

CANBERRA LAW STUDENTS' SOCIETY
ADVOCACY POLICY
Effective as at 11 August 2020

PART 1 – Preliminary

1 Purpose

1.1. The purpose of the Canberra Law Students' Society Advocacy Policy (**the Advocacy Policy**) is to clarify the procedure through which the Canberra Law Students' Society (**the CLSS**) can be referred matters of concern and the consideration which ought to be given by the CLSS when embarking on projects throughout their term.

1.2. This Policy also outlines the responsibilities of the CLSS in terms of formulating policies and responses to regional or national issues of law student concerns.

2 Scope

2.1. This Policy applies to members of the public, lifetime Members of the CLSS, and all elected and appointed Committee Members of the CLSS.

3 Definitions

3.1. Wherever a word or phrase has been used in this Policy and is defined in the Constitution, the word or phrase shall adopt the meaning of that definition in the Constitution, even if a contrary intention is expressed in this Policy.

3.2. The following terms shall have the meaning set out below wherever they are used in this Policy:

3.2.1. *Referee* means a Committee Member, lifetime Member of the CLSS or member of the public who recommends a matter of concern to the CLSS

4 Distribution

4.1. A copy of this Policy is to be made available to all Committee Members.

4.2. A copy of the Policy is to be placed on the CLSS website.

5 Recommendations

5.1. Referees may liaise with the CLSS directly in order to recommend matters of concern where the Referee feels that the CLSS is:

- 5.1.1. unaware of the issue
- 5.1.2. not acting with the appropriate diligence or seriousness in relation to an issue; or
- 5.1.3. not responding to an issue in an appropriate way.

5.2. A recommendation should be in the form of an email to the President.

5.3. Issues should be recommended in this way where the Referee believes the issue is:

- 5.3.1. An issue affecting students on a University, regional or national scale;
- 5.3.2. An issue stemming from a University policy from the University of Canberra
- 5.3.3. An issue stemming from a regional or national policy either from the Federal Government of Australia or otherwise; or
- 5.3.4. An issue that would be best addressed by the CLSS due to its position of influence as a law student society.

6 Responding to Recommendations

6.1. The President should respond to recommendations within a reasonable timeframe based on the nature of issue raised.

6.2. The President should to respond to recommendations with a decision as to whether the CLSS will act in response to an issue concerned and, if so, what action is proposed to be appropriate.

6.3. Possible responses in the above matter may suggest that:

6.3.1. The issue is not a matter the CLSS can effectively address due to:

- 6.3.1.1. its non-relation to law student concerns; or
- 6.3.1.2. logistical restraints; or

6.3.2. The issue is a matter the CLSS believes to be overly divisive amongst law students and as such the CLSS is willing to provide information regarding the issue but will consult with the CLSS before taking further action; or

6.3.3. The issue is not yet appropriately definitive in its form, effects, or otherwise, and as such the CLSS will continue to monitor the issue and consider taking action later in their term; or

6.3.4. The issue is a matter the CLSS considers within their jurisdiction and appropriate to respond to.

6.4. A response to the effect of responses 7.3.1 – 7.3.4 above should include reasons for making the decision.

6.5. A response to the effect of response 7.3.4 above should include a proposed plan of action addressing the issue.

6.6. The responses listen at section 7.3 are suggestions only and the list is by no means intended to be exhaustive. The CLSS is able to respond as the issue may dictate.



7 Consideration for Determining Responses to Issues

7.1. The CLSS should consider the following factors before responding to an issue, whether that issue is raised by a Referee or otherwise:

7.1.1. The CLSS is a representative body and the Constitution of the CLSS identifies “The CLSS aims to enhance the experience of all law and justice students at the University of Canberra through its various portfolios” as an objective of the Society;

7.1.2. Whether the issue is one that:

7.1.2.1. Affects students on a University, regional or national scale

7.1.2.2. Stems from a University policy from the University of Canberra

7.1.2.3. Stems from a regional or national policy either from the Federal Government of Australia or otherwise; or

7.1.2.4. Would be best addressed by the CLSS due to its position of influence as a law student society;

7.1.3. Whether the issue is likely to be overly divisive amongst law students

7.1.4. Whether potential actions to be taking in addressing the issue are likely to be overly divisive amongst law students

7.1.5. The extent to which the issue and potential actions will be overly divisive amongst law students

7.1.6. Whether any other constitutional objective of the CLSS will be compromised if action was taken in relation to an issue and to what extent; and

7.1.7. Practical outcomes likely to result from potential action taken by the CLSS.

7.2. In considering the above factors, the CLSS may note that law students across the University of Canberra, the Australian Capital Territory and/or Australia will rarely be unanimous in their position on an issue. A unanimous position on an issue is not a prerequisite to addressing the issue.

7.3. The factors listed at section 8.1 above are suggestions only and the list is by no means intended to be exhaustive. The CLSS is able to consider factors as the issue may dictate.

8 Information sharing

8.1. Where the CLSS deems that responding to an issue or responding in a particular way will compromise any other objective of the CLSS or is otherwise inappropriate, the CLSS should strongly consider releasing information to:

8.1.1. all CLSS Members; and

8.1.2. any or all external contacts regarding the issue.

9 Impartiality

9.1. Where practicable, all steps must be taken to ensure that the positions taken by the CLSS are reflective of the entire student body.

9.2. On controversial issues, those responsible for advocating should attempt to seek a consensus on behalf of the Committee.



9.3. In seeking this consensus, those responsible for advocating should present the case to the Committee, presenting both positive and negative sides of both arguments, as well as a reasons conclusion.

9.4. This should be discussed, with the action taken to be drawn from the conclusion reach after thorough discussion with the Committee.

9.5. Issues attracting only a slim majority of support from the Committee should be avoided in terms of advocacy.

10 Reasons for Decisions Not to Respond

10.1. Where the CLSS has made a decision not to respond to a particular issue recommended, reasons for this decision must be provided to the Referee.

10.2. Where a recommendation in regard to the issue has come from a significant number of Referees, the CLSS must make the reasons for this decision available to all CLSS Members.

11 Time Constraints

11.1. In situations where the next CLSS Committee Meeting will not be held for a period of time that would render any potential response by the CLSS ineffective, the Executive Committee may request that the Committee consult the Executive Committee by via email or Slack.

11.2. The Committee must only deny this request in the rare circumstances in which such consultation would compromise the objectives of the CLSS or compromise another initiative of the Committee.

12 Media Comment

12.1. Where the Committee or Executive Committee are contacted for comment by a media organisation, consideration should be given to the factors listen in section 7 before responding.

12.2. Where possible the CLSS Committee Member contacted for comment should ask for questions to be presented in writing and refer the matter to the President.

12.3. Upon review of the questions presented in writing, the President may reply to those questions in writing.

