



**SULS SPECIAL GENERAL MEETING**

*20 November 2020 - 5:00 pm - Zoom*

**Meeting Opened:** 5:05 pm

**Executive In Attendance:**

Miriam Shendroff  
Donna Kwon  
Amer Nasr  
Mark Teh  
Alex De Araujo  
Dani Stephenson  
Rosie Sok  
Eden McSheffrey  
Sarah Tang  
Oscar Alcock  
Sarah Purvis  
Alison Chen  
Deaundre Espejo  
Patrick Lucarnus  
Ibrahim Taha  
Sinem Kirk  
Felicity Macourt  
Natalie Leung

**Members of SULS in Attendance:**

Caroline Xu  
Felix Wood  
Sofia Mendes  
Sophia Semmler  
Georgia Spilsbury Watson  
Tiana Dumanovsky  
Gretel Wilson  
Justin Lai  
Cameron Jordan  
Casper Lu  
Wendy Hu

Calvin Kwong  
Sissi Xi Chen  
Dane Luo  
Dasha Moskalenko  
Calida Tang  
Jeffrey Khoo

**Apologies:** Max Vishney

**Absent:** Abbey Shi, Daniel Lee Aniceto, Barry Wang

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The meeting was chaired by Amer Nasr

## **1. Opening, Welcome & Acknowledgement of Country**

Amer Nasr delivered an Acknowledgement of Country at the commencement of the meeting and welcomed attendees.

## **2. Apologies and leaves of absence**

Apologies were received from Max Vishney

## **3. Minutes of the previous meeting**

The report and minutes of the previous meeting - the 2020 September AGM - were made available after the meeting on the SULS website.

### ***i) Correspondence from Minutes***

Dane Luo sent Miriam Shendroff edits for the minutes of the 2020 AGM. The first edit included a missed letter in the spelling of his name on page four of the minutes. Secondly he pointed out an incorrect letter in the heading for item (d). Thirdly he added a suggestion for Appendix A. Miriam informed Dane that she had not responded to his email as she was in the middle of a take home exam, but would make the necessary corrections accordingly.

**Motion:** that the minutes of the previous meeting (the 2020 September AGM) be accepted

- Moved: Amer Nasr
- Seconded: Casper Lu
- Vote: the motion was carried unanimously with zero abstentions

#### 4. Business arising from these minutes

Amer Nasr stated that at the last SALS AGM we passed a motion unanimously proposed by Dane Luo and seconded by Casper Lu, that the general meeting directs the executive to present a constitutional amendment at the next SGM clarifying whether alterations at general meetings require any notice. Amer Nasr makes a note that this business item will be discussed under agenda item 6.

#### 5. Correspondence

i) **Motion:** that the SALS Electoral Review Committee 2020- Final Report be tabled.

- Moved: Amer Nasr
- Seconded: Donna Kwon
- Vote: the motion was carried unanimously with zero abstentions

Casper Lu asks if this is a motion that the report be tabled rather than accepted. Amer Nasr reassures him that that is correct.

ii) **Motion:** that the Covid-19 Student Experience Survey be tabled.

- Moved: Amer Nasr
- Seconded: Dane Luo
- Vote: the motion was carried unanimously with zero abstentions.

iii) **Motion:** that the Bylaws of the Sydney University Law Society Incorporated be tabled.

- Moved: Amer Nasr
- Seconded: Felix Wood
- Vote: the motion was carried unanimously with zero abstentions

Amer Nasr states that the Bylaws were drafted by the SALS executive and signed by himself and Miriam Shendroff. Amer Nasr explains that since then, the Bylaws have been made available on the SALS website under the Governance tab.

#### 6. Motions on Notice and Constitutional Amendments

i) **Motion to amend Appendix 2: adding standing order 40 and 41 (Appendix A)**

**Motion:** to amend the Constitution in accordance with Appendix 2- discussion

- Moved: Amer Nasr
- Seconded: Donna Kwon
- Vote: the motion was carried unanimously with zero abstentions

Amer Nasr states that the intention of this motion is to prevent multiple amendments to an amendment rather than to the proposed amendment. So having consulted a few people regarding the matter, Amer Nasr directs everyone to look at the proposition being made by the executive. The proposition is to try to clarify this by first of all striking s 37 and adding clause 39 and 40.

The new clauses would read:

*39. An amendment to a motion on notice can only be considered 'on the floor' of a General Meeting if the chair determines the amendment does not substantially change the intent of the motion or is otherwise necessary in order to comply with another provision outlined in the SULS Constitution.*

*40. An amendment to a motion on notice that does not satisfy the above requirement, must be put on notice for another General Meeting.*

Amer Nar adds that the way he decided to rule on the amendments to the motions that were proposed at the AGM was similar to this. He found that as chair of the meeting, the amendments to the motions were not too radical and were within the scope of the amendments that needed to be made. He also took into consideration the voices of the members that were at the meeting to try to better the amendments that were being proposed. Amer goes onto say that the rationale here is that section 37 shall be struck down and replaced with a clear set of guidelines as to when a chair may make an amendment to a motion on notice.. Section 39 is a section to allow flexibility to amend the provision and also to set some guidance of when an amendment could potentially be harmful - such as when members get notice of a specific amendment and then it turns out that the provision is completely different from the original motion on notice. Section 40 goes on to say what will happen if that situation occurs. Amer Nasr asks for questions and comments.

Dane Luo thanks the executive for clarifying this section. Dane Luo wishes to flag two things with what Amer has put forward. The first is to clarify whether the amendment for a motion that requires a supermajority needs to be carried with that supermajority as well. Dane Luo provides the example that to amend the constitution it is clear that it requires a three quarters majority - and basically it is a question as to whether an alteration to an amendment to the constitution would require a supermajority as well.

Amer Nasr responds that for starters in his personal opinion that amendments should not attract a supermajority but that the final motion should, because any amendments to the constitution require a 75% majority for acceptance. In the sense of that being reflected within the provisions of the standing orders, Amer Nasr states he is happy to make that specific change but he personally does not find that it is that elusive in the sense that it is not clear that amendments to motions require a supermajority when it is known that only amendments to the constitutions require a supermajority.

Dane Luo responds by asking if Amer Nasr is stating that a motion to amend does not require a supermajority but the final motion would.

Amer Nasr informs Dane that his understanding is correct. A motion to amend a motion would not require a supermajority but a motion to amend the constitution does.

Dane Luo asks if both of them require a supermajority vote.

Amer Nasr rephrases his point and states that a motion to amend a motion does not require there to be a 75% acceptance, but a motion to change the constitution- a resulting motion- does.

Dane Luo agrees with the point Amer has made. The second point Dane Luo wants to clarify is that the text of the proposal only reflects motions on notice and the constitutions design refers to motions on notice in section 48. Dane Luo explains that the section does not refer to changes in the constitution, the standing orders, and electoral regulations. Dane Luo asks if there will be some clarity to extend the terms 'motions on notice for the purpose of this standing order' for those three other documents as well.

Amer Nasr responds by saying he believes so, the standing orders and the electoral regulations are obviously two appendices that are part of the SULLS constitution and they do feed on each other. Amer Nasr notes that it would be within the scope that Dane has mentioned to extend the terms to affect both standing orders and electoral regulations.

Dane Luo responds by asking if the Chair would be willing to accept Dane's suggestion of putting an amendment to clarify his point. Dane Luo explains that the change would read '*an amendment to a motion on notice including a motion to amend the constitution, the standing orders, and the electoral regulations*'- and then the rest of the sentence would continue as is proposed.

Amer Nasr decides that he has no problem with the proposed change that Dane Luo has put forward.

Dane Luo asks if he can have his amendment put forward.

Amer Nasr notifies Dane Luo that he will have to put forward an amendment to the motion to follow procedure.

Dane Luo asks if he can propose this now.

Amer Nasr informs Dane Luo that they should finish the discussion first before proposing motions.

Casper Lu speaks to say that he has an issue with standing order 37. The first thing he notes is the new standing order 40. Casper takes issue with the words '*the above requirement*' stating that the meaning of the words are quite clear to the layperson but if SULLS is going to amend the standing orders then it would be best to do so in the most concessive way possible. Casper Lu would like to refer specifically to the new standing order 39. Casper Lu notes this would be because between

standing orders 32-39 there are quite a number of above requirements which could be misinterpreted. Casper Lu would like this to be an amendment to this motion.

Casper Lu notes that his other issue is the strikeout of standing order 37. Casper Lu recognises that this was a big issue at the AGM and there was a misunderstanding of what the definition of an amendment was. Casper Lu does not see standing orders 37 and 39 operating in the same sphere, because standing order 39 refers to a primary amendment to a motion and standing order 37 is designed to protect that primary amendment from further amendments which would otherwise be time wasting. Casper Lu goes on to say that it also means that the operation of standing order 37 ends up needing to consider amendments one at a time. Casper Lu questions why standing order 37 is being struck out at all since its continued existence does not infringe upon the new standing orders that are being proposed.

Dane Luo wishes to support Casper Lu on that point and adds that it is clear that when you read a constitution or statute - "you do not just sweep your eyes and just look at the few words you're looking at, rather you look at the whole document." Dane Luo opines that it is clear that clause 32 refers to an amendment to a motion and you would think the same word has the same meaning when it goes through different clauses in the document. Dane Luo is not sure that the clause has as much ambiguity as Casper Lu suggests that it has.

Amer Nasr states that the wording may be confusing but having consulted with a few people it was decided that striking out section 37 and adding section 39 and 40 should clear up a lot of the confusion.

Casper Lu mentions that the addition of the new standing orders are designed to deal with primary amendments to motions that are raised under standing order 32, but standing order 37 is not to do with primary amendments, it is to do with amendments to primary amendments. Casper Lu goes on to give the example that "person one proposes a motion such as what is happening right now, and person two proposes an amendment to that motion- then section 37 is designed to protect person two from having an amendment made to their amendment." Casper Lu explains that standing orders 39 and 40 do not cover that field. Casper Lu thinks that as a result standing order 37 should stand with the new standing orders being proposed.

Amer Nasr replies by stating section 36 makes this clear, and that it is understandable that once an amendment is being considered that no other amendment would be considered until that first amendment is considered in full and voted upon. Which would be reflected by standing order 36.

Amer Nasr asks those who wish to make an amendment to this motion to put forth their proposals at this time.

Dane Luo proposes the following amendment to the amendment on notice: the inclusion of the line, *'including changes to the constitution, electoral regulations, and standing orders'* following the words 'an amendment to a motion on notice' in the proposed section 39.

**Motion:** To make an amendment to the motion to amend Appendix 2: Standing orders 39 and 40 - change the wording of standing order 39. **(See Appendix B)**

- Moved: Amer Nasr
- Seconded: Gretel Wilson
- Vote: the motion was carried unanimously with zero abstentions

A second amendment to the original motion has been proposed by Casper Lu. It is an amendment to not strike section 37 and to keep the section as it currently stands in the standing orders.

**Motion:** To make an amendment to the motion to amend Appendix 2 whereby section 37 will not be struck down. **(See Appendix B)**

Moved: Amer Nasr

- Seconded: Casper Lu
- Vote: all in favour (28), all against (2), all abstaining (0)

Dane Luo notes that he agrees with Casper Lu's interpretation but disagrees with him on merits which is why he has chosen to vote against this motion.

A third amendment to the original motion has been proposed by Casper Lu. It would ensure specificity in that the new standing order 41 will state that '*an amendment to a motion on notice that does not satisfy the requirement in clause 40, must be put on notice for another General Meeting*'.

**Motion:** To make an amendment to the motion to amend Appendix 2: Standing orders 39 and 40 - a reference to standing order 40 will be added into standing order 41. **(See Appendix B)**

- Moved: Casper Lu
- Seconded: Donna Kwon
- Vote: the motion was carried unanimously with zero abstentions

Amer Nasr then turns the discussion to the newly amended motion before voting on said motion.

**Motion:** To accept the newly amended amendment. **(See appendix B)**

- Moved: Casper Lu
- Seconded: Dane Luo
- Vote: the motion was carried unanimously with zero abstentions

## ii) Motion to amend the Constitution in Accordance with Appendix 1 (Electoral Regulations)

**The Electoral Review Committee's full report can be found in Appendix G**

**Motion:** to amend the Constitution in Accordance with Appendix 1 (discussion).

- Moved: Amer Nasr
- Seconded: Donna Kwon
- Vote: the motion was carried unanimously with zero abstentions

Amer Nasr starts the discussion by reminding people that in order to have a supermajority we need to have 23 votes in favour for any votes to change the constitution. Amer Nasr congratulates the electoral review committee for their efforts and hard work in drafting the electoral review report.

### **Threshold Issue 1- Electoral Regulations “Electoral Timing” (see appendix A)**

1. Issue 1A: To amend Art 2(g).
2. Issue 1B: To amend Art 4(g)

The rationale for these changes can be found in appendix G.

### **Threshold Issue 2- Electoral Regulations “In person and online voting, and exceptional circumstances” (see appendix A)**

1. Issue 2A: To amend Art 3(a)(iii)
2. Issue 2B: To amend Art 5(c) and (d)
3. Issue 2C: To amend Art 4(k) to 5(l)

The rationale for these changes can be found in appendix G.

Casper Lu comments on the amendment signifying the start of campaigning. He brings up a concern that seven days prior to the end of voting signifying the start of campaigning - does not necessarily occur at the same time. Casper Lu mentions that past practice has not actually reflected that. Casper Lu states that what the electoral officers seem to have done in the past couple of elections is to provide that list which signifies the start of campaigning at 9:00 am. Casper Lu notes that that specific 9:00 am is not necessarily seven days before the end of voting.

Amer Nasr responds that the reason why the electoral review committee is trying to make this change is first of all to highlight that there has to be better guidance in terms of what needs to be done. Amer Nasr notes that it should not be at the complete discretion of the electoral officer.

Casper Lu responds by asking if by using the example of the 2020 election when voting ended at 9:00 pm on Tuesday, that under this new amendment the electoral officer would have had to send



out the list of tickets at 9:00 pm the Tuesday before the close of voting. Thus signifying that voting would begin at 9:00 pm.

Amer Nasr replies stating that is what the new amendment implies, however Amer Nasr notes that the electoral review committee did not consider in massive amounts what happened in the 2020 election when submitting this report. Amer mentions the reason for this being that the election was ongoing while the electoral review committee was drafting its report.

Casper Lu accepts the point Amer Nasr has made and goes on to use last year's election as an example to make a further point. Casper says that last year voting ended at 3:00 or 4:00 pm and questions whether under this new amendment whether that means the campaign period would start at 3:00 or 4:00 pm 7 days prior to the end of voting.

Amer Nasr informs Casper that his line of thinking is correct.

### **Threshold Issue 3- Electoral Regulations “Electoral Officers” (see appendix A)**

1. Issue 3A: To amend art 14(a)

The rationale for these changes can be found in appendix G.

Mark Teh asks whether the effect of this clause would be that if a SALS executive does not excuse themselves from voting then they are bound by that choice and can no longer run for a position in the upcoming election.

Amer Nasr responds by stating that it does not necessarily bar the person from running the way it has been drafted. It does however provide more of a procedural guidance that those executive members who are intending to run should be excusing themselves from appointing an electoral officer.

Dane Luo states that this is not a guidance document but rather that these are the regulations. Dane Luo mentions that the word elections in the proposed amendment is plural and notes that the amendment could be barring and is doing a lot more than providing guidance.

Amer Nasr responds by saying that what he said was specific to what Mark Teh had asked. Amer Nasr goes on to say that if an executive will be running/campaigning/or nominating in the upcoming election then they will have to disclose that. Amer Nasr notes that while drafting this amendment, the electoral review committee purposely left out guidance on barring anyone from running in the election. Amer Nasr states that if that were to be the case it would be a matter left up to the electoral officer.

Casper Lu states that he understands the rationale for this amendment but the wording of the regulation being put forward for amendment does not necessarily reflect its stated intention. Casper Lu notes it is arguable whether or not the electoral officer can exercise discretion to get around that. Casper Lu also thinks that if the amendment is going to be as a matter of guidance then there needs to be more that is drafted, or the amendment in its current form needs to itself be amended.

**Threshold Issue 4- “Electoral Regulations; No Presidential EOI Nominations and Votes of No Confidence” (see appendix A)**

1. Issue 4A: To add article 4(i)
2. Issue 4B: To add article 17

The rationale for these changes can be found in appendix G.

Dane Luo says that he has a number of questions about these amendments. The first one asks if the Chair will put the four amendments ‘one by one by one’ or if the Chair will put the amendments by one block.

Amer Nasr responds saying that the amendments can be discussed separately if Dane Luo would like to propose that they be discussed in parts. Amer Nasr suggests that each of the four issues can be discussed separately and then the meeting participants can move to vote on each threshold issue separately after discussing each one.

***Motion:*** To take this by part and divide the discussion into four parts for each of the threshold issues and then vote in part.

- Moved: Amer Nasr
- Seconded: Dane Luo
- Vote: the motion was carried unanimously with zero abstentions

**Discussion and Voting on Threshold Issues**

***Motion:*** To discuss threshold issue 1

- Moved: Amer Nasr
- Seconded: Donna Kwon
- Vote: the motion was carried unanimously with zero abstentions

No one chose to speak in favour or against the amendments in threshold issue 1, nor make any amendments to the motions on notice under threshold issue 1. The Chair moved to vote on the amendments under this issue.

At this point in the meeting Amer Nasr stopped the proceedings to check that the meeting had enough people to meet quorum as multiple people had dropped out of the call. The remaining members were counted and it was determined that quorum was met and the meeting was able to proceed.

**Motion:** To vote on threshold issue 1 to adopt the proposed amendments

- Moved: Amer Nasr
- Seconded: Donna Kwon
- Vote: the motion was carried unanimously with zero abstentions

**Motion:** To discuss threshold issue 2

- Moved: Amer Nasr
- Seconded: Mark Teh
- Vote: the motion was carried unanimously with zero abstentions

No one chose to speak in favour or against the amendments in threshold issue 2, nor make any amendments to the motions on notice under threshold issue 2. The Chair moved to vote on the amendments under this issue.

**Motion:** To vote on threshold issue 2 to adopt the proposed amendments

- Moved: Amer Nasr
- Seconded: Donna Kwon
- Vote: all in favour (22), all against (0), all abstaining (1)

Note those who abstained were: Casper Lu.

**Motion:** To discuss threshold issue 3

- Moved: Amer Nasr
- Seconded: Mark Teh
- Vote: the motion was carried unanimously with zero abstentions

Dane Luo does not support the amendment of article 14 in its current form. Dane Luo says this on three bases:

1. It is relatively common for clubs and societies but also for legislative bodies, boards, corporate boards, and charity boards to choose an electoral officer as a whole. Dane Luo does not think this is practically beneficial, especially because the electoral officer is chosen ahead of time before nominations open, and way before expression of interest for positions is even open. Dane Luo feels that this is something that is quite impractical because there is a possibility that nobody on the executive could end up being able to vote for the electoral officer because it is possible that every person could want to be part of a ticket nomination process or manage a campaign. Dane Luo goes on to say that even if there were a few members who could vote for the electoral officer, that there is a real possibility that it could be a small number and he feels that is really impractical for that purpose.
2. Dane Luo feels that the wording of the present text is plainly unworkable. It currently refers to the SALS executive as a body and what that could mean is that the SALS executive of this year or of any year - if any single one person wants to get involved in ticket nominations and campaign management- that the entire executive would not be able to vote on the electoral officer. Dane Luo explains that you would have to go back years to find an executive where not a single person wanted to be involved in the election in some form. Dane Luo proposes that at the very least this amendment needs to be amended to say 'the SALS Executive *members* that will not take part in any ticket nominations [and so on] can vote.'
3. Dane Luo states that there is an issue with the workability and that the executive needs to be able to work together as a whole, and not find ways to exclude one another on the basis of a conflict of interest. This conflict of interest is not recognised in any other body. Dane Luo believes that any harms the electoral review committee identified are minimal or at best non-existent. Dane Luo makes it firmly known that in his opinion the wording is plainly wrong.

Casper Lu speaks and says that this is an issue that was raised by current executive members to him. The issue is that given the electoral officer is appointed so far ahead of time there are two potential issues that might come up. The first being that if an executive votes in favour or against an electoral officer, what that means is that that executive member would be barred from that electoral process and whether they will participate in that electoral process which takes place a couple of weeks later, might not be a decision they have yet made. Casper Lu concludes his point by stating that the effect of the regulation is that it tells an executive member that they need to make a decision on their involvement in the upcoming election then and now. Casper Lu believes that is quite far in advance and knowing how the electoral process works, Casper knows that these decisions can sometimes be made at the last minute. He feels that this amendment will disenfranchise the electoral process because without a full ticket there can be no nomination process.

The second issue Casper Lu sees happening is that the executive is somewhat advantaged or possibly disadvantaged by effectively sending a signal to anyone reading the minutes that they may intend or may not intend to be involved in the electoral process for the coming year. That is to say that the existing executive knows that they are going to run and Casper Lu is concerned that if they abstain from voting for an electoral officer, then this sends a signal to people that they are considering a run for the next executive. Casper Lu feels that having a clause which somehow communicates that an executive might run in the election prematurely should be considered very carefully.

Amer Nasr responds by stating that the issues that were raised by the electoral review committee were mainly around a situation where you have an executive team and many of those executive team members are considering running and in that sense they collectively as an executive decide to appoint an electoral officer who may be advantageous to them running. Amer Nasr says that having considered some of the points that have been raised, there are procedures in place specifically within electoral regulations which allow the electoral officer very specific powers to be able to manage any possible conflicts of interest. Amer Nasr adds to this point by stating that he is not 100% sure if it would be valid to say that it would actually be disadvantageous for the electoral process to have an executive member who may be considering running, before they express that. Amer Nasr points out that there are other organisations which do consider this including corporate entities and that is why this amendment was proposed.

Dane Luo responds by stating that he has a number of questions for Amer Nasr. The questions and answers are as follows:

Q: (Dane) Am I correct that article 14 only applies to the electoral officer?

A: (Amer) That is correct.

Q: (Dane) So it does not apply to the electoral arbiter?

A: (Amer) It does not in its current form.

Q: (Dane) Why not? If the concern is that the electoral officer would have an apprehension of bias- would that not also extend to the electoral arbiter?

A: (Amer) It would. The concern was mainly with the electoral officer because usually the applicants

for the position are in close proximity with the executive as they often are members of previous SALS executives. It is not a requirement that applicants are previous SALS executive but it has been the convention.

Q: (Dane) So what about the convention where the electoral officer is a former executive from years ago and having current members of the executive voting on them would create an apprehension of bias but having someone who teaches at the law school who could be teaching current members of the executive would not be biased? Dane Luo feels that this does not make much rational sense.

Dane Luo followed up with a further question.

Q: (Dane) How would you define campaign management?

Amer Nasr makes a note that he is responding not as chair to the meeting but as a member of the electoral review committee.

A: (Amer) I would say a campaign manager is anyone who is involved in the process of executing a campaign. Someone who is managing for lack of better word, how advertisements are distributed, how votes are being collected etc.

Q: (Dane) When you said promoting, so if I were to post a Facebook post supporting a ticket, would that mean I am involved in campaign management?

A: (Amer) Not necessarily. If you are working together with the ticket to distribute campaign information then that would probably be campaign management. To clarify- I can understand that it may be confusing. If you would like to propose possible amendments to this motion then you can.

Dane Luo states that his stance is that the motion should not proceed in its current form. Dane Luo says that in the way the amendment is currently worded it is extraordinarily vague, too broad, and goes beyond guidance to perhaps create an issue for the current executive. Dane Luo mentions that he will be voting against this motion.

**Motion:** To vote on threshold issue 3 to adopt the proposed amendments

- Moved: Amer Nasr
- Seconded: Mark Teh
- Vote: all in favour (7), all against (13), all abstaining (3)

This motion failed to pass.

Note those who abstained were: Justin Lai, Cameron Jordan, and Jeffrey Khoo.

**Motion:** To discuss threshold issue 4

- Moved: Amer Nasr
- Seconded: Mark Teh
- Vote: the motion was carried unanimously with zero abstentions

Jeffrey Khoo asks what current mechanisms are in place to deal with both of these issues.

Amer Nasr discusses what the current circumstances are for expressions of interest. Amer Nasr states that for the presidential expression of interest what happened in 2019 was that there were no expressions of interest after the two weeks that SULTS allowed for them to be received, and so the electoral officer decided as per section 1(f) to extend that by seven days. There is no clarity of what would happen if at the end of the seven days no one had put their name forward. Amer Nasr states that one thing which has been proposed in the past is possibly moving to the current mechanism SULTS has in place for vacancies of elected executive positions. That would essentially fall on a general meeting to put a vote forward for anyone who would like to put their name forward. Amer Nasr notes that it would be difficult to find someone to fill these vacancies.

Amer Nasr goes on to discuss the current practice of a no confidence motion. Amer Nasr notes that currently SULTS has nothing in place for dealing with this issue. In a scenario where there is an uncontested election and a person is put to lead SULTS- there is no mechanism in place for the society to vote down that executive.

Dane Luo states that he will be voting against and not supporting these amendments. Dane Luo notes that he may be willing to support the clause 4(i) amendment if it is done separately. Dane Luo goes on to raise his issues with both of these clauses.

The first issue Dane Luo discusses is that he feels clause 4(i) is poorly worded and problematic practically. Dane Luo believes it is poorly worded because it refers to nominations when it should be referring to expressions of interest. Dane Luo acknowledges that those are two separate things under the SALS regulatory system. He believes that this may cause issues where nominations end up being open after no expressions of interest after the seven day period under 1(f), but if there are not nominations then they continue having nominations open if there are still no expressions of interests being submitted for presidential candidates. Dane Luo explains that clause 4 as it exists is unworkable unless you change '*nominations period*' to '*expressions of interest period*'. Dane Luo foreshadows this as an amendment. The second issue Dane Luo expresses to have with clause 4 is that he thinks 14 days and extending it by 14 days will get quite long. Dane Luo says that if 1(f) is complied with and there is an extra seven day period and there needs to be an extra 14 day period then this could well push elections outside of semester two - which would create problems for SALS with respect to how it complies to its constitution and also how SALS complies with C&S.

Dane Luo then speaks about the issues he has with the proposed clause 17. Dane Luo notes that clause 17 will happen under the electoral regulations- which must be something that relates to the conduct of the elections. Dane Luo feels that the proposed amendment does not make clear what a vote of no confidence is. Ultimately the results of the election need to come to a general meeting for confirmation, and Dane Luo does not see what a vote of no confidence would do as practically it would be the same as voting against the results of the declarations of the electoral officer. Secondly Dane Luo believes the text of the clause to be problematic of itself because it does not say what a vote of no confidence is and what happens after the fact. Dane Luo believes that if there is going to be a vote of no confidence placed in the electoral regulations, then there needs to be a bit of machinery that goes along with the clause.

Dane Luo does not feel that clause 4(i) and clause 17 have been thought through enough. Instead Dane Luo proposes that the general meeting does not go through with these amendments today but rather tables them so that the new executive can work on them and build up the machinery for a vote of no confidence, and consider whether that be put into the main part of the constitution as opposed to the electoral regulations before bringing the revised amendments to a future SGM or AGM.

**Motion:** To limit speaking time to 1 minute for debates going forward

- Moved: Amer Nasr
- Seconded: Casper Lu
- Vote: all in favour (17), all against (1), all abstaining (0)

Amer Nasr replies to Dane Luo on the point of why clause 17 was placed in the electoral regulations. Amer Nasr states that the reasoning behind this is because if there were to be a vote of no confidence it would require there to be an automatic procedure for an election to happen if it were to be successful, and therefore the electoral review committee found it appropriate to have this clause in the electoral regulations.

Amer Nast asks if anyone wants to make any amendments to the motions on notice.

Casper Lu proposes an amendment to change the word 'nominations' to 'expression of interest period.'

**Motion:** To amend the motion on notice so that the change in wording of 'nominations' to 'expression of interest' can take effect 4(i)

- Moved: Casper Lu
- Seconded: Mark Teh
- Vote: the motion was carried unanimously with zero abstentions

Dane Luo moves a motion to table these amendments.

**Motion:** To table the amendments within the threshold 4 issue

- Moved: Dane Luo
- Seconded: Casper Lu
- Vote: all in favour (8), all against (5), all abstaining (8)

Note those who abstained were: Justin Lai, Cameron Jordan, Jeffrey Khoo, Deandre Espejo, Calvin Kwong, Wendy Hu, Tiana Dumanovsky, and Alison Chen

Amer Nasr moves a motion for these amendments to be considered at a future general meeting.

**Motion:** For there to be a consideration of threshold issue 4 at a future general meeting

- Moved: Amer Nasr
- Seconded: Casper Lu
- Vote: the motion was carried unanimously with zero abstentions

Amer Nasr moves a motion to amend the Constitution in Accordance with Appendix 1 in accordance with the amendments made during this meeting (threshold issues 1 and 2). **(See Appendix B)**

**Motion:** For there to be a consideration of threshold issue 4 at a future general meeting

- Moved: Amer Nasr
- Seconded: Casper Lu
- Vote: the motion was carried unanimously with zero abstentions

Amer Nasr makes a note for future executives that there are requirements within the NSW Fair Trading requirements that whenever SULLS is lodging a change to its constitution that the meeting chair must issue a motion in order to effectively pass on all the motions that were voted on during the general meeting. Amer Nasr states that this is to ensure clarity.

**Motion:** To accept the amended SULLS constitution giving effect to all of the above changes in both appendix 1 and appendix 2

- Moved: Amer Nasr
- Seconded: Dane Luo
- Vote: the motion was carried unanimously with zero abstentions



## 7. Annual Reports of Current Executive Members

The current President, Secretary, and Treasurer delivered their reports to the Special General Meeting. The full transcript of the reports can be found in Appendices C, D and E.

- a) President's Report - Amer Nasr (**Appendix C**)
- b) Secretary's Report - Miriam Shendroff (**Appendix D**)
- c) Treasurer's Report - Donna Kwon (**Appendix E**)

**Motion:** To accept the reports by the current President, Secretary and Treasurer

- Moved: Amer Nasr
- Seconded: Donna Kwon
- Vote: the motion was carried unanimously with zero abstentions

## 8. General Business

### *i) The Electoral Officer Report*

The Electoral Officer, Calida Tang, delivered her report. A full copy of the report is attached as **Appendix F**.

**Motion:** To note the report of the Electoral Officer

- Moved: Amer Nasr
- Seconded: Mark Teh
- Vote: the motion was carried unanimously with zero abstentions

The Electoral Officer tabled the result of the 2021 Election.

**Motion:** To approve the 2021 Election Result

- Moved: Amer Nasr
- Seconded: Gretel Wilson
- Vote: the motion was carried unanimously with zero abstentions

## ***ii) Bank Authorisers for 2021***

SULS hereby authorises the bank authorisers of all SULS bank accounts to change with the incoming 2021 Executive from:

- Amer Nasr (President 2020) to Wendy Hu (President 2021)
- Mark Teh (Sponsorship 2020) to Alison Chen (Secretary 2021)
- You Jeong Kwon (Treasurer 2020) to Tiana Dumanovsky (Treasurer 2021)

***Motion:*** To accept the new bank authorisers

- Moved: Amer Nasr
- Seconded: Mark Teh
- Vote: the motion was carried unanimously with zero abstentions

## **9. Other Business**

There was no other business on the agenda.

This concluded the business conducted at the Special General Meeting.

With the formal agenda thus concluded, the meeting was declared closed at 8:00 pm.

# Appendix A

## MOTIONS ON NOTICE TO ALTER THE STANDING ORDERS AND ELECTORAL REGULATIONS WITHIN THE SULLS CONSTITUTION - 2020

### Motion to Amend Appendix 2: Standing Orders

Old Clauses	New Clauses
<p><b>Appendix 2: Standing Orders</b></p> <p><u><b>Amendments</b></u></p> <p>32. Any member may move an amendment to a motion before the Chair.</p> <p>33. All amendments are to be relevant to the main motion.</p> <p>34. An amendment may not simply negate the effect of the main motion.</p> <p>35. Amendments are to be dealt with as they arise.</p> <p>36. While an amendment is under consideration, no other amendment may be moved.</p> <p>37. An amendment may not itself be amended.</p> <p>38. The mover of an amendment may alter the amendment with the leave of the meeting.</p> <p>39. The speaking rights for an amendment are the same as those for a main motion.</p>	<p><b>Appendix 2: Standing Orders</b></p> <p><u><b>Amendments</b></u></p> <p>32. Any member may move an amendment to a motion before the Chair.</p> <p>33. All amendments are to be relevant to the main motion.</p> <p>34. An amendment may not simply negate the effect of the main motion.</p> <p>35. Amendments are to be dealt with as they arise.</p> <p>36. While an amendment is under consideration, no other amendment may be moved.</p> <p><del>37. An amendment may not itself be amended.</del></p> <p>37. The mover of an amendment may alter the amendment with the leave of the meeting.</p> <p>38. The speaking rights for an amendment are the same as those for a main motion.</p> <p>39. An amendment to a motion on notice can only be considered 'on the floor' of a General Meeting if the chair determines the amendment does not substantially change the intent of the motion or is otherwise necessary in order to comply with another provision outlined in the SULLS Constitution.</p> <p>40. An amendment to a motion on notice that</p>

	does not satisfy the above requirement, must be put on notice for another General Meeting.
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**Motion to Amend Appendix 1: Electoral Regulations**

**THRESHOLD ISSUE 1**

<b>Old Clauses</b>	<b>New Clauses</b>
<p><b>Appendix 1: Electoral Regulations</b></p> <p><b>2. Election notice and timing</b></p> <p>(...)</p> <p>(g) Campaigning will begin 7 days after the close of nominations (i.e. the “soft deadline”), and will last for 7 days before voting commences. Subject to Clause 5(c), voting shall open during this time but shall close with the close of campaigning.</p>	<p><b>Appendix 1: Electoral Regulations</b></p> <p><b>2. Election notice and timing</b></p> <p>(...)</p> <p>(g). Campaigning will begin 7 days after the close of nominations (i.e. the “soft deadline”), and will last for 7 days <b>inclusive of the period of voting.</b> Subject to Clause 5(c), voting shall open during this time but shall close with the close of campaigning.</p>
<p><b>Appendix 1: Electoral Regulations</b></p> <p><b>4. Nominations</b></p> <p>(...)</p> <p>(g) Prior to the start of the campaign period, the Electoral Officer shall cause to be read out a list of candidates and their nominators and conduct a draw for the order in which each ticket shall appear on the ballot paper. This list shall be issued to all members of the Society in a notice 7 days prior to voting, signifying the start of campaigning.</p>	<p><b>Appendix 1: Electoral Regulations</b></p> <p><b>4. Nominations</b></p> <p>(...)</p> <p>(g) Prior to the start of the campaign period, the Electoral Officer shall cause to be read out a list of candidates and their nominators and conduct a draw for the order in which each ticket shall appear on the ballot paper. This list shall be issued to all members of the Society in a notice 7 days prior to <b>the end of</b> voting, signifying the start of campaigning.</p>

**THRESHOLD ISSUE 2**

<b>Old Clauses</b>	<b>New Clauses</b>
<p><b>Appendix 1: Electoral Regulations</b></p> <p><b>3. Eligibility</b></p>	<p><b>Appendix 1: Electoral Regulations</b></p> <p><b>3. Eligibility</b></p>

<p>a) In order to vote in an election, a person must be a member of the Sydney University Law Society as outlined in s 4 of the Society’s Constitution. This shall include:</p> <ul style="list-style-type: none"> <li>i. Final year law students; and</li> <li>ii. Students who are not undertaking any law units in that academic year but who are enrolled in a law degree or diploma.</li> </ul>	<p>a) In order to vote in an election, a person must be a member of the Sydney University Law Society as outlined in s 4 of the Society’s Constitution. This shall include:</p> <ul style="list-style-type: none"> <li>i. Final year law students;</li> <li>ii. Students who are not undertaking any law units in that academic year but who are enrolled in a law degree or diploma; and</li> <li>iii. Students on exchange.</li> </ul>
<p><b>Appendix 1: Electoral Regulations</b></p> <p><b>5. Voting</b> (...)</p> <p>(c). Voting must be open for a period of no fewer than four hours and no greater than 12 hours, with no polling place being open for less than 2 hours.</p>	<p><b>Appendix 1: Electoral Regulations</b></p> <p><b>5. Voting</b> (...)</p> <p>(c). Voting <b>in-person</b> must be open for a period of no fewer than four hours and no greater than 12 hours, with no polling place being open for less than 2 hours</p>
<p>Not Applicable</p>	<p><b>Appendix 1: Electoral Regulations</b></p> <p><b>5. Voting</b> (...)</p> <p><b>(d). Voting online must be open for a period of no fewer than forty-eight hours.</b></p>
<p><b>Appendix 1: Electoral Regulations</b></p> <p><b>5. Voting</b> (...)</p> <p>(k) Where, by circumstances beyond the control of the Electoral Officer, the voting cannot be conducted as advertised in the Election Notice, the Electoral Officer has the discretion to extend polling times as they consider appropriate. If such a decision is made, an amended Notice of Election should be posted advising the new polling times and the primary contacts for tickets must be advised of</p>	<p><b>Appendix 1: Electoral Regulations</b></p> <p><b>5. Voting</b> (...)</p> <p><b>(l) Where, by circumstances beyond the control of the Electoral Officer, the voting cannot be conducted as advertised in the Election Notice, the Electoral Officer has the discretion to extend polling times or amend polling conducted online or in-person as they consider appropriate. If such a decision is made, an amended Notice of Election should be posted advising the new polling changes and the</b></p>

the change.	primary contacts for tickets must be advised of the change.
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**THRESHOLD ISSUE 3**

<b>Old Clauses</b>	<b>New Clauses</b>
<p><b>Appendix 1: Electoral Regulations</b></p> <p><b>14. Electoral officials</b></p> <p>(a) The SULS Executive shall appoint an Electoral Officer to conduct the annual elections of the Society.</p>	<p><b>Appendix 1: Electoral Regulations</b></p> <p><b>14. Electoral officials</b></p> <p>(a) The SULS Executive that will not take part in any ticket nominations or campaign management of upcoming elections, shall appoint an Electoral Officer to conduct the annual elections of the Society.</p>

**THRESHOLD ISSUE 4**

<b>Old Clauses</b>	<b>New Clauses</b>
<p><b>Not Applicable</b></p>	<p><b>Appendix 1: Electoral Regulations</b></p> <p><b>4. Nominations</b></p> <p>(i) If no nominations are received for Presidential candidates, by the end of the nominations period, the Electoral Officer should extend the nominations period by 14 days until at least one nomination is received.</p>
<p><b>Not Applicable</b></p>	<p><b>Appendix 1: Electoral Regulations</b></p> <p><b>17. Vote of No Confidence</b></p> <p>A vote of no confidence can only be sought if the member pursuing this vote has in the following order:</p> <p>a. Successfully petitioned (in writing or</p>

	<p>digitally) a vote of no confidence by 20% of current SULS membership with their respective student ID numbers (SIDs) and sent this to the Society's secretary; and</p> <p>b. Successfully passed a motion of no confidence at one of the Society's General Meetings, pursuant to Parts 10 - 12 and 18 of this Constitution.</p>
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# Appendix B

## AMENDMENTS TO THE STANDING ORDERS AND THE THE ELECTORAL REGULATIONS WITHIN THE SULLS CONSTITUTION - AS THEY CAME TO PASS DURING THE 2020 SGM

Clause #	Current Clause	New Proposed Clause
<b>Appendix 2: Standing Orders 32 – 41</b>	<p>32. Any member may move an amendment to a motion before the Chair.</p> <p>33. All amendments are to be relevant to the main motion.</p> <p>34. An amendment may not simply negate the effect of the main motion.</p> <p>35. Amendments are to be dealt with as they arise.</p> <p>36. While an amendment is under consideration, no other amendment may be moved.</p> <p>37. An amendment may not itself be amended.</p> <p>38. The mover of an amendment may alter the amendment with the leave of the meeting.</p> <p>39. The speaking rights for an amendment are the same as those for a main motion.</p>	<p>32. Any member may move an amendment to a motion before the Chair.</p> <p>33. All amendments are to be relevant to the main motion.</p> <p>34. An amendment may not simply negate the effect of the main motion.</p> <p>35. Amendments are to be dealt with as they arise.</p> <p>36. While an amendment is under consideration, no other amendment may be moved.</p> <p>37. An amendment may not itself be amended.</p> <p>38. The mover of an amendment may alter the amendment with the leave of the meeting.</p> <p>39. The speaking rights for an amendment are the same as those for a main motion.</p> <p>40. An amendment to a motion on notice including changes to the Constitution, Electoral Regulations and Standing Orders can only be considered 'on the floor' of a General Meeting if the chair determines the amendment does not substantially change the intent of the motion or is otherwise necessary in order to comply with another provision outlined in</p>



		<p>the SULLS Constitution.</p> <p>41. An amendment to a motion on notice that does not satisfy the requirement in clause 40, must be put on notice for another General Meeting.</p>
<p><b>Appendix 1: Electoral Regulation (2g and 4(g)).</b></p>	<p><u>2. Election notice and timing</u> (...)</p> <p>(g) Campaigning will begin 7 days after the close of nominations (i.e. the “soft deadline”), and will last for 7 days <b>before voting commences.</b> Subject to Clause 5(c), voting shall open during this time but shall close with the close of campaigning.</p> <p><u>4. Nominations</u> (...)</p> <p>(g) Prior to the start of the campaign period, the Electoral Officer shall cause to be read out a list of candidates and their nominators and conduct a draw for the order in which each ticket shall appear on the ballot paper. This list shall be issued to all members of the Society in a notice <b>7 days prior to voting,</b> signifying the start of campaigning.</p>	<p><u>2. Election notice and timing</u> (...)</p> <p>(g). Campaigning will begin 7 days after the close of nominations (i.e. the “soft deadline”), and will last for 7 days <b>inclusive of the period of voting.</b> Subject to Clause 5(c), voting shall open during this time but shall close with the close of campaigning.</p> <p><u>4. Nominations</u> (...)</p> <p>(g) Prior to the start of the campaign period, the Electoral Officer shall cause to be read out a list of candidates and their nominators and conduct a draw for the order in which each ticket shall appear on the ballot paper. This list shall be issued to all members of the Society in a notice 7 days prior to <b>the end of</b> voting, signifying the start of campaigning.</p>
<p><b>Appendix 1: Electoral Regulation 3(a)(iii); 5(c)-(d) and 5(k).</b></p>	<p><u>3. Eligibility</u> a) In order to vote in an election, a person must be a member of the Sydney University Law Society as outlined in s 4 of the Society’s Constitution. This shall include: i. Final year law students; and ii. Students who are not undertaking any law units in that academic year but who are enrolled in a law degree or diploma.</p> <p><u>5. Voting</u> (...)</p> <p>(c). Voting must be open for a period of no fewer than four hours and no greater than 12 hours, with no polling place being open for less than 2 hours.</p>	<p><u>3. Eligibility</u> a) In order to vote in an election, a person must be a member of the Sydney University Law Society as outlined in s 4 of the Society’s Constitution. This shall include: i. Final year law students; and ii. Students who are not undertaking any law units in that academic year but who are enrolled in a law degree or diploma; <b>and</b> <b>iii. students on exchange.</b></p> <p><u>5. Voting</u> (...)</p> <p>(c). Voting <b>in-person</b> must be open for a period of no fewer than four hours and no greater than 12 hours, with no polling place being open for less than 2 hours.</p> <p><b>(d). Voting online must be open for a period of no fewer than forty-eight hours.</b></p>

	<p><u>5. Voting</u> (...)</p> <p>(k) Where, by circumstances beyond the control of the Electoral Officer, the voting cannot be conducted as advertised in the Election Notice, the Electoral Officer has the discretion to extend polling times as they consider appropriate. If such a decision is made, an amended Notice of Election should be posted advising the new polling times and the primary contacts for tickets must be advised of the change.</p>	<p><u>5. Voting</u> (...)</p> <p>(l) Where, by circumstances beyond the control of the Electoral Officer, the voting cannot be conducted as advertised in the Election Notice, the Electoral Officer has the discretion to extend polling times or amend polling conducted online or in-person as they consider appropriate. If such a decision is made, an amended Notice of Election should be posted advising the new polling changes and the primary contacts for tickets must be advised of the change.</p>
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# Appendix C

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## PRESIDENT'S REPORT - 2020

Amer Nasr - 2020 President

### **1. Introduction**

The year of 2020 has been challenging for many organisations including SULLS. After the devastating bushfires at the start of the year, the horrific passing of one of our peers, George Lin, and the colossal makeover in our tertiary education posed by governmental regulation to avoid the spread of COVID-19, SULLS still managed to thrive. As an organisation we started the year with three ambitious goals of 1) Increasing our membership engagement (cross-cohort, faculty, inter-faculty and inter-varsity). We celebrated diversity, starting from our Executive and aimed for better inclusivity of all Sydney Law students in all SULLS programs. 2) Advocacy (in bullying and harassment, disability services, physical health and safety, mental health, etc.). We represented and advocated for our membership rights in multiple spaces, with faculty and other stakeholders, leading us to challenge the low boundaries SULLS previously held in political advocacy. 3) Sustainability (environmental sustainability and organisational sustainability). We published for the first time, a comprehensive set of bylaws that include environmental sustainability policies, organisational sustainability policies, advocacy policies and also privacy policies, among many other policies suited for a growing incorporated charitable organisation.

Looking back at the [policy blueprints for the POP! for SULLS campaign](#) and later transformed to our 2020 [Welcome to SULLS Handbook](#), it has been encouraging to see not only the continuation and development of previous programs of SULLS but considerable innovation in events, programs and networks to support and adapt to a new style of online learning and engagement with SULLS. Once in-person coursework was cancelled in Semester one, only the second time since the Spanish influenza in 1919, the SULLS Executive team quickly adapted to adopt three interim goals for the year. We did not shy away and led our membership through 1) More online wellbeing support programs, 2) Better online education and 3) Desirable financial hardship support efforts. I am confident we also thrived in achieving these goals through numerous new initiatives such as the SULLS Wellbeing and Mutual Aid Group, the online Peer-to-Peer Study Groups, the online Student Staff Consultative Forum, which served to advocate for a breakdown of assessment marks and 90+ scholarships offered; and many more [initiatives across all SULLS portfolios](#).

Of course, this would have not been possible without the hard work of our passionate 22-member Executive team and 168 committee members, who I wholeheartedly thank for all their efforts this year. SULLS to many can feel like

an unpaid full time-job, but I am confident to say that it is the most rewarding experience to service our community with passion and goodwill. Our community has greatly benefited from all these efforts.

## **2. Key Achievements**

There have been many key achievements across a variety of portfolios:

### Administration

The administration of SULLS this year focused primarily on building a solid incorporation strategy, having been incorporated only in November 2019. We spent many weeks developing and implementing new bylaws that looked at policies on administrative sustainability, advocacy, campus representatives' elections, environmental sustainability, events codes of conduct, financial grants, privacy, procedures relating to the disciplines of members, society's members code of conduct, textbook loans and treasury. Moreover, we worked to ensure better access to information and collaboration between committees by appointing liaison officers at the start of the year. Thank you, to Miriam Shendroff for her diligent work in ensuring a proper record of new membership registrations, a consistent posting of minutes and distribution of information through the SULLS weekly.

### Education

The education portfolio successfully advocated strongly and consistently for students. We launched the Student Staff Consultative Forum with faculty as a mechanism to allow other students apart from the Executive, to take part in advocacy discussions with senior faculty members. We successfully advocated for: more scholarships, removing the requirement for hard copy assignments, dropping attendance requirements, removing exorbitant weight on final examinations (and rather encouraged attendance by allowing for different assessments with divided weights across the semester) and many more weekly concerns. The education portfolio also introduced new and reinvigorated events such as the Obiter Series, the Soft Skills Workshops, a Town Hall and devised the 'Dear Faculty' in the Weekly to ensure the circle of communication was closed from faculty to students. Thank you to Natalie Leung and her team of new consultation officers, for their dedicated work to the education portfolio.

### Social Justice

The social justice portfolio successfully led the space in advocacy this year at SULLS. Apart from organising a successful policy pitch and a larger mentorship program, SULLS finally launched the Community Legal Education Project (having been three years in the works as the 'Street Law Project') and revitalised the Juvenile Justice Mentoring Scheme. Thank you to Deandre Espejo for his passion and efforts in the social justice portfolio to lead the space on the Black Lives Matter movement, the advocacy against fee hikes, and other important matters this year.

### Careers

The careers portfolio also successfully expanded its portfolio to provide more information on alternative career pathways rather than only the usual corporate routes. Felicity Macourt and her incredible team organised the longest Careers Guide (that won the best careers guide award at ALSA!), organised valuable information sessions on tipstaff and associate jobs, family law, and an incredible online career mentoring program and an elaborate clerkship network evening to replace the cocktail evening. Thank you, Felicity for all your work.

### Treasury

The treasury portfolio completed the incorporation process by starting the year issuing a new ABN for SULLS. That required us to change all our financial paperwork. We are finally operating completely cashless and expanded our merchandise store with the launch of a new online store, and the expansion of our sustainability line of merchandise. The increased efforts for which I thank Donna Kwon and her team for, ensured that we had a resourceful source of income during the pandemic; currently the SULLS budget is AU\$316,540.55. Although we did not finalise the investment project, we further developed from a previous two-year track (as the Executive found that markets would be extra sensitive during the pandemic), we provided treasury full transparent reports for more transparency in our operations.

### Competitions

The competitions portfolio dramatically changed this year for the betterment of SULLS. A lot of hard work and effort was placed in the introductory mooting program at the start of semester to encourage early accessibility to new mooters. There were also efforts made to train students in all other competitions in person and online. Among a few notable highlights: we introduced a senior and junior division for negotiations, new and necessary competition rules and the client and interviewing competition saw eighteen teams across Australia participate with SULLS. Altogether we used the challenge of online competitions to our student benefit and ran fifteen new intervarsity competitions, representing an increase of 43% in new competitions. SULLS had a 40%-win rate this year in these competitions, which was an increase of 11.53% from last year. This can only be attributed to the efforts of Sarah Tang and Sarah Purvis and their respective committees and competition coaches. Thank you for all your incredible work this year.

### Publications

Our publications portfolio saw a number of new and exciting initiatives this year. Apart from the 11 publications, many of which carried online panel launches with the opportunity for editors and authors to speak, we launched the citations blog for students to submit opinion pieces. We received a record number of abstracts for Law in Society and Dissent and partnered with the NSW Bar Association to organise a Legal Tech writing competition. Thank you, Alison Chen for your ongoing efforts to better the publications portfolio.

### Equity

The Equity portfolio also saw some great achievements this year through the efforts to support students in need. At the start of the year, we launched the Student Support Handbook which was chosen by the University's Student Life team as a model student support handbook for different faculties to develop. We organised the COVID-19 Student Experiences Survey and used anonymous feedback to advocate for over 90 new scholarships which were made available by faculty, and better mental health and wellbeing programs. Furthermore, we also managed to secure \$20,000 from the Walter Reid memorial fund for the improvement of the Equity Textbook Loan Scheme and organised panels on disabilities in the law and bullying and harassment in the workplace. Thank you to Max Vishney and the Equity committee for their efforts to support students in need.

### Women's

Through the development of the Women's Instagram channel and Facebook group, the 'Spill the Tea Sis' support network and Kingwood & Mallesons mentoring program, the Women portfolio achieved and exceeded the goal of what Sinem Kirk, our Women's Officer likes to call, 'creating a sisterhood on campus'. SULLS also hosted the large Clifford Chance Women in Law conference with UTS and UNSW. SULLS also partnered with the Diverse Women in Law team multiple times this year to collaborate and share many of the amazing work this organisation is doing for women in the legal sphere. Thank you Sinem and the women's committee for all your efforts to support young women in and outside the legal profession.

### Queer

The queer portfolio partnered with the women's portfolio to launch Yemaya's publication this year! The queer portfolio also organised multiple coffee catch-ups, an extraordinary rainbow moot and a phenomenal panel discussion on queer rights in the legal profession. Thank you, Eden for your excellent work in representing the LGBTQIA+ community on campus.

### Ethnocultural

The ethnocultural portfolio focused this year on empowering the diverse ethnocultural community at Sydney Law School. Through the Allen's Leadership panel, the Mosaic publication launch, the 'Ask Me Anything' Social media initiative and the Law in Foreign land series, Ibrahim Taha and his team fostered an open culture of celebrating diversity and inclusivity. Thank you very much, Ibrahim.

### First Nations

The First Nations portfolio focused on advocating for better first nations rights by working closely with the Law School's Indigenous Services & Strategy Committee. A big thank you to Patrick Lucarnus and his team for organising the indigenous perspectives in the law panel, delivering information on reconciliation week, supporting the Wingara Mura Bunga Barrabugu Summer and Winter Programs, drafting the Black Lives Matter statement and collaborating with faculty in marketing the Redfern Then and Now Tour.

### Marketing

The marketing portfolio did some incredible work this year refurbishing the public facing image of SULLS. Barry Wang, Marketing Director developed our internal operations, which helped smoothen the marketing process internally and also externally by revamping our website, using new interactive technologies to market our membership sign-ups and he became a wizard at Zoom technologies throughout this pandemic. Thank you, Barry, for all your support and hard work.

### Design

The design portfolio also did a spectacular job with the public image of SULLS. Our Design Director, Daniel Lee Aniceto developed a newly designed brand guideline to elevate SULLS's visual language creating greater consistency and professionalism all while remaining light and fun across portfolios. Him and his committee also supported the full team with on-call design requests. Thank you, Daniel, for the numerous hours spent in designing all out digital content.

### 3. Key Challenges

Our biggest challenges this year were circumstances mainly due to exceptional circumstances, COVID-19 related.

### Sponsorship

With increased competition from other law student societies and other organisations targeting law students, SULLS has seen a slight dip in sponsorship income this year. This was compounded by the Covid-19 pandemic which saw some events being cancelled, as well as some refunds as a result of law firms withdrawing from sponsorship of certain events. Nonetheless, sponsorship income has remained consistent with previous years, not deviating from the AU\$140,000-\$160,000 range. SULLS gathered AU\$144.2 thousand dollars in sponsorship income in 2020, compared to a record of AU\$152.8 thousand dollars in 2019. A big thank you to Mark Teh for his efforts maintaining relationships and for attracting the income that SULLS relies on to run hundreds of programs.

### Socials

Socials was one of the portfolios that faced the greatest challenge in holding in-person events due to COVID-19 this year. It started the year with the exciting engagement brought by Welcome Drinks for the first time in partnership with the Chinese Law Student Society (CLSS), the Korean Law Students at the University of Sydney (KLUS) and JD 1 drinks. Socials had organised many events like Law Camp, Law Cruise in conjunction with UNSW Law Society, and a bigger and thematic Law Ball. Although these had to be cancelled due to social distancing restrictions at the time they were to be held, the socials portfolio led by Alex de Araujo and Rosette Sok managed to organise a fun online Socials Zoom Week in Semester 1, and have organised the competitions dinner for tonight and the final year dinner for graduating students. Thank you, Alex and Rosie for finding other ways to work around challenges and supporting the executive in multiple other ways, nevertheless.

### Campus

As the law school campus in Camperdown was closed most of Semester 1, and in-person events were not allowed by faculty during semester 2, SULS's campus portfolio also suffered from the challenges posed by COVID-19. Nevertheless, our campus representatives, including for the first time, a part-time JD representative and a Master of Law (LLM) representative, and led by Danielle Stephenson, organised a virtual campus with cohort catch-ups and trivia events. Thank you too, for leading the space with Sports on wellbeing through our new Wellbeing and Mutual Aid Group and Wellbeing Week.

### Sports

Equally sports suffered in not being able to meet for intervarsity sports events. Nevertheless, the sports portfolio met weekly over zoom for interfaculty workouts, and our hard-working Sports Officer Oscar Alcock and Sports committee, organised multiple coastal walks, and created wellbeing communities through a running tracking application and through the regular updates in the Wellbeing and Mutual Aid Group. Big thank you to Oscar and his team!

### International

Finally, the international student portfolio was challenged by the efforts to support international students stuck mainly in overseas locations, which became a priority especially during Semester 2 since borders had not reopened to Australia. Without a doubt, SULS continuously advocated and often, behind the scenes for international student support to faculty, in ensuring access to CAPS/similar programs overseas, in advocating against mandatory attendance requirements, in making sure lectures and tutorials were recorded where possible, in creating supportive online educational groups such as the peer-to-peer study groups and the international student program early in Semester 1. SULS created the international student guide and partnered with SEALS to also offer information on employment opportunities in Australia and abroad. Finally, we will remain supporting international students over the coming holidays with the Summer Student Support Program and the FAQ sheet being organised in response to the survey distributed by SULS to international students. We hope our international student community in overseas locations can join us on campus soon.

## 4. Conclusion

I also want to take the opportunity to sincerely thank a few people with whom our successes this year would not have been possible and issue some final remarks.

First, a heartfelt thank you to all SULS members for making it through 2020 with spectacular efforts.

Second, a genuine thank you to our 168 committee members who were the strongest pillars of SULS in a time of need and online engagement.



Third, a grateful thank you to all staff and faculty members who have supported students through the transition to online learning. A special thank you to our SULLS Patron and Dean of Sydney Law School – Simon Bronitt, and his Associate Dean of Education - Rita Shackel, for their humbleness and desire to collaborate with students, for being the first and strongest point of contact SULLS has had with faculty and for their exemplar daily efforts to support SULLS through their leadership.

Fourth, an enormous thank you goes to the Electoral Review Committee, who undertook the challenge of reviewing SULLS Electoral Regulations with me. Thank you, Ruby Adler, Ashna Govil and Grace Hu; and without a doubt, a very special thank you to our SULLS Electoral Officer, Calida Tang and Electoral Arbiter, Dr Fady Aoun, both whom for the first time ever, successfully managed a three-ticket online election for SULLS.

Fifth, a huge congratulations to Wendy Hu and the incoming Executive! Best of luck furthering the transition to online/in-person events. I am confident the incoming Executive will do a fantastic job in 2021.

Finally, a thank you and warm congratulations to the SULLS 2020 Executive. Thinking back to the time we first met collectively in October 2019, I could not have fathomed becoming this close to you today. We went through ups and downs together and each and every one of you have exceeded expectations, with the incredible work you have put forward through mutual respect, passion and resilience. You have proven that with the right attitude and with your heart in the right place, anyone can thrive at SULLS.

SULLS has been the busiest part of my life this year. I have placed my heart and soul to the improvement of student welfare during a global pandemic and I can easily say that it has been nothing short of rewarding. I have made some significant personal sacrifices and worked tirelessly, as I know many of our Executive members did too, in the best interest of the student body. I am overjoyed that the law school has been positively impacted by our creativity and leadership in such unprecedented circumstances and I cannot wait to observe the ongoing development of SULLS under Wendy's leadership, and in years to come. I sincerely thank you for the opportunity to lead this organisation in the year 2020.

**Amer Nasr**



**SULLS President**

**Sydney University Law Society Inc**

# Appendix D

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## SECRETARY'S REPORT - 2020

### Miriam Shendroff - 2020 Secretary

I'll start off by providing a brief overview of the State of the SALS administration

2020 was the second year that SALS was required to submit an annual report to the Australian Charities and Not For Profits Commission (ACNC). This was successfully submitted.

For the past two years SALS has been chosen by the Australian Bureau of Statistics to submit four quarterly business indicators. I would like to thank Donna, our treasurer for both providing me with the quarterly financial statements whenever I asked, and for helping me lower my long distance phone bill by speaking directly with ABS when I missed their incoming call.

This year was the first year SALS operated as an incorporated entity. One of the big changes from this is that students commencing their law degree after we incorporated lose the right to automatic membership. We created a sign-up sheet for new members which has been filled out 740 times thus far. Aside from asking students for their contact details and student ID, this form asks students to tell us what type of events they're interested in. I advise future executives to increase event engagement by utilizing this information in your marketing tactics.

In early September SALS hosted its Annual General meeting. This date was pushed back from March per the USU's request to hold off on online AGM's. During our AGM we made a number of changes to our Constitution. Following the meeting we successfully submitted all the necessary documents to the Clubs and Societies office which has allowed us to remain a registered club.

I would like to thank the Executive for their submissions to the weekly newsletter each week. Our audience sits at just under 4000 subscribers. As SALS continues to introduce new events and initiatives each year, it might be beneficial for next year's secretary to reformat the newsletter to prevent endless scrolling. Good luck with that.

I'd now like to speak more generally on this past year as it was certainly not the year any of us had planned. I for one have been outside the country for the past 8 months and have had to navigate such challenges as compiling the weekly at 2 am and sorting out our 2020 trophy engravings from thousands of kilometers away.

I distinctly remember the pit I had in my stomach back in semester 1 when we were told classes were moving online. For a brief moment none of us knew how SALS would push forward in the face of such adversity. I can now say with great confidence that the 2020 SALS executive banded together and did not let a global pandemic slow us down.

There's a popular American children's television host – Mr. Rogers- who once said a quote which goes “when I was a boy and I would see scary things in the news, my mother would say to me look for the helpers. You can always find people who are helping” When I think about what SALS has accomplished this year that quote often comes to my mind. The people involved in SALS both on the executive and in the committees have helped students navigate law school during a time full of confusion and unknowns. There is no doubt that trying to complete law school during a pandemic is an insurmountable feat, and you have all helped make that challenge a little less frightening.

Everyone has done an incredible job this year but there are a couple of initiatives that I want to give recognition to.

Oscar our Sports Director, and Dani our Campus Director- both of you and your respective committees went above and beyond to support the mental health of law students this year. The wellbeing update videos posted in our mutual aid Facebook group touched on important topics that are often not spoken about in law school. These videos were both uplifting and informative and reminded us to continue taking care of ourselves no matter how stressful things seemed

Natalie, our Education VP did an incredible job bridging the gap between students and faculty. The addition of Dear Faculty to the Weekly Newsletter provided students with answers to questions that we are all wondering but would otherwise not know who to ask. This year we received answers to questions on online exams, and requesting special consideration however my personal favourites have been “Dear Faculty, can we please clean the bathrooms on Level 1” and “Dear Faculty, why are my professors getting arrested” which really sums up the mess that 2020 has been.

Sinem, our Women's officer managed to foster a safe and supportive community despite the fact students remained off campus for much of the year. The creation of the SALS women's group and Instagram page has been a large factor in making students feel less alone.

Felicity, our Careers VP has made it a priority that students know their rights in the workplace. This has been especially important given the fact that so many students have had their work impacted by the Covid-19 restrictions. By ensuring we do not promote unpaid work on our Jobs Boards and holding panels on rights in the workplace, Felicity has helped to ensure law students do not face exploitation.

Max our Equity officer, and Deandre our Social Justice VP both of you have tirelessly spent the year advocating for the rights of law students. The effort you have both put in to making sure law students don't suffer from cuts to education is commendable. I believe you've both opened up a dialog allowing SALS to venture into advocacy in a way that hasn't been done before and I firmly believe that SALS is better off for it.

Finally Amer our President, and Daniel our Design Director have worked hard to ensure that international students like myself have the support we need. Both the summer student support program, and the international student survey are important initiatives to assist international students who are both stuck either on or offshore due to travel restrictions.

While these are just a couple of ways the 2020 executive has supported the SALS community throughout the pandemic, I'd like to reiterate how proud I am of everyone on the executive and how amazing you've all done at adapted to meet this new normal, you should all be very proud of yourselves too! Whenever I'm allowed back into Australia I would love to celebrate our accomplishments in person!

To the incoming 2021 executive, you guys have large shoes to fill but I'm so excited to see everything that you'll accomplish. If I can leave you with any advice it would be to always remember the bigger picture. When your work in SULTS gets hard, remember to lean on one another for support and know that your hard work is going to make a difference for so many law students. I wish you all the very best in 2021.

**Miriam Shendroff**

A handwritten signature in black ink, appearing to read 'Miriam Shendroff', written in a cursive style.

**SULTS Secretary**

**Sydney University Law Society Inc**

# Appendix E

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## TREASURER'S REPORT - 2020

**Donna Kwon - 2020 Treasurer**

Although 2020 isn't yet over, most our income and expenditure are settled, and we are looking to end the year with a surplus of approx. \$80,000. Thank you to everyone in the executive for running amazing events and initiatives while keeping costs low. To those portfolios that carried on as normal, thank you to those executive members for being on top of your budget – my job was made so much easier by the amazing financial accountability of you all. This surplus is great news especially because of the uncertainty of sponsorship next year. I'm confident that our current cash reserves are plenty to protect the society in the likely possibility that sponsorship income does decline next year.

The following is a brief overview of our main income and expenditure for the year.

### **Income**

Our main source of income has always been sponsorship and this year has not been any different. Thank you to our incredible sponsorship director, Mark Teh, for securing approx. \$134,000 in sponsorship income during the covid recession.

We were also very fortunate to receive a \$20,000 donation from the faculty to contribute towards our ever-growing Equity Textbook Loan Scheme. Many thanks to Sydney Law School and the Walter Reid Memorial Fund for this donation and also to our President, Amer Nasr, and our Equity Officer, Max Vishney, for securing this.

This year we revamped the merch portfolio with new items and a new online store. We recorded approx. \$28,000 in sales this year, the highest our sales have ever been and nearly doubling sales from last year. A big thank you to the merch committee for helping out this year and also to the amazing executive for constantly promoting merch this year (and of course to everyone that bought the merch!).

### **Expenditure**

Our main portfolio expenditure this year was Socials, Publications, Competitions and Equity.

It's not surprising Socials is the portfolio with the largest expenditure, especially considering Final Year Dinner is going ahead. Publications has been releasing amazing prints and a big thank you to our Publications Director, Alison Chen, for keeping costs relatively the same even with the switch to environmentally friendly printing! We've witnessed the Competitions Portfolio hold a record-breaking number of competitions online this year and at very little cost. A special thank you to Miriam for organising trophies and making sure costs would be as low as possible from halfway across the world. The Equity portfolio had a huge budget this year and a big thank you to our Equity Officer, Max Vishney, for making it a priority to avail financial grants

throughout the whole semester and during the break. Equity is such an important portfolio for the society and I hope to see it only grow bigger from here.

At the start of the year we saw the SULS office get a revamp. Thank you to our Secretary, Miriam Shendroff, for making sure our new furniture was inexpensive but aesthetically pleasing and also to Amer for acquiring free new office furniture including a brand new printer.

### **Final points**

Having transitioned the Equity Textbook Loan Scheme online so we no longer handle cash deposits, SULS is now a completely cashless society. Thank you to Max for making this transition as quick and painless as possible.

As many of you know transparency has been a huge goal for me in this role. This year saw us release our first ever Treasury Updates to our members. The feedback has been incredible, and I hope this will be continued by future treasurers in years to come.

### **Thank you**

Thank you to my treasury committee for helping me out behind the scenes to improve the Treasury's operations, especially amidst the challenges of covid. A special thank you to 3 wonderful people for dealing with the visits to the bank and constant requests to zoom to do transfers – so a huge thank you to our signatories, Amer, Miriam and also Mark for coming to the rescue in semester 2. My final thank you goes to everyone on the executive for making my time at SULS so much fun and also making my final year of law school so much more memorable than it would have been without you all.

### **Donna Kwon**

Treasurer

Sydney University Law Society

# Appendix F

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## ELECTORAL OFFICER REPORT - 2020

Calida Tang - 2020 Electoral Officer

### 1. Election

Voting for the election this year was conducted completely online and using the post-incorporation membership system for the first time. Voting was conducted over a 36-hour period from 9am Monday 9 November 2020 to 9pm Tuesday 10 November 2020. Personalised links emailed to all law students.

Three tickets appeared on the ballot this year:

- Vibe
- FLARE
- SPLASH

#### 1.1 Platform-based issues

The OpaVote voting platform was chosen based on its comparatively low price point and recommendations from other university organisations which had used the platform this year. However, given that this was the first year that SULS had conducted an online election using this platform, a number of difficulties arose.

- The distribution of voting links to all students (over 3000) through OpaVote occurred slowly through batches. Although the voting was initialised through the platform at 9am, it took up to an hour for all emails to be distributed.
- OpaVote's email delivery system sent three separate voting emails to each voter. The OpaVote support team was contacted about this issue and provided the following explanation: *"We go to great lengths to make sure that voting emails get delivered quickly, and sometimes this causes emails to get sent more than once. For the first email we sent, your school's email server rejected the email so we resent the email another way. Your school's email server ended up accepting both the first email and the second email so that is why voters got more than one."* They further clarified that *"If a voter received more than one email, the voting link is the same so each voter can only vote once."*

- A number of voting emails were received in spam folders. Several students raised that they had not received voting emails but they were able to locate them after they were asked to check their spam folders.

## 1.2 Enrolment information issues

The voting system this year was initially decided on the assumption that complete information regarding students and their years of enrolment would be provided by the Law School. It was envisioned that the voting links would be delivered only to eligible voters to obviate the need for eligibility checking. This would have involved combining the email lists of law students who were not new students this year provided by the Law School with SULS' membership list of students in their first year.

The following lists were received from the Law School:

- all LLB and JD students enrolled in a law degree
- all LLM and HDR students enrolled in a law degree
- all New Candidatures
- students who have suspended their law school studies for this semester who commenced their degree prior to 2020

Unfortunately, around one week before voting, the Law School indicated that they were not able to provide data separating new students in 2020 from students who may have previously been law students but who have changed their combined degrees. The 'New Candidatures' list they provided included both these categories of students without distinction. This meant that an accurate list of emails for all eligible voters was not able to be compiled. It was therefore decided that all law students would receive voting links and voter eligibility would be cross checked with SULS' membership database for 'New Candidature' students during vote counting.

Another issue was the omission of 4<sup>th</sup> year Honours students from the lists provided by the Law School. On Monday 9 November, after voting links had been distributed, a number of students who were completing Honours in a non-law degree contacted me via email stating that they had not received voting links. After raising this with the Law School, it was discovered that these Honours students were accidentally omitted from the list of students who had suspended their law studies this semester sent by the Law School by reason of human error. An updated list was received on Monday 5:18pm 9 November and voting links were promptly distributed to these voters.

## 1.3 Recommendations

In light of the issues outlined above, a number of recommendations for conducting online voting in the future may be made:

- **The most efficient online voting system would be the distribution of links only to eligible voters.** This could occur in one of two ways:
  - By obtaining accurate and complete lists of students and their contact information from the Law School (or another university body) which distinguishes law students who commenced before 2020 from those who commenced on or after 2020. By



incorporating information from SULS' membership database, an accurate list of members under the pre-incorporation automatic membership system and the post-incorporation self-registration system can be compiled.

- By sending a notice to all members *and persons eligible to be members* requesting that they (1) register to be a member if they need to and have not yet done so, and (2) register to vote. The voting links would then only be sent to those who have registered to vote such that there would be no need to rely on the Law School lists to distribute voting links. Notice would need to be given well in advance to permit a sufficient timeframe for all voters to register. This option was not able to be pursued this year because it only became apparent that the Law School was unable to provide the requisite lists too late in the process for adequate notice to be given.
- **A paid online voting platform** is not necessary.
  - The benefits of using a paid platform, such as automatic vote counting, were not properly realised in this election given the need to verify voter eligibility. Extensive data manipulation was required in the count this year despite using a paid platform.
  - The more cost-efficient options such as OpaVote have limited customisation capabilities. The addition of custom questions, such as asking voters to enter their student number upon voting to assist with eligibility checks, would incur additional costs. Alternative free methods for online voting, such as using the university's Qualtrics survey tool, should be considered for future years.

## 2. Vote Count

Following the close of voting at 9pm on Monday 9 November 2020 AEDT, counting commenced at 9:15pm. All three tickets nominated scrutineers who observed the count online via Zoom. Student emails associated with the votes were hidden from the view of scrutineers in line with the university's privacy policy.

### 2.1 Results

A total of 994 votes were cast from the 3418 voting links distributed. Of these, 962 votes were included in the final count, 9 votes were blank votes and 23 votes were excluded from the count.

After the first round count, Vibe received 315 votes, FLARE received 332 votes and SPLASH received 315 votes. As both Vibe and SPLASH were tied at the first count, a ticket was randomly chosen to be eliminated under clause 8(b)(iv)(E) of the Electoral Regulations using an online random number generator. This elimination method was approved by all scrutineers. Vibe was eliminated as a result.

On the second round count after distributing Vibe's second preferences, FLARE received 457 votes and SPLASH received 439 votes. As a result of this count, FLARE was declared the winner of the election. A notice was sent out to the SULS mailing list at 11:45am on Thursday 12 November, notifying members of the result.

It is noted that even if SPLASH were eliminated after the first round count and their second preferences distributed, FLARE would still have won the election. Further, if all the 23 excluded votes were counted, the result would similarly be unchanged.

## **2.2 Counting method**

Vote counting was done manually on Microsoft Excel. The method of counting and voting verification proceeded as follows:

1. Voting data was downloaded from the OpaVote platform.
2. Votes were checked against the New Candidature list. Votes that were not associated with a student on this list were included in the count.
3. Votes that were associated with students on the New Candidatures list were then checked against SULLS' membership list.
4. Votes that were associated with students on the New Candidatures list and did not appear to be associated with students on SULLS' membership list were sent to the Law School for staff to manually verify whether they were in fact associated with new students in 2020.
5. Votes sent to the Law School for verification under Step 4 that were confirmed to be associated with new students in 2020 were excluded from the count. All other votes sent to the Law School under Step 4 were included in the final count.

## **2.3 Issues with the count**

Delays in the vote count were caused by response times from the Law School and a mismatching of student emails with SIDs in the initial New Candidatures list received from them.

After the first scrutineered count at 9:15 pm on Monday 9 November, 81 votes needed to be verified with the Law School under Step 4 above. The Law School's response to the request for verification of these students indicated that student emails in the initial New Candidatures list were not matched against the correct SIDs. A revised New Candidatures list was received at 12:32pm on Wednesday 11 November.

Steps 2-4 were re-conducted using the updated New Candidatures list in the absence of scrutineers. 32 votes needed to be verified with the Law School under Step 4. These were passed on to the Law School at 12:52pm on Wednesday 11 November, who responded at 3:57pm on the same day indicating that of the 32 votes, only 26 were associated with new students in 2020.

A provisional count was conducted in the absence of scrutineers excluding the 26 contested votes and it was determined that, because the vote counts between each ticket was so close, these 26 contested votes should be checked against the SULLS membership system a second time by name as opposed to SID in case students had registered to be members using an incorrect SID. As the Law School could not provide the names associated with student emails, the voter information of the 26 contested votes were passed back to the Law School along with the SULLS membership list at 4:10pm on the same day for this final check to occur. No response was received before the second scheduled scrutineered count.

The second scrutineered count occurred at 6:30pm on Wednesday 11 November via Zoom. Steps 1-5 were repeated in the presence of scrutineers. The Election was not able to be called that night because the result might be affected by the Law School's response on the 26 contested votes.

A response from the Law School was received at 9:20am on Thursday 12 November stating that of the 26 contested votes, 3 were associated with registered members by name who had apparently registered for SULLS membership with an incorrect SID. These 3 votes were included in the count, and the remaining 23 votes excluded. This enabled the final result to be declared.

### **3. Expression of Interest**

Four Presidential Expressions of Interest were received within the initial call-out period. One was later withdrawn. Ten Senior Executive Expressions of Interest were received.

There was a SULLS 2021 presidential debate during ticket formation on Tuesday 27 October 2020 and a SULLS 2021 ticket debate during campaigning on Thursday 5 November 2020.

### **4. Spending Cap**

All tickets complied with the spending cap, with expenditure below the maximum amount of \$750. Vibe spent \$164.69 + US \$14, FLARE spent \$207.84 and SPLASH spent \$459.40.

### **5. Complaints and Sanctions**

A number of formal and informal complaints were received.

Several candidates had sent messages seeking support of campaign activities early on in the election process in breach of cl 12(b). These candidates were asked to send a follow up message withdrawing the initial message, stating that it had been sent in breach of the regulations and that campaigning activities were to formally commence on Wednesday 4 November.

SPLASH and Vibe raised issues with an online Honi article published during campaigning which contained factual inaccuracies and excluded appropriate author disclaimers despite allegedly being biased. The factual inaccuracies were investigated and the author and Honi were contacted with a request to rectify them. An author disclaimer appeared to have been added by the time Honi was contacted regarding the factual inaccuracies. Some of the tickets did not appear to appreciate the limited powers and scope of authority of the Electoral Officer over student publications. The limits of the Electoral Officer's role in this regard should be clarified for future elections.

A decision was made this year disallowing friends of tickets to design marketing materials on the basis of difficulties caused in last year's election. This was communicated to presidential candidates via email and clarified during a pre-campaign briefing on Sunday 1 November. Immediately after the pre-campaign briefing, SPLASH self-reported that they had misunderstood the restriction and had already received designs from a friend, suggesting the sanction of removing their designer's right to vote. On the basis that this breach was self-reported and the result of an inadvertent and innocent misunderstanding, their sanction was limited to the removal of their designer's right to vote and campaign in this election, contingent on SPLASH including the market value of the designer's costs in their spending cap.

A complaint was received from a voter stating that they felt nagged and harassed by candidates who had contacted them via email asking who they voted for. As they declined to provide the names of individuals, no action could be taken beyond strongly communicating to all tickets that this conduct is unacceptable. It is noted that none of the prohibited practices in the Regulations appear targeted to this sort of behaviour such that, even if the names of the individuals involved were communicated, they would not be in breach of the Regulations and it is unclear whether formal sanctions could be imposed.

FLARE had made a Facebook post containing a misleading statement in breach of cl 12(e)(ii). This statement was promptly removed from the post without further sanctions imposed.

Several formal campaign messages were sent to an international students WeChat group without authorisation. The authors of these messages were requested to include authorisations which was complied with in a timely manner.

Other complaints were either not proceeded with by the choice of the complaining ticket or dismissed for being without basis.

## **6. Electoral Reform**

Initial comments were passed on to the Electoral Reform Committee on 3 November 2020.

Several additional issues arose following the making of the initial comments generating the following suggestions for future electoral reform considerations:

- The appeals provisions in the Regulations require clarification. The full scope of decisions that may be appealed, whether the standing differs for different types of decisions and whether cl 11 applies to all types of appeals are not apparent on the existing Regulations.
- A provision delimiting the role and responsibilities of the Electoral Officer should be inserted. This would provide clarity for tickets as to what is and is not within the purview of the Electoral Officer e.g. regarding Honi.
- Provisions on the requirement for authorisations would benefit from clarification. With a significant portion of campaigning occurring on social media and instant messaging, the line between a publication which attracts a requirement of authorisation and a mere private message is not clear, particularly in large messaging groups. A statement as to the purposes of authorisations might also be useful.
- It should be considered whether harassing conduct should be included in the prohibited practices. It is acknowledged that enforcement of such a prohibition might vary due to subjectivity, however, conduct which prompts voters not otherwise familiar with candidates to raise complaints with the Electoral Officer should not be permitted.

## **7. Final Comments**

Congratulations to all three tickets for their hard work on their respective campaigns in unfamiliar circumstances and for navigating the difficulties of the novel election process this year. Congratulations to FLARE on their win and best of luck for the year ahead.

Thank you Dr Fady Aoun for giving up his time to serve as Electoral Legal Arbiter and the Law School for their assistance in navigating the new challenges thrown up by the online election and

SULS' new membership system.

# Appendix G

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## **ELECTORAL REVIEW COMMITTEE REPORT - 2020**

**Ruby Adler, Ashna Govil, Grace Hu, Amer Nasr – 2020 Electoral Review Committee**

### **1. Background**

In 2016, s 57 (now s 75) was introduced into the Constitution of the Sydney University Law Society (now Incorporated).

*75. Every two years, the Executive should conduct a formal review of the Electoral Regulations to consider whether they promote accessibility and transparency, and seek to amend the regulations where necessary in accordance with section 70 of this Constitution.*

In 2018, the first s 75 Review was conducted. The review was conducted by a committee of law students (the Formal Review Committee), including members from the law school who were not running for, nominating or campaigning for the 2019 SULS executive (Max Cowen, William Khun and Connor Wherrett) and the 2018 SULS President (Ann Wen).

In 2020, the second s 75 Review was conducted. The review was conducted by a committee of law students (now named, the Electoral Review Committee), again including members from the law school who were not running for, nominating or campaigning for the 2019 SULS executive (Ruby Adler, Ashna Govil, and Grace Hu) and the current SULS President (Amer Nasr).

### **Methodology**

The Electoral Review Committee released a survey from 11 October 2020 to 25 October 2020 which was circulated to SULS members. It was advertised in the SULS Weekly and in various SULS Facebook groups.

### **Bias**

The survey collected 15 responses. Given the small number of responses, the Electoral Review Committee analysed and accounted for all responses but notes that they have not been bound by its

suggestions. The Electoral Review Committee is aware that the survey is not representative of all opinions of the organisation's membership.

### **Outcome**

The Electoral Review Committee will be moving four motions to amend the Electoral Regulations, and has provided further recommendations for future SALS Executives. The report has been authored by Ruby Adler, Ashna Govil, Grace Hu and Amer Nasr.

## **2. Broad Themes of the Survey**

### **The mischiefs presented in the survey**

In the survey to law students, over fifty percent of participants indicated that they had a below satisfactory understanding of the SALS Electoral process. Survey participants and the Electoral Review Committee indicated the following areas as particularly confusing:

- a. Election Timeline,
- b. Understanding the Electoral Process,
- c. Understanding Ticket Differences,
- d. Repercussions of COVID-19, and
- e. Prohibited Practices.

Many students expressed dissatisfaction with the long drawn-out process of the SALS elections. Others felt the timing seemed right given the formalities associated with an election at Sydney Law School. Some went as far as suggesting that we should abolish the ticket and the optional preferential voting system and implement an individual "winner-takes-all" approach. These have been better addressed below.

Overall, with better accessibility and transparency being at the forefront of Electoral Review Committees' purpose, various considerations were made to help us achieve the conclusions drawn below

### **Understanding of the current system**

The majority of students did not understand the electoral process. On a scale of 1-5, where 1 is very easy to understand and 5 is very difficult to understand, the responses illustrated: 53% of respondents rated the electoral system 1-2, 26.6% rated the electoral system 4-5 and 20% rated it a 3.

It was suggested that the electoral process seemed convoluted and given its complexity, many SALS members were unfamiliar with the process itself. A recommendation was offered in a few instances to offer a more comprehensive information session designed to better explain the electoral process as a whole, however, the Electoral Review Committee felt that the Candidate Information Night is a requirement that already addresses this concern. A recommendation to be drawn, is to continue

offering two debates (one Presidential Debate and one Ticket Debate, before and throughout the campaigning period, respectively) to ensure accessibility and transparency in addition to the information provided by candidates to other members of the Society.

### **Timeline**

A total of 66.6% of respondents found that the process was 'too long' with the amendments to the EOI system. 33% of respondents found that the process was 'just right' and 0% of respondents found that it was 'too short'. As such, the Electoral Review Committee has provided recommendations to address the length of the process.

The Electoral Review Committee felt that given the technicalities of the SALS electoral process, the timeline is as short as it can be. However, clarity needs to be provided in Article 4(g) states that the notice of candidates "shall be issued to all members of the Society in a notice 7 days prior to voting, signifying the start of campaigning". This is internally inconsistent with the Constitutional changes in 2019 which aligned the voting days to fall within the 7 day campaign period. As a result, campaigning commences 7 days prior to the start of voting. See further details below and the effect and recommended changes in Article 2(g) too.

### **Flexibility in voting**

Voting has been notoriously inflexible in the history of SALS elections. With reference to most recent events, including the 2019 election and the repercussions of COVID-19, the Electoral Review Committee recommends a combination of in-person and online voting at all times throughout the voting process. Although the preference is still to have in-person elections where possible, the committee finds it critical to allow the flexibility in place for those that cannot make it to campus, in order to avoid disenfranchising them from a right to vote for their representatives. Therefore, with the extensive support in the survey to allow for a hybrid system, the Electoral Review Committee recommends entrusting the Electoral Officer with the allowance of running an online election for instance, for part-time juris doctor students who may not be able to come to campus due to work commitments at specific hours of the day, as well as for students studying abroad. If another exceptional circumstance were to arise again (a pandemic) then a framework of an online election should be available, if needed. In both cases, for example, the voting time set forth in s 5(c) needs to be reviewed for a longer period. The Electoral Review Committee felt that a 12-hour time period is too short to ensure flexibility to the students voting online. Therefore, a 48-hour voting window is recommended as outlined in more detail below.

### **Expression of Interest (EOI) System**

The Expressions of Interest System (EOI) was established in its current form by the 2018 Formal Review Committee. As it stands, it is mandatory for Presidential candidates to submit an EOI but it is not binding (they can subsequently pull out of the race). This promotes transparency in the election, and accessibility in ticket formation. Students wishing to run for senior executive positions may choose to submit an EOI, but it is not binding nor mandatory. This provides the opportunity for individuals to promote themselves to the Presidential candidates, particularly if they do not personally know them, and likely increases the diversity of representation on Presidential tickets.

This Committee considered making EOIs compulsory for Senior Executive Positions, and all probably result in some serious problems. These include transparency and accessibility issues with ticket formation occurring illegitimately before the EOI deadline, and some issues to the Presidential candidates' capacity to choose the best quality candidates, or even to fill out their

respective ticket, if they are limited to those who have submitted EOIs. Moreover, this Committee believes it is premature to radically alter this system only two years after its restructure, when its benefits and consequences have not yet fully developed for analysis.

Many of the survey responders approved of the EOI system (8/15). Some mentioned either the published EOIs being too long or too short, but there was no clear consensus on this issue and this Committee concluded that the one page publication was appropriate.

However, one thing contemplated was a provision should be inserted to deal with the possibility of no Presidential EOIs received by the Electoral Officer in either the initial EOI period, or the extended EOI period. Although this is an unlikely possibility, it was one the Electoral Officer in 2019 needed to contemplate where no Presidential EOIs were received in the initial EOI period. No guidance currently exists in the Electoral Regulations and hence we have proposed a provision below.

### **Tickets vs Individual Nominations**

Many survey respondents raised concerns about the ticket system. It can be perceived as promoting exclusivity and inaccessibility, given potential candidates need to be included by a President, perhaps even needing to know them personally. In the status quo, individual candidates do not have the opportunity to run for SULS if they are not able to secure a position on a ticket.

There are two main alternatives to the ticket system considered by the Electoral Review Committee: purely individual nominations or below the line voting (similar to UNSW Law Society or Australian Senate, respectively). In individual nominations, students can run for a particular position, and are not associated with a “ticket” or “party”. This can lead to particular personal attacks and campaigning against the other individuals running for that position. Below the line voting allows individuals to still run in tickets or under banners still, but when voting, students can choose to pick specific candidates from whichever ticket for each position.

This committee concluded that the importance of teamwork and cooperation in the SULS executive means that individual nominations or below the line voting, where successful candidates are required to work with people they have campaigned against, would probably pose some serious challenges to the efficiency of this collaboration. Furthermore, as outlined above, the EOI system allows Senior Executive candidates to promote themselves to the Presidential candidates and has reduced exclusivity because of the way the election runs. It was also considered that a seemingly complicated or more challenging method of voting may discourage voter turnout, which is deeply undesirable. For these reasons, this Committee suggests that SULS remains with the ticket system at this time.

### **Optional Preferential Voting System**

The current mechanism of voting used by SULS is prescribed by article 6 in the SULS Electoral Regulations. The Committee asked students whether they preferred this voting method: optional preferential (alternative vote). The majority of students prefer the current mechanism of voting, which reduced error-induced informal voting. Some students noted that they did not agree with a First Past the Post (FPP), alternatively called ‘winner takes all’ or ‘plurality’ method, which was amended in the SULS Constitution in 2018 to the current voting method. Additionally, a minority of students noted that they did not favour a compulsory preferential voting system. The committee agrees with the majority of respondents in favor of the current voting method.



### **Apolitical Nature of Process**

The Electoral Review Committee also considered whether the Electoral Regulations should be altered to promote a-political approaches in SULTS and to discourage partisanship or factionalism. It was concluded that requiring candidates to declare political affiliations, such as in EOIs, would be unreasonable, particularly if they wished to run a campaign devoid from political ideology and purely based on SULTS policy considerations. On the other hand, formally declaring SULTS an “apolitical organisation” or enshrining that in the Constitution would be unfair to those who do wish to express their political opinions and affiliations, and pose challenges given the diversity of opinion and ideas in SULTS.

It is important to note that the media, particularly student newspapers like Honi Soit and Pulp, often hold candidates to account for hidden political affiliations and operate as a mechanism of ensuring candidates remain a-political. The debates between Presidential candidates are another significant forum in which students can choose to reveal political affiliations or focus on policy considerations. This committee would like to re-emphasise the importance and benefits of the Presidential Debates, particularly in terms of transparency and fairness.

### **Sanctions for Breaching Prohibited Practice**

The majority of survey respondents noted that they remained comfortable with the current prohibited practices listed under article 12 under Appendix 1 of Electoral Regulations in the SULTS Constitution.

It was raised by one student that clarity was needed in article 12(b); where the regulations ban campaigning practices prior to the start of the campaign period, it is not clear whether this includes the recruitment of campaign managers, which is something tickets have done every year that there is a contested election. Furthermore, another student raised that under article 12(d) clarity was needed to make use of SULTS and law facilities. Finally, under article 12 (g) clarity was also needed to determine whether more than one person could authorise tickets. As a committee, we felt that some examples or increased clarity could be appropriate as recommendation in certain guidelines. See further recommendations below.

## **3. Motions proposed for the 2020 SULTS SGM**

### **A. ELECTION TIMING**

With a modification of the voting period in 2019 to be inclusive of the campaigning period, amendments are needed to ensure clarity and consistency throughout the electoral regulations regarding timing of the election.

Specifically, Art 2(g) currently reads:

*2 (g). Campaigning will begin 7 days after the close of nominations (i.e. the “soft deadline”), and will last for 7 days before voting commences. Subject to Clause 5(c), voting shall open during this time but shall close with the close of campaigning.*

The above needs clarity to ensure that the voting period is open throughout the seven days offered for campaigning, rather than after, as suggested by the words ‘before voting commences’.

Additionally, Art 4(g) is internally inconsistent with the constitutional changes from 2019. It currently reads:

*4 (g). Prior to the start of the campaign period, the Electoral Officer shall cause to be read out a list of candidates and their nominators and conduct a draw for the order in which each ticket shall appear on the ballot paper. This list shall be issued to all members of the Society in a notice 7 days prior to voting, signifying the start of campaigning*

Rather than issuing a list 7 days prior to voting, signifying the start of campaigning, the article should read 7 days prior to the end of voting, or even, 7 days prior to the end of campaigning, signifying the start of campaigning.

#### **Recommendations:**

**Amend Art 2(g).**

**Amend Art 4(g).**

*2 (g). Campaigning will begin 7 days after the close of nominations (i.e. the “soft deadline”), and will last for 7 days inclusive of the period of voting. Subject to Clause 5(c), voting shall open during this time but shall close with the close of campaigning.*

*4 (g). Prior to the start of the campaign period, the Electoral Officer shall cause to be read out a list of candidates and their nominators and conduct a draw for the order in which each ticket shall appear on the ballot paper. This list shall be issued to all members of the Society in a notice 7 days prior to the end of voting, signifying the start of campaigning.*

## **B. IN-PERSON AND ONLINE VOTING AND EXCEPTIONAL CIRCUMSTANCES**

The Electoral Review Committee discussed extensively whether SULS should accommodate for online elections. A few scenarios were considered to encourage accessibility and prevent disenfranchisement, including voting to solely remain in-person, continue online or a hybrid of the two options.

In 2019, the Electoral Officer allowed part-time Juris Doctor, LLM and HDR voters to vote via email with a copy of their student identification card, as the polling times did not suit voters who were mainly on campus after-hours for night classes. By contrast, the same Electoral Officer did not allow students on exchange to vote given the inability to access campaign material mainly held on campus. In 2020, all campaigning and voting materials were placed online due to the limitations of COVID-19, through the construction of a self-repealing exceptional circumstances provision at the 2020 AGM. The Electoral Review Committee omitted from assessing the feasibility of a complete

online campaigning and voting method, given the 2020 election has not yet been completed nor assessed at the time this report was drafted.

Rather, although this committee finds that in-person elections are preferable for a diverse list of reasons, in order to ensure the full accessibility of voters, and to account for exceptional circumstances in the future, the Electoral Review Committee finds it important to offer some flexibility in the regulations, so as to allow a mixture of online and in-person voting, where applicable.

Therefore, the Electoral Review Committee does agree that part-time Juris Doctor, LLM and HDR students should continue having the option of voting online. Any student voting online should be allowed to lodge a ballot over a period of 48 hours, because limiting online votes for the times allotted to physical polling locations would not be only burdensome, but unrealistic if conducted online via email. The 48 hours minimum provision is also important in the event the election has to be conducted only online due to exceptional circumstances.

Moreover, the Electoral Review Committee does not agree that students on exchange should be disenfranchised from voting at SULLS elections, especially because ticket campaigning can be usually accessible online, even if it is also held in-person. Therefore, it is of the view of this committee that students on exchange should be offered the same allowance of voting electronically from a remote location.

One issue brought to discussion was whether upcoming first year students should be allowed to vote. Unfortunately, due to the time period of the SULLS election and the requirement of voters to be a current member of SULLS for eligibility purposes, it is unrealistic to include the votes of students not yet enrolled at Sydney Law School and not under the registrar of SULLS.

### **Recommendations:**

**Add Art 3(a)(iii).**

**Amend Art 5(c).**

**Add Art 5(d).**

**Amend Art 5(k).**

### *3. Eligibility*

*a) In order to vote in an election, a person must be a member of the Sydney University Law Society as outlined in s 4 of the Society's Constitution. This shall include:*

*i. Final year law students;*

*ii. Students who are not undertaking any law units in that academic year but who are enrolled in a law degree or diploma; and*

*iii. Students on exchange*

*5(c). Voting **in-person** must be open for a period of no fewer than four hours and no greater than 12 hours, with no polling place being open for less than 2 hours.*

***5(d) Voting online must be open for a period of no fewer than forty-eight hours.***

*5(k). Where, by circumstances beyond the control of the Electoral Officer, the voting cannot be conducted as advertised in the Election Notice, the Electoral Officer has the discretion to extend polling times **or amend polling conducted online or in-person** as they consider appropriate. If such a*

*decision is made, an amended Notice of Election should be posted advising the new polling **changes** and the primary contacts for tickets must be advised of the change.*

### **C. Electoral Officials**

The current regulations dictate under article 14(a) that the current SALS Executive shall appoint the Electoral Officer, however, this may pose a potential conflict of interest in that members of the Executive may also consider running for the relevant elections.

Therefore, although the Electoral Review Committee found the SALS Executive best positioned to appoint the Electoral Officer (which in many cases has been a senior executive member of a recent previous executive), the committee found it necessary to expressly exclude the votes of any Executive member that may run for office in the same year, prior to the appointment of the Electoral Officer, in order to avoid conflicts of interest.

Consideration was also made to the consequential early informal “expression of interest” that would result from an Executive member openly excusing themselves from a minuted vote. However, on balance, disclosure of conflicts of interest should be prioritised in order to ensure a fair election.

#### **Recommendations:**

##### **Amend Art 14 (a).**

*14(a). The SALS Executive **that will not take part in any ticket nominations or campaign management of upcoming elections**, shall appoint an Electoral Officer to conduct the annual elections of the Society.*

### **D. NO PRESIDENTIAL EOI NOMINATIONS AND VOTES OF NO CONFIDENCE**

#### **No Presidential EOI Nominations**

The Electoral Review Committee proposes the codification that if no presidential EOI nominations are received by the deadline, then the deadline will be extended by two weeks each time, until there is at least one expression of interest lodged. This occurred informally in the 2019 Election where the Electoral Officer extended nominations by two weeks, but has not since been adopted formally in the Electoral Regulations.

#### **Vote of No Confidence**

Furthermore, on the off-chance there is only one ticket nomination, the committee also found that there should also be a safe-guard implemented to prevent the unchallenged automatic adoption of the ticket without formal discussion about the candidacy of the ticket seat holders and their policy stances. Even with the increase in contested elections today, the possibility still exists that only one

unpopular ticket will be nominated for election, and under these circumstances, a vote of no confidence should exist to offer a mechanism to call for an election.

Two recommendations were already established in the *SULS Election Formal Review Committee 2018 - Final Report* ("2018 - Final Report") but neither was adopted because the committee at the time could not seek consensus. The first recommendation was to adopt a model that ratified the vote of an unopposed executive through an annual general meeting (now, this would be a special general meeting) of the Society. The second recommendation was a petition, requiring 15% of current SULS members (NB: currently roughly, 350 members) that are against the uncontested ticket, to automatically open an election upon the nomination of another ticket.

Similar to the benefits and disadvantages raised in the *2018 - Final Report*, this Electoral Review Committee found it on balance, that neither option alone was most effective to ensure the appropriate administration of a no confidence vote. Instead, the committee deemed it necessary to establish a two-step process in order to hold this process to a higher standard before proceeding into another election process.

First, if a no confidence vote is established upon the nomination of a single ticket, then the person seeking a no confidence vote, must gather, not 15% but at least 20% of SULS signatures and SIDs (either electronically or in pen and paper). Once this has taken place, the member can attend any scheduled general meeting, or request that the Society's secretary calls for a general meeting upon the receipt of the written application of 20% of Members of the Society, pursuant to s 50A(a) of the SULS Constitution, in order to vote on a motion of no confidence and call for another election notice to be issued by the Electoral Officer.

Members of the committee also reasoned the high standards set due to the current EOI system which allows candidates to withdraw from the race, should they not wish to continue. Therefore, candidates who have any interest to run for a position should still be raising their hands at the appropriate time, rather than demonstrating interest upon notification that there is no better alternative ticket for them.

#### **Recommendations:**

**Add Art 4i.**

**Add Art 17**

***4i. If no nominations are received for Presidential candidates, by the end of the nominations period, the Electoral Officer should extend the nominations period by 14 days until at least one nomination is received.***

#### ***17. Vote of No Confidence***

***A vote of no confidence can only be sought if the member pursuing this vote has in the following order:***

- a. Successfully petitioned (in writing or digitally) a vote of no confidence by 20% of current SULS membership with their respective student ID numbers (SIDs) and sent this to the Society's secretary; and***
- b. Successfully passed a motion of no confidence at one of the Society's General Meetings, pursuant to Parts 10 - 12 and 18 of this Constitution.***

## 4. Further Recommendations

### A. PROHIBITED PRACTICE

Even with the proposed amendments above, there are many prohibited practices under Article 12, including subsections (b),(d), and (g) of the Electoral Regulations that are in need of further clarity. The committee was not able to reach a conclusive recommendation and therefore has outlined recommendations to be considered by future Executives and Electoral Officers.

Article 12(b) outlines the activities that prior to the campaigning commencement are prohibited. Noting this is not an exhaustive list, it is unclear whether the recruitment of campaign managers prior to campaigning commencement is an infringement of this section. As campaign managers seem to have been used by any ticket in a contested election in recent years, it is recommended that an exception be drawn to recruit at least one campaign manager prior to the start of campaigning. Under the same sub-section, it is also not clear whether speaking of the campaign prior to the campaigning period is an infringement of regulations, although it would be difficult to enforce since it would rely on the credibility of a witness. Moreover, another consideration made was in preparation for campaigning, whether tickets could gather support from outside their ticket (i.e. seeking assistance for design materials, asking a friend to take videos or prepare a trailer, etc.). Although this may very well be a contravention of the currently prohibited practices due to article 12(b)(iii), the committee seemed to be split in this view. The majority opinion is that future Electoral Officers must look at the difference between preparing for the election and actively campaigning before the start of the campaigning period. The latter seems more problematic in enforcing any sanctions, rather than the former.

Article 12(d) denotes that a candidate must not make use of any SULLS or Law Faculty facilities to aid their attempt to be elected. As suggested by a survey responder, this wording is quite ambiguous and can be interpreted incorrectly since often the election itself is being conducted at the Law School. The recommendation from the Committee here is to develop examples of prohibited use of any SULLS or Law School facilities (i.e. "lecture-bashing" without the prior consent of the professor teaching the class; campaigning at a SULLS event, and or campaigning at a SULLS cohort group. These are examples of problems arising from the 2018 and 2019 elections respectively).

Article 12(g) states that no person shall publish or distribute any publication commenting on the election or containing any electoral matter without it being duly authorised with the name and student identification number of the authoriser. Clarity is needed here to determine whether there should only be one authoriser per ticket, or whether a ticket can have more than one authoriser. The recommendation from the committee is that only one authoriser is selected per ticket in order to provide a ready means to identify the source of the material and who should be held accountable should that material breach any rules, whether electoral or otherwise. However, there may be some

merit in having more than one person authorise materials if the size of campaigning materials continue to increase both in person and online.

Finally, another consideration to be made here is whether campaigners should only be limited to law students or whether they can or should include others. The committee felt that this was difficult to delineate especially with online campaigning when friends and family members outside of the law school often want to assist in sharing posts and information.

## **B. ELIGIBILITY**

Since November 2019, SULLS has become an incorporated organisation. As part of the company's fiduciary requirements, it must keep a registry of any new members. Hence, in transitioning from being an organisation where any Sydney Law student could become an automatic member of SULLS, now first year members must sign-up to SULLS to be able to vote in an election, whereas older members are still counted as members of the organisation.

Therefore, given this discrepancy that will take at least five years to mitigate unless an Executive decided to register all of its members, it is important to flag specifically to first-year students the need to sign-up to SULLS prior to casting their vote.

A recommendation as to how to do this is to provide as much information as early and as many times as possible. The Electoral Officer could in the notice of election issue a reminder, as well as the night prior to voting, as well as in-person (prior to vote casting) and if online (with the electronic ballot). Another way of targeting first-year student communications is by directly reaching out to their respective unit of study convenors, and requesting their permission to issue a reminder to students.

Although there are many ways to ensure students sign-up to the organisation prior to voting, the Electoral Officer will also face the added responsibility of checking that all first-year students in the next few years are members of SULLS. This too will be difficult provided SULLS does not have a full list of all enrolled first-year students. However, a recommendation is for SULLS to share personal information (including SIDs and possibly emails) on registered first year students, for the sole purpose of the election, with the Electoral Officer.