Dear Tyson and Students’ Council members,

RE: UMSU Students’ Council - Harm Minimisation initiative

I am writing to you in relation to UMSU Students’ Council adoption of a Harm Minimisation motion proposed by the Students for Sensible Drug Policy group at your meeting on 13 September. The University acknowledges the Students Council’s concern for student wellbeing and a sensible approach to this issue in our community, and shares your desire to promote strategies which promote and enhance the safety, health and wellbeing of our students.

Notwithstanding, we have a clear obligation to ensure that all staff and students who may be directly involved are safe and well supported, as well as keeping our campus safe for everyone who comes here. We cannot condone criminal activity, knowingly or otherwise. There are many serious risks to be managed in any such harm minimisation initiative, noting that other similar programs (needle exchange, safe injecting rooms) are typically located in a medical context and surrounded by appropriate infrastructure, which will not be the case here. It is also clear that in relation to drug testing kits, we have a limited evidence base on which to assess their effectiveness. In light of all this, and acknowledging there are many important details yet to be finalised, we have a number of significant concerns about implementation of this proposal.

From a legal and risk management perspective, these are some of the risks (in no particular order) that UMSU should have a framework for assessing and addressing:

- The University seeming to condone students bringing illegal drugs on campus, which is a criminal offence
- Effective management of students who bring illegal drugs on campus to be tested (highly likely to occur even if they are told not to)
- Parts of the University campus becoming a de facto drug testing site
- People who are not our students wanting to access free testing kits once the word spreads about this program
- Ensuring the health and safety of staff (including security staff) and students involved in implementation
- Assurances about the effectiveness of the testing kit used
- Insurance implications (i.e does UMSU have appropriate insurance to cover any related risks)
- Legal liability for UMSU and the University
- Appropriate management of privacy issues for students who come in for testing kits
Reputational risk for UMSU and the University - not just on the broad issue of community perception that we are encouraging illegal drug taking, but the liability in case of specific events, for example an adverse outcome for a student who has used a testing kit.

No doubt you have considered some or all of these. We are fortunate to have experts on addiction and related issues in our University community, and we can connect you to appropriate people as already mentioned.

As well as ensuring the safety, health and wellbeing of our students and staff in general, the University needs to ensure that student leaders and others who are directly involved with this initiative are not unwittingly and inappropriately exposed to personal risk. To that end we need to be assured that the many inherent risks have been assessed against a suitable framework, and appropriate strategies and actions to mitigate them are in place. Until this can be demonstrated, it the University recommends that you delay implementation of this proposal. Should you wish to continue then the University will need to consider how we communicate directly with students about the risks involved in participation in this activity.

Professor Margaret Sheil
Acting VC and Provost

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