



Melbourne University  
**Law Students' Society**

<b>Date</b>	August 16th, 2018
<b>Time</b>	1:00pm
<b>Location</b>	Room G08
<b>Facilitator</b>	Gus Viola (President)

<b>Meeting Type</b>	Special General Meeting
<b>Attendees</b>	MULSS General Members

**Present:**

Ben Henry  
 Andy Tole  
 Lauren Miller  
 Alana Mia Perna  
 Tara Malishev  
 Hannah Gordon  
 Jasmine Holmes  
 Gus Viola  
 Jack Leroy  
 Lachlan Johnson  
 Jimi Muirhead  
 Akshai veer Singh  
 Daniel Sango  
 Ayman Shash  
 Britta Maunder  
 Rediete Aborete G Messkel  
 Jusleen Singh  
 Mihika Upadhyaya  
 Eliza Waters  
 Kavih Djee  
 Nathan Scott  
 Peggy Gusah

James Hampel  
 Brittany Baker  
 Sarah Strangio  
 Olivia Pusey  
 Jessie Layman  
 Ashleigh Feurtado

**Proxy Holders:**  
 Alana Mia Perna (1)  
 Britta Maunder (20)  
 Lauren Miller (3)

## Foreword

Pursuant to r 26, the current 2017/19 MULSS Committee purports to enact changes to the LSS Constitution at a special general meeting under r 18. Per r 20, 14 days' notice must be provided to the JD cohort, and as Members of the MULSS, all students are entitled to vote.

This year 6 of the 7 proposals were passed, and 1 failed. Special Resolutions such as these requires not less than three quarters of the voting members at a general meeting, whether in person or by proxy.

This is the official record of the discussions during the 2018 MULSS SGM. While we strive to faithfully represent discussions as much as possible, individual members should not be quoted from what is written in this document.

## Guiding Principles for Constitutional Reform

- Limit the necessity for constitutional reform in the future by paring back the MULSS Constitution, while conforming to statutory requirements.
- Provide the MULSS Committee with flexibility in its operations and the ability to adapt quickly where necessary.
- Remove unnecessary burdens on the MULSS Committee whilst maintaining accountability of the Committee to the Society.

## Proposed Changes to the LSS Constitution

### Proposal 1 – MULSS Incorporated Name Change - **PASSED**

**Proposal:** Change of Incorporated Association name from 'The Law Students' Society', to 'The Melbourne University Law Students' Society'. When incorporation was first sought in 1992, the then Committee was likely unaware of the requirements that they had to have written permission from the University to use their name in their incorporated name, and

therefore were left to adopt the current name. We have sought permission to use the Melbourne University prefix in our name and now seek to rectify that in our registration.

**Current provision:** r 1

**Proposed provision:** n/a

### **Proposal 2 – Limiting plurality of ‘Directors’ - PASSED**

**Proposal:** Changing sub-s 31(3)(f)-(l) – all ‘Director or Directors’, to be changed to read ‘Director or Directors. The position can be held solely or jointly by not more than two Members’. a. This eliminates the possible implication of being read to mean a non-exhaustive number of directors in the plurality of ‘directors’. This brings it in line with sub-s 31(3)(l)-(s)

**Current provision:** sub-ss 31(3)(f)-(l)

**Proposed provision:** sub-ss 31(3)(f)-(l)

### **Proposal 3 – Correcting repetition of sub-s 31(3)(l) - PASSED**

**Proposal:** Correct sub-s 31(3)(l)-(s) descending ordering. a. Currently sub-s 31(3)(l) is repeated for ESJ Directorship and FYR.

**Current provision:** sub-s 31(3)(l): An Equality & Social Justice Director or Directors, and sub-s 31(3)(l): Not more than three First Year Representatives who are enrolled as first year Members and shall be elected by Members who are first year Members. The First Year Representatives shall be elected by a ballot of first year Members as close as is practicable to the fourth week of the first semester of the academic year.

**Proposed provision:** sub-s 31(3)(l): An Equality & Social Justice Director or Directors, and sub-s 31(3)(m): Not more than three First Year Representatives who are enrolled as first year Members and shall be elected by Members who are first year Members... etc.

### **Proposal 4 – Change the name of Third Year to include representation for students beyond third year - PASSED**

**Proposal:** To officially change the position of third year rep to third+ year rep. The third year rep already works with students who extend, but officially any student that adds time to their degree is not represented by a year rep. This change is more of a formality than anything, but it would allow students who are extending to vote in the elections, and have official representation on the LSS committee.

**Current provision:** sub-s 31: (n) One Third Year Representative, who is enrolled as a third year Member and shall be elected by a ballot of third year Members

**Proposed provision:** sub-s 31: (n) One Third+ Year Representative, who is enrolled as a third year Member and shall be elected by a ballot of third **and fourth** year Members;

**Proposal 5 – Change the name of Environment Director/s and their respective portfolio -  
FAILED**

**Proposal:** Amend s 31(q) of the LSS Constitution to instead read "An Environment and Animal Director or Directors".

**Current provision:** s 31(q): An Environment Director or Directors. The position can be held solely or jointly by not more than two Members;

**Proposed provision:** s 31(q): An Environment and Animal Director or Directors. The position can be held solely or jointly by not more than two Members;

**Proposal 6 – Change the name of Equality and Social Justice Director/s and their  
respective portfolio - PASSED**

**Proposal:** Replace clause 31(3)(l) 'An Equality & Social Justice Director or Directors.' to 'An Equity & Social Justice Director or Directors.'

**Current provision:** sub-s 31(3)(l): An Equality & Social Justice Director or Directors.

**Proposed provision:** sub-s 31(3)(l): An Equity & Social Justice Director or Directors.

**Proposal 7 – Changing the Purposes of the MULSS - PASSED**

**Proposal:** Change clause 2(e), from "Promoting a commitment to social justice and equality, as well as a critical interest in the law and the operation of the law in society; and" to "Promoting a commitment to social justice and equity, as well as a critical interest in the law and the operation of the law in society; and"

**Current provision:** "Promoting a commitment to social justice and equality, as well as a critical interest in the law and the operation of the law in society; and"

**Proposed provision:** "Promoting a commitment to social justice and **equity**, as well as a critical interest in the law and the operation of the law in society; and"

## 1. Meeting Open – 1:00pm

- a. **Gus Viola** – Thank you everyone for coming today! I want to start by acknowledging that this meeting is taking place on Wurundjeri land to pay my respects to their elders past, present and emerging. Well thank you so much being here and coming to talk about the proposed changes.
  - i. We are going to get through this as quickly as we can so we wanted out some of the grounds rules. We will read out each of the proposals as we get to them so we all understand what we are voting on and then...
- b. **Ben Henry** – Then the proposer will have a short opportunity to speak to their proposal and field and questions
- c. **Gus Viola** – Yes absolutely, so the proposer will have a couple of minutes to speak about their proposal and then we will vote on it. When we do get to debate the proposals, if everyone who wants to speak can let me know their name so Ben can record it in the minutes that would be great.
  - i. Any questions before we start?  
**\*no questions are raised\***
  - ii. Let's turn now to the proposals. We will be voting on changes to the Constitution. I'll turn your attention first to the incorporated association name of the LSS for proposal, and to our proposer Ben Henry. I'll just read out the proposal.  
**\*reads out the description of Proposal 1\***
- d. **Ben Henry** – So a bit of background to this one. Basically we have been an incorporated association since 1992. When an association becomes incorporated that have to have their name approved before it can be registered. If that group's name contains another incorporated body's name then you have to produce written permission from that group that you can use their name in your name. For us that meant getting the University of Melbourne's permission to us 'Melbourne University' in our 'Melbourne University Law Students' Society' title. We have always operated as the Melbourne University Law Students' Society for the better part of 130 years so it looks like that at the time of incorporation that committee either didn't realise this and ran out of time to get permission from Melbourne Uni, or else couldn't get permission.
  - i. Lachie Johnson our Treasurer and myself have been working on this in the year and have got written permission from the University to use their name, but we also require a special resolution to give to Consumer Affairs Victoria to update this. So that's what the proposal is for.
- e. **Gus Viola** - This has been a bit of a headache throughout the year but its good we are getting onto it. Any questions?  
**\*no questions\***
  - i. Ok let's vote.
  - ii. Vote

### iii. Passed Unanimously

#### 2. Proposal 2

- a. **Gus Viola** – Ok our second proposal is to limit the plurality of directors in the Constitution.

**\*reads out Proposal 2\***

- b. **Ben Henry** – So this was raised by our External Competitions Director Nico Kunz at the start of the year. Currently some of the descriptions of the directorial positions have limitations on being for a single person or two people, but other position descriptions such as sub-ss 31(3)(f)-(l) don't have a limitation on how many directors could run for them. So basically as it is you could possibly have like 76 directors run for education or comps.
- i. So this proposal just brings all the provisions inline to limit to 1 or 2 directors per portfolio.
- c. **Gus Viola** – Alana?
- d. **Alana Mia Perna** – Does this affect external director who only has one?
- e. **Ben Henry** – No so this only applies to positions that are phrased as plurals but don't have that limiting phrase about 2. So external just says 1.
- f. **Gus Viola** – Any other questions?

**\*no questions\***

- i. Vote
- ii. **Passed Unanimously**

#### 3. Proposal 3

- a. **Gus Viola** – Our next proposal is for correcting the repetition of director ordering.

**\*reads out Proposal 3\***

- b. **Ben Henry** – Maybe just get up the Constitution because it might be easier to just see it. So here there was just a repeat of sub-s 'l' for Equality and Social Justice, and First Year Rep. This will just correct the ordering, so ESJ will be 'l', First Year Rep. will be 'm', Second Year Rep. will be 'n', and so on.
- c. **Gus Viola** – So changing 'l' to 'm' and then correcting the descending order.
- d. **Ben Henry** – Yes
- e. **Gus Viola** – Any questions

**\*no questions\***

- i. Lets vote
- ii. Vote
- iii. **Passed Unanimously**

#### 4. Proposal 4

- a. **Gus Viola** – So this is to officially recognise the position of Third Year Rep. to include representation of fourth years. Is Tess here? No?
- b. **Alana Mia Perna** – I can speak for it if you want. I don't have anything to add to this but I do have a question – could 4<sup>th</sup> years then run for it?
- c. **Peggy Gusah** – I'm for this change, but it wont mean people in 4<sup>th</sup> year can run for it, its just the name change.
- d. **Alana Mia Perna** – Oh sorry my mistake.
- e. **Jimi Muirhead** – Do we have voting 5<sup>th</sup> years (at MLS)?
- f. **Alana Mia Perna** – Yeah I think so?
- g. **Ben Henry** – We have to vote exactly on what's there so this is just changing the name to '3+'.
- h. **Gus Viola** – Ok so we'll vote on the 4<sup>th</sup> proposal.
  - i. Vote
  - ii. **Passed Unanimously**

#### 5. Proposal 5

- a. **Gus Viola** – Ok so we are now looking at proposal 5, to change the name of the Environment portfolio and director. Britta you were the proposer.
- b. **Britta Maunder** – Hi I'm Britta, this is my proposal to extend the scope of the portfolio to include animal law. I don't think its necessary to add a new portfolio, but we need a platform for students to address their concerns and ideas about this. I've spoken to people who didn't know who to speak to about these issues so I think it needs to be clear.
- c. **Lauren Miller** – I'm the current Enviro' Director and I spoke with Britta previously about this. I don't agree with it personally. I'm a vegetarian and for animal welfare but I don't think there needs to be a change in the name. Its really up to the Enviro' Directors what they do in the year, and I know you said you don't know who to talk to about these issues and I'm sorry for that, that we didn't make that clear. I know there's a vegan cluse and Voiceless which may be better for these issues. I also want to add that we are the only Enviro' portfolio in any LSS in the country.
- d. **Jimi Muirhead** – So I think Lauren touched on a lot of the points. I guess I just see animal law...animal stuff is already within the ambit of the Enviro' portfolio anyway. I don't think this will really change what the Enviro' directors will actually do. For me this is not the way these things really help. We can have more initiatives but this wont alone guarantee what comes about from these portfolios. I think this is something Enviro' would be really happy to have though.
- e. **Akshai veer Singh** – I have more of a question – why not separate the it so ones animal and ones Enviro'?
- f. **Britta Maunder** – I did think about this and have had a chat to Lauren about is and she had a lot of good points. Lauren said that there is sometimes an issue with getting enough people to run for these things, and this is a newer portfolio so...

- g. **Akshai veer Singh** – I think you brought up a good point that it is a niche area of law and is the LSS Enviro’ portfolio.
- h. **Gus Viola** – Can I also add that these portfolios were added to represent certain groups within the law school, so I think advocating for the law is only part of those portfolios.
- i. **Alana Mia Perna** – Can I just add we cant vote on that at the moment, but it’s a good consideration for next year.
- j. **Lauren Miller** – I just want to add that there is so many people who are interested in animal law, and I am too, but I also don’t want to put some burden on someone who doesn’t want to do any law stuff. Any new directors have a lot of scope to what they want with the portfolio.
- k. **Britta Maunder** – I think that if someone wants to run, they don’t necessarily have to be interested in both.
- l. **Lauren Miller** – Just on that, such a good idea, but the practicality of working on two things may be harder to manage too.
- m. **Ashleigh Feurtado** - I’m speaking as someone who plans on running for this position, and there has been a lot said I want to respond to. Lots of good points have been made. No one has done this yet, and in terms of changing the name of being Enviro’ and Animal Director - people can go to Lauren and Erin about animal law, but how many people actually knew that? You don’t know where to go. Putting it in the name makes it super clear where you can go. In terms of this being only an Enviro’ portfolio in a law school is great, but this is another opportunity for Melbourne University to push forward on this issue. It’s really hard to get involved in animal issues, the capacity to get involved is really little. In terms of someone being not interested in animal issues and wanting to run as Enviro’, even if it’s a purely Enviro’ portfolio, it will change with the Directors. The clothing drive is new and awesome, but just because someone’s not super jazzed about animal law I don’t think that people will be deterred by that.
- n. **Gus Viola** – That’s great thanks Ashleigh.
- o. **Alana Mia Perna** – I think I was just going to say, are you planning on running next year? Sorry, Britta are you going to run?
- p. **Britta Maunder** – I’m going to be on exchange so I can’t.
- q. **Alana Mia Perna** – Oh ok. The Enviro’ directors have discussed with the Vice Presidents each year how they can better harness initiatives. I think you acknowledge perfectly that it will change next year, and this is something the student body wants, and they weren’t sure where to go. I think that is definitely something we can do to engage better with the cohort and advertise where people can do and I’m sorry if previously it wasn’t clear. That’s what we have the new initiatives budget for. I don think incorporating something in the name will change anything, but in the same way that if I went to change another portfolio it may not affect it. So I’m not sure this is the right way to change it so animal law would come under the Environment portfolio.



- r. **Andy Tole** – Mine is more of just a comment on the wording on animal as compared to just animal director. I come from the Queer portfolio and represent anyone who is queer, so you wouldn't be representing animals. And like it wouldn't be just animal law.
- s. **Britta Maunder** – I think it's a bit confusing and we're all just getting a hang on how to talk about these. We discussed which was appropriate but it is meant as broader than just animal law.
- t. **Andy Tole** – I think that still doesn't make sense as a representative, like I would be behind this more if it was animal law.
- u. **Gus Viola** – I will just add that its Environment, not Environment law director.
- v. **Jas Holmes** – Alana encapsulated what I wanted to say. I think there is other ways about this. The MULSS website does also have blurbs to describe portfolios so could use those so people know where to come.
- w. **Lachie Johnson** – Just a quick thought. Potentially could make an animal law co opt that could bring them on year to year. If this doesn't get up then that's an option to be considered.
- x. **Gus Viola** – I'll quickly explain what a co opt is. We appoint volunteer positions that don't need a constitutional change, so we could create an animal law co opt.
- y. **Indie Castiello** – I think a co opt is a good plan B, but I think there are students who need representation at a director level. I appreciate it may be more work, but I don't think that more work will necessarily be a bad thing. This is why I came to the law school, to study animal law and they use to offer two animal law subjects but have taken those away. There is very few faculty who we can speak to too about these issues.
- z. **Hannah Gordon** – I get that but this is not the usual way its incorporated. Usually they'd start as a co opt.
- aa. **Jessie Layman** – I know the Enviro' girls have done so much this year, but I also think that if its not Enviro and Animal Directors, they can still do animal related stuff
- bb. **Andy Tole** – My point is to Hannah's point. All the representatives came about bottom up from co opts in portfolios. Like queer and women's from ESJ (Equality and Social Justice).
- cc. **Britta Maunder** – You could say the same for environmental issues though.
- dd. **Gus Viola** – Alright guys we may have to leave to there and go to the vote.
  - i. Vote
    - 1. 30 For (65%)
    - 2. 16 Against (35%)
    - 3. 5 Abstentions (0%)
  - ii. **Failed to Pass**

## 6. Proposal 6

- a. **Gus Viola** – Ok guys we are going to move onto Proposal 6.  
\*reads out Proposal 6\*

- i. I'll pass over to Ayman.
- b. **Ayman Shash** – Before we dive in, let's talk concepts.
  - \*displays a conceptual image depicting equity versus equality\***
  - i. On the left we see everyone on equal grounds, but not able to participate equally. Next you see the differences between people's ability and merit. And then the systemic barrier being broken down. This year we have been moving from equality to equity in our practices. We have been working with faculty to increase equity and diversity in the law school. To do that we need to increase our practices to make sure people can reach their full potential. Inclusive practices help us to make institutional changes. I'd like the portfolio to change the nature of the portfolio itself. And I'd like the work we've done this year to be reflected in that role.
- c. **Jimi Muirhead** – Really quickly, I think this is a really good idea. At the ALSA (Australian Law Students' Association) Conference this year I was at with Benry (Ben Henry), everyone's portfolios are called 'equity'. I think because we are such an old ESJ portfolio we made ours when equality was relevant, but everyone else around Australia called theirs the equity portfolio.
- d. **Gus Viola** – I think this is also an easy concept for law students to bring across. Righto, lets vote.
  - i. Vote
  - ii. **Passed Unanimously**

## 7. Proposal 7

- a. **Gus Viola** – Alright finally we are going to move onto Proposal 7.
  - \*reads out Proposal 7\***
- b. **Ayman Shash** – Nothing more to say really than that this is to change the ambit of the institution that is the LSS. To change not only the title, but the aims of the LSS is important which is reflected in this proposal.
- c. **Gus Viola** – Can I also say that our purposes and aims have been a massive draw card for the LSS in attracting sponsors and other external parties
  - i. Vote
    - 1. 1 abstention
  - ii. **Passed**
- d. **Gus Viola** – Thank you very much to everyone who came out and spoke here today. Especially a massive thank you to Britta and everyone who talked about the animal proposal. Its great to see you coming out and putting stuff forward and you all did an amazing job. Thank you everyone!

## Close of Meeting – 1:58pm

Please contact Ben Henry (Secretary) if you have any questions at  
 melbunilsssecretary@gmail.com