

Equity Policy

Guiding expectations at MULS events

Last review	15 January 2022
Next review	15 January 2023

This policy was written by Patrick Barkachi (Acting President and Secretary 2016) and Rhiannon Bell (President 2017).

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Table of Contents

Introduction.....	3
Part A Purpose.....	5
A.1. Purpose	
A.2. Policy Application	
Part B Equity.....	6
A.1. Policy Scope	
A.2. What Constitutes an Equity Violation?	
Part C Sexual Harrasment.....	7
A.1. Sexual Harassment	
A.2. Positive Consent	
Part D Drugs and Intoxication.....	8
A.1. Zero Tolerance Policy	
Part E Breach of Policy	9
A.1. Communicating your Concerns	
A.2. Addressing your Concerns	
A.3. Sanction	

Introduction

Foreword

This document is the Equity Policy for the Macquarie University Law Society (MULS). This policy applies in conjunction with other relevant and applicable Macquarie University Law Society Policies and Regulations, in addition to other relevant and applicable Macquarie University Student and Staff Conduct policies and regulations. The MULS Equity will apply to all MULS events, both on Macquarie University campus and elsewhere, including online, to all attendees, including but not limited to, MULS Members and otherwise.

Authority

The Macquarie University Law Society Equity Policy is made and issued under the *MULS Constitution* sections 23.1(b) and 23.2(j).

Use of Policy

The Equity Policy will be read in conjunction with the Macquarie University Law Society Constitution (the Constitution). Where a provision of the Equity Policy is inconsistent with a provision of the Constitution, the latter shall prevail, and the former shall, to the extent of the inconsistency, be invalid.

The Equity Policy must be interpreted broadly and as operating to the full extent of, but so as not to exceed, the powers of the Macquarie University Law Society.

Ownership

These guidelines are to be prepared and reviewed annually by the President and Secretary.

Current Owners:

President: Devlin Greatbatch Murphy

Secretary: Brendan Piech

Review

These guidelines are to be reviewed annually by the President and Secretary and updated as necessary to reflect the most recent and appropriate guidelines.

Part A Purpose

A.1. Purpose

The Macquarie University Law Society (MULS) Equity Policy provides a statement of the expectations of MULS on student and attendee behaviour at all its events. MULS aims to facilitate equitable access and full participation in its events by ensuring a safe and inclusive environment for attendees.

A.2. Policy Application

By attending a MULS event, attendees agree to accept this policy, as well as the Macquarie University Student Code of Conduct and any other applicable MULS and Macquarie University guidelines and codes of conduct. This policy also applies to event attendees who are not previously or currently enrolled at Macquarie University. MULS members who bring guests will bear an element of responsibility for the conduct of their guests. This policy will apply to all attendees at MULS events serving functions in a hired professional capacity for MULS. Including, but not limited to, photographers, musical service providers, and other third-party service providers.

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MULS events include, but are not limited to, events held on campus, off-campus, online or other specified locations.

Part B Equity

A.1. Policy Scope

Equity refers to the belief that all individuals are equal and deserve to be treated with the same level of dignity and respect in a manner that reflects notions of fairness and impartiality. It involves including and respecting all individuals, regardless of sex, gender identity, sexuality, race, disability, age, political beliefs, religious orientation or other aspects of their identity. MULS aims to ensure that everyone feels safe and comfortable at all MULS events.

A.2. What Constitutes an Equity Violation?

Broadly speaking, an equity violation includes any behaviour that offends, humiliates or intimidates another person, or makes them feel uncomfortable. This may include, but is not limited to:

- Bullying, exclusion, or intimidation;
- Language or actions that marginalise, insult, vilify or offend a person based on any part of their identity;
- Peer pressure; and
- Sexual harassment.

Part C Sexual Harassment

A.1. Sexual Harassment

Sexual harassment refers to unwelcome sexual advances, requests for sexual favours, and other verbal or physical conduct of a sexual nature.

'Unwelcome' behaviour is the key word. Unwelcome does not mean 'involuntary'. A victim may consent or agree to certain conduct and be an active participant. Sexual conduct is unwelcome if the person subject to the behaviour considers it to be unsolicited. This is dependent on the circumstances of the interaction. Any sexual interaction requires an awareness of positive consent by participating parties.

A.2. Positive Consent

In any interaction of a sexual nature, it is every individual's responsibility to obtain positive consent from all participants. It is every individual's responsibility to actively consider the mindset of the other person and check in to ensure that they are consenting to what is occurring.

It is important to note that this does not just apply to sexual intercourse or physical intimacy, but also to any situation with a sexual element. This includes flirting, sexual jokes, and suggestive bodily contact.

The intent of the perpetrator is not an explanation or an excuse for failing to obtain positive consent.

Part D Drug Use and Intoxication

A.1. Zero Tolerance Policy

MULS has a zero tolerance policy to all prohibited substances. Attendees are not permitted to bring prohibited substances to any MULS events. MULS reserves the right to remove attendees under the influence of recreational drugs. Similarly, MULS reserves the right to refuse to serve alcohol, and to remove intoxicated attendees at any MULS events.

Part E Breach of Policy

A.1. Communicating your Concerns

If you believe anyone attending a MULS event is in breach of this policy, you are able to:

- At the event:
 - Communicate your concerns to one of the security guards at the venue and/or one of the attending MULS Directors.
- After the event:
 - Communicate your concerns to the MULS Grievances and Disciplinary Committee, composed of the MULS President and Secretary, via an email to the Secretary (administration@muls.org) or to the President (president@muls.org) in the event of a conflict of interest.

A.2. Addressing your Concerns

In response to a breach of this policy, a suitable response will be undertaken that is proportionate to the severity of the breach. This may include:

- A conversation with the MULS Secretary and President, and/or a suitable and volunteering MULS Director and the complainant, to understand the issue, work through any concerns and/or decide on the best course of action;
- A voluntary mediated discussion between the complainant and the person who committed the violation (this will not apply in cases relating to sexual harassment)
 - Serious sanctions may apply where it is deemed necessary by the MULS Secretary and/or attending MULS Directors; and/or

- In cases of sexual harassment, the MULS Secretary and/or or a suitable and volunteering MULS Director will be guided by the procedures outlined in the Macquarie University Law Society Constitution and Macquarie University Student Code of Conduct.

A.3. Sanction

An attendee will be taken to have intended misconduct if a person in the position of the attendee can reasonably be supposed to have intended that misconduct in the circumstances.

This is not an exhaustive statement of all prohibited conduct.

At the discretion of the MULS Secretary and President, and/or other attending MULS Directors, it may be deemed appropriate to impose the following sanctions on those who commit equity violations. The seriousness of the breach will be considered when deciding an appropriate sanction(s).

1. **Warning** – A formal warning is given to any individual who has committed an equity violation. If an individual commits more than one violation, sanctions (2) and/or (3) will be considered.
2. **Exclusion from MULS event** – Any individual in breach of this Equity Policy may be asked to leave the MULS event immediately.
3. **Blacklisted from MULS events** – Any individual may be blacklisted from any/all MULS events for any amount of time, at the discretion of the MULS Board.
4. **Involvement of the police** – If the perpetrator has broken the law, the victim may decide to involve police. Within our capacity, MULS will support the victim in these proceedings and no actions in this regard will be taken by MULS without the consent of the victim.

Any questions about this Equity Policy should be directed to the current Macquarie University Law Society Secretary (administration@muls.org).

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Part F Policy History

Date	Approved
28 October 2016	2016 MULS Board: Patrick Barkachi (Acting President and Secretary), Sammuel Dobbie-Smitham (Treasurer), Emmanuel Kannellis (Director - Career Engagement), Brodie Purdon (Director - Social Justice), David Yao (Director - Publications), Lauren Stables (Director - Competitions) and Maria Toma (Director - Events).
3 April 2017	2017 MULS Board: Rhiannon Bell (President), Millicent Watt (Secretary and Acting Director - Events), Marlow Bakous (Treasurer), Lachlan Mack (Director - Career Engagement), Tahmyrna Rad (Director - Social Justice), Sarah Li Yee Lien (Director - Publications) and Baheej Sheikh (Director - Competitions).
23 April 2018	2018 MULS Board: Leon Warren (President), Renata Labio (Secretary), Matthew Harris (Treasurer), Cynthia Constantin (Director - Education), Kush Sood (Director - Career Engagement), Despina Bouletos (Director - Social Justice), Daniel Lim (Director - Publications), Natalie Hissey (Director - Events) and Sarah Schooley (Director - Competitions).
14 January 2020	2020 MULS Board: Daniel Lim (President), Morgan Graham (Secretary), Harrison Pryor (Treasurer), Lucy Sheppard (Director - Education), Adrian Brett (Director - Career Engagement), Sydney Gale (Director - Competitions), Devlin Greatbatch Murphy (Director - Publications), Olivia Mueller (Director - Social Justice), Georgia Weeden (Director - Events) and Annie Renouf (Director - Marketing).
16 February 2021	2021 MULS Board: Lucy Sheppard (President), Celine Nalbandian (Secretary), Devlin Greatbatch Murphy (Treasurer), Alex Tibbey (Director - Education), Anshika Sharma (Director - Career Engagement), Philippa Rich (Director - Competitions), Matthew Lo (Director - Publications), Abirami Kandasamy (Director - Social Justice), Jaz Cremen (Director - Events) and Ethan Inches (Director - Marketing).
15 January 2022	2022 MULS Board: Devlin Greatbatch Murphy (President), Brendan Piech (Secretary) Tess O'Connor (Treasurer), Sami Shamsi (Director - Education), Georgia Aslanidis (Director - Career Engagement), Bianca Monti (Director - Social Justice), Maryrose Sukkar (Director - Publications), Lara Huby (Director - Events), Taylor McCoy (Director - Competitions), Josh Yoe (Director - Marketing) and Carla Henery (Director - Juris Doctor and Postgraduate).