

Meeting Minutes – 21 Sept 2020

8:05PM

Present – Amer, rosie, Daniel, Max, Nat, Oscar, felicity, Deaundre, Alex, donna, Eden, Dani

Deaundre

- Legal observer
- Options –
 - Draft of what kind of posts SULLS might make
 - Decide whether we should (1) share through official SULLS channels or (2) let organizers post on cohort groups or (3) share nothing at all

Max – does the first option of having SULLS post also include allowing people to message it in a personal capacity? (yes – exec members can also post in cohort groups – organizers can't post in cohort groups – so that would also count as posting in SULLS' official capacity)

Amer –

- Strongly feel that it might be too much for us to be sharing about protests – (1) issue when it comes to COVID-19; seeing no difference between being there as independent legal observer and being an attendee in eye of police; (2) big issue when it comes to sharing something that we are not necessarily apart of and have no control over, if for any reason, we share this and more people than necessarily show up, it's hard to control what happens at protests – there's a big risk involved for SULLS – so better to take a risk-adverse approach – think cuts is something we should advocate on but other ways to do it without opening ourselves up to so much risk – illegal to go to protests over certain attendee limit – huge risk for SULLS

Max –

- Potential liability: we wouldn't be advocating people doing anything illegal- not illegal to turn up to the protest, not illegal to protest at all – the only thing would be if it infringes public health orders – no reason why we shouldn't take protest organizers on face value (if we're told protests will be socially distance, doesn't see how it suddenly went over that, how it would make SULLS responsible – SULLS has made its support contingent on social distancing being observed)

Flick –

- Max to speak to his experience as a legal independent observer

- Important to distinguish between role of legal observer and role of protestors
 - Protestors are chanting, trying to create change
 - Legal observer – to ensure that if protest is going to happen, that it happens in the safest way possible and anyone who comes into contact with police is going to have as much evidence as possible to be able to represent what actually happens
- In support of us sending legal observers

Max –

- Experience as legal observer – legal observers are not participants in protest – advice given by police to him: told that provided we're maintaining a distance, we're clearly not marching along/chanting, not making themselves part of the group of people, it's clear to officers that they are not actually part of the protest, relatively clear to police officers
- Police officers don't want to be arresting anyone at the protest and particularly not legal observers because it's a very bad look
- A lot less risky to be an independent legal observer
- Big difference between SULLS advocating for people to be protestors vs. advocating for independent legal observer – we're advocating people to film it instead of being a part of it

Daniel –

- Anything identifying Max as legal observer?

Max –

- Yes, given vests that says "legal observer" – it was visible
- Police didn't think they were directing the protest or anything, they weren't chanting or making themselves involved

Daniel –

- Any contact with police officers?

Max –

- None telling them off
- Inspector guy wanted to talk to them about what he saw the legal position the protest took
- No contact really with police

Daniel –

- We all understand the implications of legal observers and what their role is re: protest
- Main concern: concern with what we understand and what the police on the field know and understand

- I understand Max's experience went quite smoothly and video on Honi Soit – legal observer filming someone being arrested and as he was filming standing form a distance, police told him to leave, or he would be fined if he didn't even though he continuously explained that his role is a legal observer
- As soon as police make determination that people are there for a common purpose, they're not too bothered with distinguishing who is there for what and whether they apply fines or not
- Although we make it clear that we're not liable, SULLS may be asked questions etc. – if we did get involved, we will be held somewhat responsible

Max –

- Question: is that optic necessarily bad? Not bad optics for us to be giving support to protests that directly align with our charitable purpose? More concerned with the optics of us not associating ourselves

Daniel –

- Alternatives for association – building pressure through other means
- Re: optics – what do we do if we get approached?

Max –

- We would say that this is a very important cause – this is something that directly concern what the aim of our charity is and speaks to the heart of why SULLS exists
- We've made the decision that this isn't something that we can be passive about and sideliners about

Daniel –

- Any other pathways for us to show support?

Max –

- We have the above 3 options
- If our concern is associating SULLS public image with the protest, understandable but concerns mitigated by offering up the communication capacity that SULLS has through its facebook groups for the use of protestors to get message out there – but that doesn't address concerns he has about what SULLS actively is doing – our involvement is something that in order to be material in any sense would have to go beyond saying that people can post in our facebook groups
- This is something SULLS would have more advocacy on in an ideal world

D –

- Thoughts on the matter: taking a more peripheral role is not effective, it's not playing our part in what is a really important movement?

- Thoughts on having a statement on saying we support protests happening on campus and we stand in solidarity with people who are being repressed by police? (without the necessary call to action)
 - Might open avenue for people to decide what to do and whether they want to participate on their own term

Alex –

- Question about independent legal observer: do they get briefed before the event?

Max –

- Offered training by Redfern Legal Centre – seminar about how to do it well, how to avoid problems

Alex –

- Can't throw them into the deep-end
- Putting call-out and presumably organizers or 3P will give them training, then not really something SULLS will be held liable for, particularly if they'll be educated on the risk

Nat –

- Issue is very close to our hearts and within SULLS capacity to advocate for these cuts
- But don't think there's any way to protest safely in a pandemic
- Other circumstances, we have right to protest peacefully
- In light of the situation, it's not an appropriate medium
 - Current regulations allow 19 protestors
 - Independent legal observers not included
 - But these independent legal observers have to be close enough to observe what's going on but far away enough to not be classified within group of 19 so arbitrary distinctions, from police POV they're not going to care
 - Police will issue move-on orders and at the end of the day, it's just bodies at protest, yes these bodies have different titles but they're still bodies and they're still going to transmit and carry health risks
 - I understand we should take organizers at face value but in the reality, we've seen how it plays out
 - 10 protestors got fined last week
 - Very idealistic to say everyone will stay apart
 - Very risky thing to do which doesn't have much value
 - More productive ways to stand up for the cuts without advocating protests

Max –

D –

- On a broad level, things come out to disagreement about value of protesting
- Protest has been historically and ongoing a really important means of dissent and by its nature, involves civil disobedience but it's a very powerful tool to achieve outcomes for society so the view that protests are short-sighted is untrue
- In terms of transmission risks, it's no more risky than a bunch of people sitting in close proximity at law lawns or in a classroom where no one is really observing requirements of wiping down desks so thinks that isolating protests as particularly risky is a bit unfair to do that
- Speaking as a protestor, he has attended almost every protest on campus – has never been arrested or fined because he has complied with move-on orders
 - There is perception that police are arresting protestors indiscriminately but the people that they are targeting are those that are not complying with move-on orders, or were swearing/shouting at police
 - As long as people comply with move-on orders, it's completely fine – it's not in police's best interests to arrest every single person who attends

Amer –

- Not saying that protests are bad
- It's just a timing issue considering the circumstances that are at play – Nat was right of comment on repercussions that happened at last protest
- Unfair to equate this to sitting in close proximity in class – very different things
- We owe a responsibility to our members
- Better ways to achieve a similar outcome
- We're not even allowed to host events on campus but we're calling people to come protest

Flick –

- Suggest that we aim to vote by 8:45 at the latest because we have people

Max –

- If we proceed to a vote, need to consider possible alternatives

Deaundre –

- What we're trying to do here is try to ensure positive change
- Actors we want to target – (1) gov and (2) uni administration
- We're trying to push for these proposed changes to not be made
- Whatever action we take the way to have the most impact is to target one of those two actors
- Explain to law students how proposed changes would affect them

Daniel –

- Agree with D's approach because that's where we can still offer our support and solidarity to the movement without having a high involvement with the protest itself
- Agree with the fact that not sure how broad awareness is of the issue either – this will affect us all so a campaign of awareness from SULS indicating how this will impact them regardless
- Highlight this to students and lead them to different avenues
- Not just releasing a statement but social media campaigns and how this will impact them, what they can do (contact MPs etc.)

Mark –

- Adding to what Daniel said
- That seems like a better and more sustainable way for actually advocating for change rather than ad hoc advertising
- Creating a sustained presence in this issue by having a series of different articles or information pamphlets

Max –

- I agree that in the abstract, awareness is very important
- How practically effective anything SULS is – are we having a tangible impact on the likelihood of these changes happening? We cant put all of our hopes and what SULS is doing on making our constituency aware
- At a certain point, you reach saturation
- What we see SULS as having capacity to do and what it should be doing: if our strategy is to make our constituency aware of these issues and tell them that this is something they should care about, that reverses the relationship of what SULS' role is in this situation – the members who are concerned by this are relying on SULS to amplify role of collective law students on behalf of USYD students to use our capacity and resources to make more effective actions than they would be able to do as individuals

Amer –

- Unfair to stipulate that SULS hasn't done enough for advocacy – we have gone above and beyond this year compared to other years
- But to say we're not doing enough is an understatement
- Do agree with us trying to achieve tangible outcome – focusing on call to actions to faculty or writing to MPs
- To add to that, D and Amer had a call last night and one thing they came to mutual agreement with was this idea that we could have every executive member and how each could address it in their respective portfolios
- Other pathways we could do achieve that result – doesn't have to be one path we take
- It's worth us thinking about our own respective portfolios and what we could do

Mark

- A lot of different streams of information coming into SULLS from our members, maybe it's about time to formalize this and have some sort of town hall where we can start this formal process of being able to i.e. writing to MP – tangible step of actually starting to consult our members on a formal basis

Flick –

- Vote on this particular statement for now – find out what the majority consensus is

Amer –

- Vote on people posting in cohort groups – this is something we could potentially do
- Also looking at other alternatives as well
- The only minor concern with people sharing this in cohort groups: not necessarily that its coming from exec (us endorsing it as well) but depending on what's being put up and to what extent, we are moderators of the channel

D –

- Cohort groups: a space for law students to be able to engage in their own personal capacity

Amer –

- What;s more problematic is someone from our exec posting things in different cohort group because that will be perceived as official SULLS communication

Max –

- Cn we do that in our personal capacity?

Amer –

- Yes , in your own cohort groups

Mark –

- Tier voting –
 - 1) SULLS doing call out for legal observers
 - 2) SULLS supporting protests
 - 3) SULLS in personal capacity voting in their own cohort groups

Nat –

- Separate the issues – (1) protest and (2) cohort groups

Mark –

- Protest has two elements – (1) call outs Y/N? and (2) do we support the protest?
- And then whether (3) SULLS should post on cohort groups

Eden –

- Any option for the policy statements? (i.e. writing to MPs) – [this is not tabled for a vote]

Deandre (in chat)

- STATEMENT
 - 1) sulls shares protests, encouraging people to attend as legal observer
 - 2) sulls expresses support of protest, without call to action
 - 3) don't share

Mark –

- Change to 3 – 3) SULLS should have capacity to share call to action in their personal capacity in their own cohort group

D –

- 4th option – whether organizers should be able to post?

Amer –

- OK if they're in that cohort group already
- Clarify 2) – what would that look like? [just a statement that we support the protest]
- Clarify 3) – within their cohort groups in their personal capacity

VOTING

In favor for #1 – sulls shares protests, encouraging people to attend as legal observer

- Mover - Mark
- Secunder – Daniel
- YES – 4 [Flick, Max, Alex, Deandre]
- NO – 4 [Amer, Daniel, Nat, Oscar]
- Abstain – 2 [Mark, Rosie]
- Tie – and therefore, Amer gets to cast extra vote as a chair → NO

In favor of #2 – SULLS expresses protest without call to action

- Mover – Daniel
- Secunder – Mark
- YES – 8 [Alex, Danile, Deaudnre, Eden, Flick, Mark, Max, Rosie]
- NO – 3 [Amer, Nat, Oscar]

- Abstain – 0

In favor of #3 – SULLS should have capacity to share call to action in their personal capacity in their own cohort group

- Mover – Daniel
- Secunder – Deaundre
- YES – unanimous

DECISION –

We will not be sharing the protest encouraging people to attend as legal observers but express support for the protest without call to action and in addition anyone in exec is free to post within their respective cohort groups in their personal capacity

Amer –

- What will Item #2 look like?

Deaundre –

- Envisioning a general “SULLS supports the ongoing protests against education cuts and fee hikes, we condemn police oppression of protesters + stand in solidarity with people who had been fined/arrested” something along the lines of this, subject to drafts

Amer –

- Are we also sharing the actual event of the protest?

D –

- Don't necessarily have to

Daniel –

- Deadline for statement?

Amer –

- Protest is Wednesday

Max –

- Need to publish sooner rather than later so it disseminates before the protest

D –

- Multiple protests happening – if we did a more well-thought out, democratic statement, it would be worth waiting a little bit
- But in terms of the 3), more important before Wednesday but statement can come later

Amer –

- Whoever is comfortable in posting in respective cohort groups, feel free to
- Whoever wants to work on specific drafting, can contact D

Mark –

- Think also about how our portfolio should help formalize or contribute to this process

Meeting closed: 9:14PM