

**University of Melbourne Student Union**

**Minutes of the Students' Council Elect**

**Meeting 1/09**

***CONFIRMED***

**2.00 pm, Tuesday 27<sup>th</sup> October 2009**

**Location: MUVT Room 1/2, Union House**

**Agenda**

**1. Procedural Matters**

- 1.1 Election of Chair
- 1.2 Acknowledgement of Indigenous Owners
- 1.3 Attendance
- 1.4 Apologies
- 1.5 Proxies
- 1.6 Membership
- 1.7 Adoption of Agenda

**2. Confirmation of Previous Minutes**

- 2.1 Not applicable

**3. Matters Arising from the Minutes**

- 3.1 Not applicable

**4. Correspondence**

**5. Standing Committee Reports**

- 5.1 Finance Sub-Committee Elections
- 5.2 Staffing Sub-Committee Elections

**6. Other Reports**

**7. Motions on Notice**

- 7.1 MUSUL Charges
- 7.2 Constitutional and Regulatory Review Working Group
- 7.3 Office Bearer Space

**8. Other Business**

**9. Next Meeting**

**10. Close**

**Meeting declared open by President-elect, Jesse Overton-Skinner at 2.11 PM**

**Agenda Item 1; Procedural Matters**

**1.1 Election of Chair**

**Motion 1:** That Jesse Overton-Skinner chair the meeting.  
Moved: Jesse Overton-Skinner

**CARRIED**

## 1.2 Acknowledgement of Indigenous Owners

We acknowledge that this meeting takes place on the land of Wurundjeri people of the Kulin Nation and honour their elders past and present.

## 1.3 Attendance

### Students' Council-elect

Kate Turnbull, Paul Hosri, Meredith Treadwell, Louis Gregory, Anton Anin, Ming Yang Chen, Suzie Zheng, Chris Summers, Rachel Barrett, Max Kaiser, Jimmy Jin, Linda Gao, Stephanie McHenry, Frances Lewis, Kon Moisisdis.

### 2009 Office Bearers

Lydia Bevege (Secretary), Jesse Overton-Skinner (President), Rudolph Hosri (Education Academic Affairs), John Shipp (Education Academic Affairs), David Evans (Activities), David Mulholland (Activities), David Haidon (Arts), Johnathan Donagan (Clubs & Societies), Rachel Baxendale (Media), Sarah Laing (Media), Lucas Smith (Media), Ellena Savage (Media), Evelyn Daniel (Environment), Ed Yap (Queer), Claire Oppermann (Queer), Miriam Hamel-Green (Wom\*n's), Esther Bohmer (Wom\*n's), Lloyd McGeary (Welfare), Dan Musil (Environment), Joshua Anderson (Education Public Affairs).

### Others

Shaun Khoo, Mark Kettle, Audrey Irish, Noni Sproule, Goldie Pergl, James Kingston, Tim Forster, Charlie Goodman.

### **Absent**

### Students' Council-elect

Tristan Clack

### 2009 Office Bearers

Yoni Cukierman (Education Public Affairs), Rachael Lim (Welfare), Piper O'Dowd (Clubs & Societies), Jidah Clark (Indigenous).

## 1.4 Apologies

Tristan Clack, Elizabeth Redman, Yoni Cukierman.

## 1.5 Proxies

Tristan Clack to Jimmy Jin  
Elizabeth Redman to Tim Forster  
Suzie Zheng to Ming Yang Chen after 3pm  
Anton Anin to Paul Hosri from 3:25pm to 3:28pm  
Meredith Treadwell to Noni Sproule after 3pm

## 1.6 Membership

Nominations for Finance and Staffing Sub-Committees are opened at 2:12pm. They will close at 2:30pm. Lydia Bevege is appointed as the Returning Officer for the election of members to these committees.

**Motion 2:** That we close nominations at 2:30pm unless we come to that item of the agenda before 2:30pm.

Moved: John Shipp

Seconded: Anton Josef Anin

**CWD**

### 1.7 Adoption of Agenda

Jesse Overton-Skinner proposes the addition of Agenda Item 1.8 in Procedural Matters, regarding the opening of nominations for the two sub-committees to be elected.

**Motion 3:** That Students' Council adopt the agenda  
Moved: Chair  
**CWD**

### 1.8 Finance & Staffing Sub-Committee Nominations

Nominations for Finance and Staffing Sub-Committees are declared open at 2:12pm.

#### Agenda Item 2: Confirmation of Previous Minutes

None.

#### Agenda Item 3: Matters Arising from the Minutes

None.

#### Agenda Item 4: Correspondence

No Correspondence.

#### Agenda Item 5: Standing Committee Reports

**Motion 4:** That we suspend Standing Orders so that we can address Motions on Notice ahead of Standing Committee Reports.  
Moved: John Shipp      Seconded: Kate Turnbull  
**CWD**

#### Agenda Item 6: Other Reports

None.

#### Agenda Item 7: Motions on Notice

Noni Sproule distributes question sheets drawn up by Louis Gregory and Meredith Treadwell relating to the Constitutional and Regulatory Review Working Group motion on notice.

### 7.1 MUSUL Charges

Discussions took place *in camera*.

**Miriam Hamel-Green leaves at 3:10pm**

### 7.2 Constitutional and Regulatory Review Working Group

Jesse Overton-Skinner speaks to the proposed motion. There are many issues with the UMSU constitution, including inherent contradictions and unclear sections. The Student Union needs a working group to review the document, report on any inconsistencies and make recommendations, etc

**Motion 13:** That Students' Council-elect establishes a Constitutional and Regulatory Review Working Group (CRRWG) to operate in 2010.

That the CRRWG will have the following membership:  
1. President and Secretary.

2. Three (3) Voting Representatives of Students' Council.

That Notification and distribution of its papers shall be to its members, any interested UMSU representative and any Student who is invited to participate by the Working Group.

That the CRWG has the task of:

1. Reviewing the UMSU Constitution and Regulations.
2. Reporting on inconsistencies within and between rules and practice.
3. Investigating possibilities for reform and amendment.
4. Making recommendations to Students' Council to resolve inconsistencies or produce other worthy reforms.
5. Carrying out such activities that fulfil these aims, such as consulting with relevant individuals, groups and experts, research, discussion and consultation with Students.

That election of the 3 voting representatives of Students' Council occurs at the first Staffing Sub-Committee (elect) meeting, should this motion pass.

Moved: Paul Hosri

Seconded: Jimmy Jin

Speakers for Motion 13 note that there are many inconsistencies and holes in the document and Students' Council needs to make provisions for the future. The review group will not be able to make any changes; they will just be gathering information from stakeholders.

Speakers against Motion 13 note that it's important to make sure that this review is not just about pursuing a particular political agenda. It is suggested that Clause 4 be removed and this refers to direct influence over constitutional reforms. It is suggested that any interested students be given the opportunity to attend. It is reflected that the CRRWG's membership is not representative of the whole political spectrum, and provision should be made for this. Clarification is requested on what precisely the working group is going to do and why the Staffing Sub-Committee is appointing people for it.

Speakers for Motion 13 clarify that the Staffing Sub-Committee always appoints members for bodies like this one, and suggest that the motion could be amended to include a reporting mechanism, where the CRRWG is required to return to Students' Council and report on its activities.

**Anton Josef Anin leaves at 3:25pm and proxies to Paul Hosri**

Speakers against Motion 13 request that at least some of the CRRWG members be experienced in constitutional law, as there could be inconsistencies in the document that are there for practical purposes (these do occur in legal documents from time to time).

**Claire Oppermann leaves at 3:27pm**

**Anton Josef Anin returns at 3:28pm**

Questions with regard to Motion 13 are tabled by Louis Gregory and Meredith Treadwell and discussed.

*Purpose*

- *What is the background to this review?*
- *Is there a briefing paper/discussion paper outlining its aims and purposes?*
- *What are the terms of reference?*

*Working Group or Subcommittee?*

- *Is this a working group (in which case, why does the membership specify 'voting members')? If a working group, councillors should be elected to take responsibility for the undertaking of its work, but not being a decision-making body, does not require*

*'voting members' – the recommendations should be subject to determination by vote at Students' Council.*

- *If a subcommittee, then the provisions of the Constitution should be adhered to (i.e. six voting members and three office bearers, and affirmative action met). Refer to section 139 of UMSU Constitution.*

*Process*

- *Terms of reference:*
  - *What sections of the Constitution will be examined?*
  - *How will this be determined? (i.e. where is the background paper?)*
  - *Do the terms of reference extend to electoral regulations?*
  - *Does (as yet, unsighted) background paper address issues that may come into conflict with other regulations*
  - *Is the functioning of autonomous groups to be examined? If so, what process will be undertaken to adhere with constitutional requirements of autonomous decision-making?*
- *Consultation:*
  - *What consultation will be undertaken?*
  - *How will it be facilitated*
  - *What will be the timeline*
  - *Will there be a provision for the submission of written submissions to the working group?*

*Special Expertise*

- *Will legal opinion be sought to ensure validity of changes?*
- *What will be the involvement of the UMSU General Manager?*

Speakers against Motion 13 comment that maybe creating a working group to fix a problem isn't necessary until there is a problem to fix. It is suggested that Students' Council could simply appoint a lawyer to fix the procedural flaws in the Constitution document, instead of appointing a working group. Students' Council could potentially ask the member of the Electoral Tribunal that was involved in originally drafting the Constitution. The process for formally adopting the CRRWG's recommendations as changes to the Constitution is questioned. This usually requires a General Meeting of students, the quorum for which is approximately 450 students, however it is pointed out that it seems quite easy to get an AGN quorum if people simply "walk around with clickers in North Court". A mechanism for voting on the proposed recommendations before they are brought before Students' Council is suggested.

Speakers for Motion 13 state that the CRRWG will only be making recommendations to Students' Council, and will be reporting regularly to the council. It is emphasised that the scope of the CRRWG is solely to make recommendations to Students' Council.

**Suzie Zheng leaves at 3:36pm, proxies to Ming Yang Chen**

Last speakers are called for.

Two amendments to Motion 13 are proposed.

**Motion 14:** That the motion be amended to include "That the CRRWG be fully publicised and open to all students".

Moved: John Shipp

Seconded: Lydia Bevege

**Motion 15:** That Council amends Motion 13 to:

- increase the number of Councillors on CRRWG from 3 to 7
  - provide one position from each ticket represented on Students' Council
- That the CRRWG be obliged to report to Students Council on or before May 31.

Moved: Charlie Goodman

Seconded: John Shipp

**For: 10 Against: 7**

**CARRIED**

These amendments are accepted as part of the original motion moved by Paul Hosri and seconded by Jimmy Jin. The motion now reads:

**Motion 16:** That Students' Council-elect establishes a Constitutional and Regulatory Review Working Group (CRRWG) to operate in 2010.

That the CRRWG will have the following membership:

1. President and Secretary.
2. Seven (7) Voting Representatives of Students' Council.

That this membership comprise at least one position from each ticket.

That Notification and distribution of its papers shall be to its members, any interested UMSU representative and any Student who is invited to participate by the Working Group.

That the CRRWG has the task of:

1. Reviewing the UMSU Constitution and Regulations.
2. Reporting on inconsistencies within and between rules and practice.
3. Investigating possibilities for reform and amendment.
4. Making recommendations to Students' Council to resolve inconsistencies or produce other worthy reforms.
5. Carrying out such activities that fulfil these aims, such as consulting with relevant individuals, groups and experts, research, discussion and consultation with Students.

That the CRRWG be obliged to report to Students' Council on or before May 31.

That the CRRWG be fully publicised and open to all students.

That election of the 7 voting representatives of Students' Council occur at the first Staffing Sub-Committee (elect) meeting, should this motion pass.

Moved: Paul Hosri

Seconded: Jimmy Jin

A speaking list is taken with regard to the amended motion (Motion 16).

Speakers for Motion 16 note that the constraints on appointing members takes power away from the Staffing Sub-Committee, allows everyone representation, and functions not to change the Constitution, but to promote discussion and ideas. It (a) provides a solid reporting date, and (b) allows everyone to participate.

Speakers against Motion 16 point out that the Student Union needs to run a campaign to raise awareness of the UMSU Constitution, in conjunction with the CRRWG. This campaign should be not just through email-outs but face to face also.

An amendment is proposed to Motion 13 (in Motion 17) which aims to increase the openness of the CRRWG to all students as well as to minority groups and promote affirmative action.

**Motion 17:** That the following amendment to Motion 13 be added: "The working group shall include autonomous representatives from the queer, wom\*n's indigenous and international constituencies. These persons shall be elected from among the membership of the 2010 Students' Council-Elect; or the body of student representatives."

Moved: Max Kaiser

Seconded: Nyx Mathews

**LAPSED**

Speakers against Motion 13 question why the President and Secretary are still to be included in the CRRWG's membership.

Speakers against Motion 17 state that affirmative action for women is already provided for in the Constitution, as the first member from each ticket to be appointed must be a woman.

Speakers for Motion 17 emphasise that affirmative action needs to be a central tenet of the motion, not an assumption.

Discussion occurs around whether adequate representation can occur when the CRRWG lacks members that identify as members of the constituencies requiring representation.

It is proposed by speakers for Motion 17 that provision should also be made for disabled persons in the Constitution, and this proposal is applauded. It is further proposed that a member of that constituency should be part of the CRRWG as well.

Speakers for Motion 17 propose that representatives should be officially autonomously elected by their constituencies (i.e. wom\*n, queers, etc). It is emphasised that the concern is with settling an appropriate precedent of committing to involving these groups officially in such matters, and embodying this commitment in the motion. It is pointed out that this will also make future Constitutional reforms more valid and defensible, and less assailable.

A second amendment to Motion 13 is proposed.

**Motion 18:** That the CRRWG should consist of six elected councillors and three co-opted office bearers, and affirmative action requirements must be upheld in the election of its membership.

If a 'working group':

The elected membership are non-voting members, but delegated responsibility by students' council for the undertaking of the work.

If a 'subcommittee':

The elected student councillors are voting members, and all recommendations are referred to student council for final determination, before the necessary Special General Meeting. The meetings of this working group/subcommittee (?) should be open to all UMSU members to participate in, and meeting times must be made available on the UMSU website.

A consultation period will also be opened to enable interested students to submit written contributions.

Moved: Meredith Treadwell

Seconded: Louis Gregory

**LAPSED**

It is pointed out that there is no Indigenous representative on Students' Council.

**Anton Josef Anin leaves at 4:09pm, proxies to Paul Hosri**

**Miriam Hamel-Green returns at 4:10pm**

**Motion 19:** That the decision regarding Agenda Item 7.2 must be deferred until a discussion paper is presented to Students' Council that responds to the questions for consideration tabled by Louis Gregory and Meredith Treadwell.

Moved: Meredith Treadwell

Seconded: Louis Gregory

**LAPSED (due to subsequent Procedural Motion)**

**Procedural Motion:** That Motion 19 not be voted on.

Moved: John Shipp

**For: 11      Against: 6**

**CARRIED**

A third amendment to Motion 13 is proposed.

**Motion 20:** That the motion include the words "That minority and autonomous departments be particularly encouraged to make submissions, including queer, wom\*n, indigenous, differently-abled, international and any other such group."  
Moved: John Shipp                      Seconded: Stephanie McHenry

This amendment is accepted as part of the original motion moved by Paul Hosri and seconded by Jimmy Jin, which now reads:

**Motion 21:** That Students' Council-elect establishes a Constitutional and Regulatory Review Working Group (CRRWG) to operate in 2010.

That the CRRWG will have the following membership:

1. President and Secretary.
2. Seven (7) Voting Representatives of Students' Council.

That this membership comprise at least one position from each ticket.

That Notification and distribution of its papers shall be to its members, any interested UMSU representative and any Student who is invited to participate by the Working Group.

That the CRRWG has the task of:

1. Reviewing the UMSU Constitution and Regulations.
2. Reporting on inconsistencies within and between rules and practice.
3. Investigating possibilities for reform and amendment.
4. Making recommendations to Students' Council to resolve inconsistencies or produce other worthy reforms.
5. Carrying out such activities that fulfil these aims, such as consulting with relevant individuals, groups and experts, research, discussion and consultation with Students.

That the CRRWG be obliged to report to Students' Council on or before May 31.

That the CRRWG be fully publicised and open to all students.

That minority and autonomous departments be particularly encouraged to make submissions, including queer, wom\*n, indigenous, differently-abled, international and any other such group.

That election of the 7 voting representatives of Students' Council occur at the first Staffing Sub-Committee (elect) meeting, should this motion pass.

Moved: Paul Hosri                      Seconded: Jimmy Jin

**For:** Kate Turnbull, Stephanie McHenry, Kon Moisisdis, Paul Hosri, Anton Josef Anin, Suzie Zheng via Ming Yang Chen, Ming Yang Chen, Linda Gao, Tristan Clack via Jimmy Jin, Jimmy Jin (**10**).

**Against:** Meredith Treadwell via Noni Spoule, Louis Gregory, Chris Summers, Frances Lewis, Elizabeth Redman via Tim Forster, Rachel Barrett, Max Kaiser (**7**).

**CARRIED**

### 7.3 Office Bearer Space

The motion is read and a speaking list is opened.

**Motion 22:** That Students' Council-elect authorises the UMSU President-elect to assign Office Space to UMSU Office Bearers for the calendar year 2010.

Moved: Kon Moisisdis                      Seconded: Paul Hosri

**WITHDRAWN**



**Motion 23:** That if this motion [Motion 22] passes, the UMSU President is required to return to Students' Council with the projected quote of costs for any office changes, before expenditure is authorised.

Moved: Louis Gregory

Seconded: Meredith Treadwell

**LAPSED**

Speakers for the motion state that allowing the President-elect to allocate Office Bearer space will help to ensure that different factions are separated physically as much as is possible and thus will help everyone to get along.

Speakers against the motion label it as absurd, offensive, and a waste of money that UMSU doesn't have. It is noted that all Office Bearers are elected to be adults and to get along.

Speakers for the motion state that the reassignment of offices will mainly involve moving the two Education (Public) and Education (Academic) offices closer together so that they can work more usefully together, and moving Queer and Wom\*n's offices closer to the reception area to make them more visible. It is noted that the Education (Academic) office was previously moved to its current location because at the time there was only one incumbent in that office and is an inadequate space for two Office Bearers.

Speakers against the motion point out that Synergy promoted shared office space during the elections, and the genuineness of the "working together" spirit of the campaign is questioned. It is noted that discussion with Justin Bare has indicated that to move offices will cost \$200 per office to change the phone numbers on publications and signage, as well as other expenses relating to moving furniture. It is noted that there will be two Queer Office Bearers in 2010, so placing them in the smaller Education (Academic) office will not solve space issues. It is emphasised that previous Office Bearers and students need to be consulted as to why the offices' current locations have or have not worked in the past. In example, it is pointed out that the sensitive nature of issues often brought before the Wom\*n's Officer make its quieter location optimal. It is raised that moving offices will not prevent potential conflict, and is a waste of time and money. It is proposed that this motion be deferred subject to further consultation with Justin Bare and research into what exactly would be involved.

**Procedural Motion:** That speaking time be limited to 2 minutes.

Moved: Chair

**For: 11      Against: 6**

**CARRIED**

**Motion 24:** That Noni Sproule be named.

Moved: John Shipp

**Accepted by Chair.**

An amendment is proposed to Motion 22 and accepted as part of the original motion moved by Kon Moisisdis and seconded by Paul Hosri, which now reads:

**Motion 25:** That Students' Council-elect authorises the UMSU President-elect to assign Office Space to UMSU Office Bearers for the calendar year 2010, only where this is mutually agreeable to the affected Office Bearers. This must also be done in consultation with past Office Bearers and any other interested parties.

Moved: Kon Moisisdis

Seconded: Paul Hosri

**WITHDRAWN**

Speakers against Motions 22 and 25 state that moving offices around will be confusing for students trying to find their representatives, and the pointless nature of this expenditure will make students' disillusioned with the Student Union. It is also stated that moving will prevent next year's Office Bearers from being able to prepare for the coming year. A foreshadowed motion is proposed.

**Foreshadowed Motion 26:** That any Office Bearers who want to have their office changed bring a request to Students' Council to be authorised, rather than Students' Council assigning the President sole authority to authorise these changes.  
Moved: Rachel Barrett                      Seconded: Max Kaiser  
**LAPSED**

More information on the specific offices to be moved and exact cost of moving is requested. Discussion follows regarding whether to defer Motions 22 and 25 to a later date. It is requested that the discussion about moving offices is postponed until after the budget has been decided.

**Rachel Baxendale and Johnathan Donagan leave at 4:50pm**

**Motion 27:** That the issue of office space assignment be deferred until further research is done into the cost of any changes, and consultation occurs between relevant office bearers and relevant persons, to occur after the budget.  
Moved: Lydia Bevege                      Seconded: Jimmy Jin  
**CWD**

**Bethany King leaves at 5pm**

**Agenda Item 8: Other Business**

**8.1 Finance Sub-Committee Elections**

Voting takes place.

**8.2 Staffing Sub-Committee Elections**

Voting takes place.

**Max Kaiser, Rachel Barrett, Mark Peart leave 5.04**

**Agenda Item 9: Next Meeting**

Next Meeting will occur in November, date to be confirmed.

**Agenda Item 10: Close**

**Meeting closed at: 5.07, by Jesse Overton-Skinner.**

**Certified by Chair:**

**Signed:**

**Dated:**