

University of Melbourne Student Union
Advocacy & Legal Student Advisory Group



AGENDA

2:00 pm, 14.03.2019

Meeting 1 of Semester 1

**Advocacy & Legal Divisional Office,
Level 4 Union House**

Chair: Phoebe Churches, Manager, Advocacy & Legal
Minutes: Nadia Streistermanis, Student Services Officer, Advocacy & Legal

1 Welcome and Procedural Matters

1.1 Apologies

Emily De Rango, Paul Lewis-Hornsby, Alanna Smith.

1.2 Attendance

Michelle Almiron, Donna Markwell, Phoebe Churches, Alan Yang, Isabelle Butler, Nadia Streistermanis, Cameron Doig, Elizabeth Tembo, Emma Parkinson, Karisma Takah, Vanessa Stanton.

1.3 Confirmation of previous minutes

V.S confirmed minutes.

2 A & L Service Reports

2.1 Advocacy case work

P.C spoke about the latest quarterly report. Last quarter was mostly about assessment – changes around the late withdrawal process and fee remission after final release of results. Ultimately, we think these changes have been good, now no longer two separate processes. We were concerned there may have been confusion here, but so far, we have seen the process work well.

Another issue: general misconduct. Problems where there have been significant civil/criminal consequences. We have been worried about this, especially in a recent general misconduct case involving MU Sport. We note the University has a duty of care not to put students in the way of legal harm.

M.A: interesting referrals from Stop 1. They're referring straight to the Advocacy Service which is good, but there have been a large volume of matters in which we can't assist. E.g. D.M mentioned a 'proof-reading enquiry' on behalf of a student from Stop 1.

C.D: Asked if the University pushed back at all in the MU Sport case and put them on notice? P.C said they did not – the University recognises there is a problem with how these cases are handled, but it is work in progress, P.C will continue to put pressure on the topic.

2.2 Legal case work

A.Y spoke to the period between October – December 2018. The Legal Service has been quiet. Tenancy remains the biggest issue. Similar to previous quarter.

Travel pass: V.S, P.C and C.D working on this.

We have new legal volunteers from La Trobe here for the semester.

A.Y discussed a case where the student was referred by University Financial Aid to the service only 1.5 weeks before an Administrative Appeals Tribunal hearing. There was no time to refer the matter out, so we got a barrister to help the student. Apparently, the student went to Stop 1 for assistance initially, and they ended up at Student Financial Aid in Campus Communities – however they arguably should have referred them straight to our service as it was already a legal matter – and there are no lawyers at Campus Communities. A member of staff (not a lawyer) then made legal representations on behalf of the student to Centrelink. The arguments made by Financial Aid were later raised at the AAT – illustrating how risky it is for non-lawyers to act in these cases.

C.D: Ed Ac also receiving incorrect referrals from Stop 1. Ed Ac is meeting with Alistair (Stop 1 Director) and will raise the issue about Stop 1 writing letters and giving legal advice. I.B said that these letters are used in court cases like this one. We have raised this before and this is a case in point. I.B also mentioned that we would like to be invited to these meetings in future.

I.B: rooming house matters. Had a win with a case late last year. It was at VTAC for 1.5 years. We won on all four points and recovered all the money.

V.S conducted Clubs & Societies training with 225 people. There is still more training that needs to be done.

V.S has been handing out the travel passes, via appointment, since last Friday. They have been very popular. V.S has been giving out her business cards with each ticket, just in case students are questioned about the passes at all by authorised officers. C.D will promote the travel passes, and tie it in with other promotions – food bank, free breakfast, legal issues, etc.

There is a Financial Counsellor page on the website now.

2.3 Projects and initiatives

2.3.1 SHARE Adviser Pilot

P.C: SHARE Advisor. Moving along. We have an agreement from the University to fund the role for two years, full time. The role will sit between the Advocacy Service and the Legal Service but won't be attached to either. Aiming for a 1st May start, just waiting for the funds to come through then will start recruitment.

2.3.2 Purpose Built Student Accommodation Campaign

A.Y: University of Melbourne owned student accommodation – something we have known has been for a long time. I.B has been in contact with legal

services in NSW, about Universities who have been doing it there. They're exempt from the Residential Tenancies Act. 303 Royal Pde has now opened, Urban Nest is opening. Have already had two complaints from students and have seen a copy of the "accommodation agreement". The problems include the way in which the University is tying accommodation/tenancy rights to student's academic lives (preventing them from graduating, enrolling, etc). in NSW, students have been terminated from enrolment and student visas cancelled, due to not paying rent. Students can't go to VTAC because of RTA exemption (but can use consumer law). I.B interested in law reform to change the Act and remove the exemption, so Universities can't do this. Urban Nest is a private provider in partnership with the University, 303 is a subsidiary of UoM. Both are exempt from the Act. UMSU Legal looking at law reform strategies. E.T has a meeting with University Services coming up – will raise it. I.B suggest a collaborated coordinated approach in strategy between Legal, Ed Pub, Pres.

Papers - Student Union Advocacy Service Report: October – December 2018
(herewith)
- Legal Service Quarterly Report (to be tabled)

3 Reports from Student Office Bearers

3.1 Items of interests related to Advocacy or Legal Services
N/a

4 Other Business

N/a

5 Next Meeting

TBA.

6 Close

3.12pm.

Membership:

Executive Officer & Chair: Phoebe Churches, Manager, Advocacy & Legal

2 representatives elected by and from the Education Committee;

2 representatives elected by and from the Welfare Committee;
2 representatives elected by and from the PoC Committee;
2 representatives elected by and from the UMSU International Committee;
2 representatives from GSA;
Education (Academic Affairs) Officer(s);
Indigenous Officer(s);
Welfare Officer(s);
President, UMSU;
Secretary, UMSU;
President, UMSU International;
Vice-President (Education and Welfare), UMSU International; and
Members of the Student Representative Network.