Minutes of the 2<sup>nd</sup> Standing Legal Committee Meeting of the 88<sup>th</sup> SRC, 14 March 2016.

39. I note that removal of a co-Officer would affect the stipend received by the remaining co-Officer. For example, when the General Secretary or Education Officer is split and shared between two students, each co-Officer receives a stipend of one-third of the President's stipend. If it is then held by a single student, the remaining General Secretary or Education Officer receive a stipend equal to half of the President's stipend.<sup>23</sup> This would be adjusted pro-rata for the remaining period of time.
40. For completeness and congruity, I note that Mr Caccamo, whilst Chairperson of the Standing Legal Committee, ruled on 14 March 2016 that if a co-Officer resigns or is removed from an office, the remaining co-Officer can continue in their role and automatically occupies the entire office.<sup>24</sup> Alternatively, the remaining co-Officer can resign, thereby creating a vacancy, and seeking re-election with another student as a new joint candidate. This binding interpretation by Mr Caccamo appears to be implemented and confirmed in practice at subsequent Council meetings.<sup>25</sup>

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<sup>23</sup> *Regulations* pt 2 ss 7(b), (d).

<sup>24</sup> Minutes of the 2<sup>nd</sup> Standing Legal Committee Meeting of the 88<sup>th</sup> SRC, 14 March 2016, item 1.2.

<sup>25</sup> See, eg, Minutes of the 4<sup>th</sup> Ordinary Council Meeting of the 88<sup>th</sup> SRC, 4 May 2016, item H. The following exchange was recorded:

Oliver Plunkett: Will the Vice President be resigning, and will there be an election[?]

Sean Tingcombe: No, if he resigns or removed it does not affect Anna Hush-Egerton [the co-Vice President], as it is just one position split between two people so she just holds the position herself. Georgia Mantle: It is at her discretion if she wants to run for that position with someone, if she does then she needs to [resign.]