



## The By-Laws of



## QUT Law Society Inc.

An incorporated association for law students at the Queensland University of Technology

Current as of 16 February 2025





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## **GENERAL**

### **1 Prevalence of Constitution**

- (1) QUTLS By-Laws are made in accordance with the Constitution of QUT Law Society Inc. ("Constitution") for the internal management of the QUTLS.
- (2) Where an inconsistency exists between the Constitution and these QUTLS By-Laws, the Constitution prevails to the extent of the inconsistency.
- (3) Any QUTLS By-Law passed by the Executive shall be presumed to add to these By-Laws unless a contrary intention is expressed.

### **2 Amendment of QUTLS By-laws**

- (1) Amendment of QUTLS By-Laws shall take place by way of simple majority of the Executive in accordance with the Constitution.

### **3 Reproduction of QUTLS By-Laws**

- (1) The QUTLS Membership Agreement, QUTLS Code of Conduct, QUTLS Events Agreement, QUTLS Working with Children Policy, QUTLS Privacy Policy and QUTLS Grievance Policy may be reproduced separately by QUTLS as an individual QUTLS By-Law provided their reproduced form is identical to the original form in the QUTLS By-Laws.

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## **Role Descriptions & Duties of the Committee**

**Management Committee** means the President, Vice President, Secretary and Treasurer

**Executive** means Members of the Management Committee and Directors.

**Committee** means the Executive and all Officers.

**First Nations** means Aboriginal and Torres Strait Islander.

## **DUTIES OF THE MANAGEMENT COMMITTEE**

### **4 Responsibilities of the Management Committee**

Members of the Management Committee must:

- (a) Take all reasonable steps to ensure that QUTLS complies with the Associations Incorporation Act 1981 (Qld), the Associations Incorporation Regulation 1999 (Qld), QUTLS' Constitution and all other governing rules.

- (b) Exercise their power and duties in good faith, with reasonable care and diligence, for a proper purpose.
- (c) Advise the committee of any conflict that may arise between their own interests and the interests of QUTLS, including possible financial gain.
  - (i) In such a case, the Member will relinquish their right to vote on and otherwise participate in such a matter.
- (d) Maintain full and complete confidentiality of the QUTLS QPay Login Details, the QUTLS Office Code and the QUTLS Register of Members, now and in future.
  - (i) Management Committee Members must only use this information for the purposes provided to them and which are necessary for the activities of QUTLS.
  - (ii) Management Committee Members are strictly prohibited from using this information for personal use, advantage or otherwise.
- (e) Attend Management Committee meetings, Executive meetings and QUTLS events where it is possible to do so.
- (f) Ensure all vacant positions are filled as soon as is practicable.
- (g) Prepare or maintain a comprehensive written handover package for the next Management Committee Member to ensure a smooth transition between terms.

## **5 Duties of the President**

- (1) The President's role is to work with the Vice President to manage the affairs of the QUTLS. The President is primarily responsible for strategic direction and oversight. This includes setting goals for the organisation and working with the Committee to achieve these goals.
- (2) Generally, the President shall:
  - (a) Promote QUTLS and its objects;
  - (b) Represent the interests of Members;
  - (c) Host all QUTLS events;
  - (d) Oversee a handover meeting at the end of the year with all incoming and outgoing Management Committee and Executive Members;
  - (e) Develop internal management procedures in consultation with the Executive Committee; and
  - (f) Perform other functions as may be required from time to time.
- (3) In relation to strategic direction and leadership, the President shall:
  - (a) Coordinate and oversee strategic governance of QUTLS;
  - (b) Chair all General Meetings of QUTLS;
  - (c) Assist or arrange assistance for any other Member of the Executive who may require it; and
  - (d) Represent QUTLS on relevant boards, committees or workgroups that may be convened by QUT, ALSA or other representative bodies from time to time.

## 6 Duties of the Vice President

- (1) The Vice President's role is to work with the President to manage the affairs of QUTLS. The Vice President is primarily responsible for overseeing day-to-day operations. This includes providing guidance and leadership to the Executive Committee to ensure the Society runs smoothly.
- (2) Generally, the Vice President shall:
  - (a) Promote QUTLS and its objects;
  - (b) Perform other functions as may be required from time to time;
  - (c) Perform any duty of the President where the President is unable to perform their duties.
- (3) In relation to strategic direction and leadership, the Vice President shall:
  - (a) Work with the President to provide direction, leadership and guidance;
  - (b) Coordinate and oversee all activities of QUTLS;
  - (c) Attend all General, Management Committee, Executive and Full Committee meetings of QUTLS;
  - (d) Attend, where necessary, meetings of portfolio and sub-committee teams;
  - (e) Oversee and approve all events, publications and activities; and
  - (f) Assist or arrange assistance for any other Executive or Non-Executive Committee Member who may require it.

## 7 Duties of the Secretary

- (1) The Secretary is primarily responsible for ensuring all legal, regulatory and constitutional obligations are met in running QUTLS.
- (2) The Secretary will be required to draft or amend QUTLS' legal documents, including the Constitution and these QUTLS By-Laws.
- (3) In addition to ensuring compliance with reporting obligations, the Secretary shall support the President in strategic decision-making.
- (4) Generally, the Secretary shall:
  - (a) Report to the Management Committee;
  - (b) Provide leadership and guidance to the Administrative Officers;
  - (c) Take all reasonable steps to ensure that QUTLS complies with the Associations Incorporation Act 1981 (Qld), the Associations Incorporation Regulation 1999 (Qld), QUTLS' Constitution, QUTLS By-Laws and all other governing rules;
  - (d) In consultation with the Vice President, provide pastoral support for Committee Members and deal with any internal disputes;
  - (e) Maintain current and accurate business records and documentation, maintaining secure digital records wherever possible;
  - (f) Issue all Committee Members with an information pack consisting of current versions of the Constitution, QUTLS By-Laws, contact details of all Committee Members and other necessary materials upon the commencement of the term;
  - (g) Be fully acquainted with and, where needed, provide advice to Committee Members regarding, legal, regulatory and constitutional obligations;

- (h) In consultation with the President, schedule and coordinate meetings, ensuring compliance with all legal, regulatory and constitutional obligations, including giving notice;
  - (i) Prepare a comprehensive handover package for the next Secretary to ensure a smooth transition between terms; and
  - (j) Perform other functions as may be required from time to time.
- (5) In relation to the Australian Law Students' Association Conference, the Secretary shall:
- (a) In consultation with the Executive, coordinate all registration and flights for Delegates, budgets, and selection of the delegates and/or competitors for the ALSA Conference;
  - (b) Consult with the Executive in respect of all ALSA-related matters;
  - (c) In consultation with the President and Vice President, be responsible for all correspondence with ALSA and compliance with ALSA directions and requests; and
  - (d) This does not necessarily require the Secretary to attend the ALSA conference.

## **8 Duties of the Treasurer**

- (1) In consultation with the Executive Committee, the Treasurer oversees QUTLS finances.
- (2) The Treasurer is primarily responsible for setting budgets, maintaining financial records, and ensuring responsible financial management across the organisation.
- (3) Generally the Treasurer shall:
  - (a) Form part of and report to the Management Committee;
  - (b) Provide leadership and guidance to Finance Officers; and
  - (c) Perform other functions as may be required from time to time.
- (4) In relation to financial management and reporting, the Treasurer shall:
  - (a) Ensure responsible financial management of QUTLS and promote responsible financial decision-making;
  - (b) Be responsible for setting QUTLS' annual budget and amend the budget as needed;
  - (c) Be independently responsible for monitoring upcoming compliance events, including taxation events (GST, income tax);
  - (d) Maintain financial records, using electronic accounting systems and/or professional services, ensuring QUTLS' true financial position is known at all times;
  - (e) Be informed about financial management and taxation matters, obtaining professional advice as needed;
  - (f) Provide quarterly reports to the Executive Committee in relation to the current financial position;
  - (g) Table financial documents at the Annual General Meeting of QUTLS;
  - (h) Ensure expenditure is controlled and monitored;

- (i) Ensure debts owed by QUTLS are paid in accordance with their terms;
- (j) Prepare invoices and oversee and ensure payment of those invoices;
- (k) Ensure proper cash handling procedures are followed; and
- (l) Work with the Management Committee to transfer financial accounts and records to the incoming Committee as soon as is practicable.

## **DUTIES OF DIRECTORS**

### **9 General Duties of Directors**

All Directors must:

- (a) Report to the Management Committee;
- (b) Attend all meetings and events of the Executive Committee and QUTLS where it is possible to do so;
- (c) Prepare or maintain a comprehensive written handover package for the next Director to ensure a smooth transition between terms;
- (d) Provide formal reports on the performance of their respective portfolio QUTLS meetings;
- (e) Seek to promote and further the objects of QUTLS by completing all required tasks;
- (f) Exercise their power and duties in good faith, with reasonable care and diligence, for a proper purpose;
  - (i) Advise the committee of any conflict that may arise between their own interests and the interests of QUTLS, including possible financial gain;
- (g) In such a case, the Director will relinquish their right to vote on and otherwise participate in such a matter.
- (h) Maintain full and complete confidentiality of the QUTLS QPay Login Details, the QUTLS Office Code and the QUTLS Register of Members, now and in future.
  - (i) Directors must only use this information for the purposes provided to them and which are necessary for the activities of QUTLS.
  - (ii) Directors are strictly prohibited from using this information for personal use, advantage or otherwise.
- (i) Attend QUTLS Office shifts as they are rostered to do so; and
- (j) Perform other functions as may be required from time to time.

### **10 Director of Education**

- (1) The Director of Education is responsible for:
  - (a) running each of QUTLS' education, careers and mentoring programs; and
  - (b) providing leadership, guidance and practical support to each Officer in the Education portfolio.
- (2) In relation to organisational leadership and oversight, the Director of Education shall:
  - (a) Coordinate all activities within the Education Portfolio;

- (b) Work with the Management Committee to personally ensure all sponsorship and grant obligations are met;
- (c) Assist the Executive in the progress and completion of all tasks and projects in a timely, professional and effective manner;
- (d) Provide formal and informal feedback to support the development of Education Officers;
- (e) Provide a handover document to each Education Officer and explain their upcoming duties;
- (f) Provide reports to the Executive on the running of the Portfolio
- (g) including the progress of tasks and conduct of Education Officers;
- (h) Proactively seek out opportunities to support QUTLS' Members personal and professional development and wellbeing;
- (i) Where necessary, liaise and build rapport with firms and the Faculty of Law;
- (j) Negotiate with the Treasurer and Finance Officers to attain grants and monthly bursaries;
- (k) Organise, generate and collate content for the Careers Guide; and
- (l) Personally organise and take full responsibility of various education, networking and career events run throughout the year. This includes finalising dates, answering student and firm queries, booking function rooms, catering, ticketing and assisting with advertising.

## **11 Director of Diversity, Culture and Wellbeing**

- (1) The Director of Diversity, Culture and Wellbeing is to coordinate and oversee the entirety of the Diversity, Culture and Wellbeing portfolio and associated activities.
- (2) The Director of Diversity, Culture and Wellbeing shall:
  - (a) Coordinate Diversity, Culture and Wellbeing initiatives and activities in conjunction with the scheduling of events by the Management Committee;
  - (b) Organise QUTLS Diversity, Culture and Wellbeing events in consultation with sponsors;
  - (c) Attend Equity Committee meetings of the QUT Law Faculty where they arise and communicate outcomes from those meetings to the Executive;
  - (d) Consider financial initiatives for equitable development of QUTLS' relations with students, seeking financial approvals through the consensus of the Executive;
  - (e) Personally organise and take full responsibility of various Diversity,
    - (i) Culture and Wellbeing events run throughout the year. This includes finalizing dates, answering student and firm queries, booking function rooms, catering, ticketing and assisting with advertising; and
  - (f) In consultation with the Treasurer, assist with the facilitation of equity tickets and access to QUTLS activities.

## **12 Director of First Nations**

- (1) The Director of First Nations is to coordinate and oversee the First Nations portfolio, and its events, initiatives and activities.
- (2) The Director of First Nations is to:
  - (a) Represent the interests of, and act as the primary contact within QUTLS for matters affecting, First Nations students;
  - (b) Monitor issues affecting First Nations students within the QUTLS and the QUT School of Law, and advise the QUTLS on developments and needs in this area;
  - (c) Coordinate events, initiatives and activities with a focus on:
    - (ii) representing and advocating for the interests of First Nations law students; and
    - (iii) maintaining relationships and community engagement with relevant industry, professional and community contacts.
  - (d) Consult with the following bodies for feedback with events, initiatives and activities:
    - (i) QUTLS Management Committee;
    - (ii) QUTLS committee members;
    - (iii) QUT Faculty of Indigenous Knowledges and Culture;
    - (iv) QUT School of Law;
    - (v) Oodgeroo Unit;
    - (vi) Equity, Specialist Student Support Team; and
    - (vii) (vii) In consultation with the Sponsorship portfolio, any sponsors.
  - (e) Finalise dates, answer queries, book venues, organise catering and organise ticketing for events, initiatives and activities;
  - (f) In consultation with the President, represent the QUTLS and attend relevant meetings of the Faculty of Business and Law to bring attention to the interests and concerns of First Nations students, and communicate outcomes from those meetings to the QUTLS committee;
  - (g) Educate students on issues facing First Nations peoples, through events;
  - (h) Connect First Nations law students with the Legal Profession, including organising networking events and finding employment partners; and
  - (i) In consultation with the Treasurer, assist with the facilitation of equity funding and access for First Nations students to QUTLS events.

## **13 Director of Internal Competitions**

- (1) The Director of Internal Competitions is to coordinate and oversee the entirety of the Internal Competitions Portfolio.
- (2) The Director of Internal Competitions shall:
  - (a) Provide direction, leadership and guidance to Internal Competitions Officers;
  - (b) Organise QUTLS competitions in consultation with sponsors; and
  - (c) Maintain a database of QUT Faculty of Law staff, QUT Alumni, legal professionals and experienced students able to judge competitions.

- (3) Organisation of QUTLS competitions includes but is not limited to organising problems to be written, negotiating with the sponsor firms, inviting appropriate Judges to the preliminaries and finals, advertising the event, coordinating preliminary rounds through to the competition final.

## **14 Director of Events**

- (1) The Director of Events is responsible for organising and running major annual events such as Law Ball, Spring Soiree, Pub Crawl(s) and membership card launches.
- (2) The Director of Events shall:
  - (a) Establish an annual events schedule;
  - (b) Negotiate with the Treasurer and Finance Officers where appropriate to gain grants for appropriate programs; and
  - (c) Personally organise and take responsibility for the Law Ball, Pub Crawl(s) and Spring Soiree.
    - (i) Organisation of events may include, but is not limited to, booking the venue, negotiating drinks packages, advertising, coordinating the event, booking ticketing sites, and coordinating the sales of tickets and the event itself.

## **15 Director of Sport and Health**

- (1) The Director of Sport and Health is to coordinate and oversee the entirety of the Sport and Health Portfolio.
- (2) The Director of Sport and Health shall:
  - (a) Advise the Sports and Health officers;
  - (b) Coordinate and oversee the QUTLS social sport program;
  - (c) Coordinate and oversee Cups and Grudge Matches, including the following tasks:
    - (i) negotiating with other match organisers;
    - (ii) securing funding;
    - (iii) booking fields;
    - (iv) advertising;
    - (v) organising teams;
    - (vi) coaching;
    - (vii) securing a bar tab;
    - (viii) insurance and physios;
    - (ix) arranging an after party;
    - (x) liaising with the relevant firms invited to participate in the Law Cup; and
    - (xi) arranging and confirming uniforms in consultation with the portfolio sponsor.
  - (d) Coordinate and make reasonable attendance of all Social Sports;
  - (e) Coordinate and make reasonable attendance of Running Club;
  - (f) Organise other sporting events as appropriate;

- (g) Organise Mental Health week events, in consultation with the Education Portfolio;
- (h) Provide formal and informal feedback to support the development of the Sport Officer and Health Officer;
- (i) Provide handover documents to the Sport Officer and Health Officer and explain their upcoming duties.

## **16 Director of Moot Club**

- (1) The Director of Moot Club is to:
  - (a) coordinate and run Moot Club to help further the success of the QUTLS Mooting Program; and
  - (b) advise the Moot Club Officers in the completion of all tasks.
- (2) The Director of Moot Club shall:
  - (a) Maintain and foster the relationship between QUTLS Mooting and Faculty of Law Mooting;
  - (b) Organise various mooting events throughout the year for the benefit of QUT law students; and
  - (c) Coordinate workshops before QUTLS Competitions as necessary to improve the quality of competitors entering competitions;

## **17 Director of Media and Communications**

- (1) The Director of Media and Communications is directly responsible for running the society's publications and marketing. They are to provide leadership, guidance and practical support to each of the officers in the Media and Communications portfolio.
- (2) The Director of Media and Communications shall:
  - (a) Personally organise and take full responsibility for the running of QUTLS social media pages (including Facebook, Instagram, LinkedIn) with the assistance of the relevant portfolio;
  - (b) Coordinate with other portfolios to ensure appropriate marketing for each QUTLS event and initiative;
  - (c) Maintain a professional image for QUTLS and actively seek to increase viewership of all social media platforms;
  - (d) Coordinate and design all Facebook and Instagram Banners advertising an event and publication with the Design Officer;
  - (e) Work with the photographer to ensure photos of each event are posted online and added to various publications as soon as possible;
  - (f) Work with the Education Portfolio to assist in the production and design of the Careers Guide;
  - (g) Work with the First Year Officer to assist in the production and design of the First Year Guide;
  - (h) Oversee the running of the Gavel Magazine and assist in its production;
  - (i) Work with all portfolios to ensure the QUTLS newsletter is regularly distributed and contains up-to-date information; and

- (j) Assist in the design and execution of any other QUTLS publication, including brochures and pamphlets, as necessary.

## **18 Director of Creativity**

- (1) The Director of Creativity shall coordinate and oversee the entirety of the Creativity Portfolio, which consists of the QUTLS Law Revue and other events run by the Creativity Portfolio.
- (2) In respect of Law Revue, the Director of Creativity shall:
  - (a) Provide direction, leadership and guidance to the Creativity Officers;
  - (b) Facilitate and oversee the creative direction, coordination, and running of the QUTLS Law Revue in conjunction with the Creativity Officers. This includes coordinating script writing, auditions, rehearsals, theatre booking, prop making, stage crew, advertising, ticket sales and liaising with sponsor firms and the QUT Law Faculty;
  - (c) Take on a role in the QUTLS Law Revue show;
  - (d) Liaise with the Sponsorship Portfolio, Treasurer and Finance Officers to ensure all sponsorship and grant obligations are met regarding the QUTLS Law Revue;
  - (e) Contribute content for the QUTLS Law Revue;
  - (f) Seek to increase participation in, and viewership of both the QUTLS Law Revue; and
  - (g) Provide formal and informal feedback to support the development of the QUTLS Creativity Officers.
- (3) In respect of other events under the Creativity Portfolio, the Director of Creativity is to:
  - (a) In consultation with Management Committee, determine whether the Creativity Portfolio will host other events.
  - (b) Facilitate and oversee any other events run by the Creativity Portfolio.
  - (c) Provide direction, leadership and guidance to the Creativity officers.
- (4) The Director of Creativity must have demonstrated experience and involvement in the creative arts.
- (5) The Director of Creativity must ensure all material produced by the Creativity Portfolio is of artistic merit and is appropriate for presentation.
- (6) Before the conclusion of their term, the Director of Creativity must ensure that:
  - (a) A theatre booking is placed for the following year's Law Revue; and
  - (b) All relevant information regarding that theatre booking is provided to the incoming Director of Creativity.
- (7) The Director of Creativity from the commencement of their term may, at their discretion, cancel or alter the details of the theatre booking referred to in subsection (6).
- (8) The Director of Creativity, outside of these By-Laws, may be interchangeably referred to as:
  - (a) "Director of Creativity"; and
  - (b) "Director of Law Revue".

## **19 Director of Publications**

- (1) The Director of Publications coordinates and oversees the QUTLS' print and online publications.
- (2) The Director of Publications must:
  - (a) Provide direction, leadership and guidance to the officers of the Publications portfolio;
  - (b) Ensure content is created and published regularly;
  - (c) Oversee the officers of the Publications portfolio to ensure high quality curation and production of content;
  - (d) Contribute content for QUTLS' publications;
  - (e) Seek to increase participation in, and viewership of QUTLS' publications;
  - (f) Collaborate with other portfolios, if requested, to promote the QUTLS Law Revue;
  - (g) Provide formal and informal feedback to support the development of the officers of the Publications portfolio.
- (3) The Director of Publications should have demonstrated experience and involvement in creative writing.

## **20 Director of External Competitions**

- (1) The Director of External Competitions is to coordinate and oversee the entirety of the External Competitions Portfolio.
- (2) The Director of External Competitions is responsible for facilitating the organisation of all external competitions QUTLS competes in, including: the Queensland Interschool Law Competitions, Australian Law School Association Competitions Grudge Moots and other domestic and international competitions.
- (3) The Director of External Competitions shall undertake the following tasks with regard to organising external competitions:
  - (a) team member selection and recruitment, which may include creating application forms, reviewing applications and arranging try-outs;
  - (b) external competition administration, such as completing registration forms and arranging payment of registration fees;
  - (c) liaising with representatives from other organisations involved in external competitions;
  - (d) representing the QUTLS on any relevant boards or committees;
  - (e) liaising with the QUT Law Faculty and professionals on matters relating to external competitions, including coaching; and
  - (f) any other tasks required of QUTLS for the organisation and operation of external competitions.
- (4) If the QUTLS hosts the Queensland Interschool Law Competitions, the duties of the Director of External Competitions also include:
  - (a) convening the event;
  - (b) ensuring all tasks for the event are complete;
  - (c) contacting and maintaining relationships with external stakeholders, including judges, competitors (from QUT

- and other universities) and venue staff.
- (d) promoting the event to the QUT Law community and external stakeholders;
  - (e) ensuring adequate records of participants, judges, wins and other statistics are kept; and
  - (f) any other tasks required for running the event.
- (5) The Director of External Competitions should have at least a basic understanding of law competitions.

## **21 Director of Sponsorship**

- (1) The Director of Sponsorship is to coordinate and oversee the entirety of the Sponsorship Portfolio.
- (2) The Director of Sponsorship must:
  - (a) Develop and release a 'Sponsorship Prospectus' and meet with prospective sponsors with the view to secure funding for the furtherance of the association's objects;
  - (b) Liaise with Directors of each portfolio and the Management Committee to ensure sponsorship engagement is maintained across the society's events;
  - (c) Liaise with the Media & Communications portfolio to promote the 'Sponsorship Prospectus';
  - (d) Work with the Publications portfolio to develop the 'Sponsorship Prospectus';
  - (e) Oversee the delivery of sponsorship obligations, in collaboration with the Management Committee, and work with Executive and Non-Executive Committee Members to ensure these obligations are met;
  - (f) Liaise with sponsors regularly throughout their term to maintain the relationship between QUTLS and sponsors;
  - (g) Ensure detailed and accurate records of sponsorship meetings and agreements are maintained;
  - (h) Provide leadership and guidance for the Sponsorship Officer; and
  - (i) Be available during the sponsorship season to perform the above responsibilities.
- (3) The sponsorship obligations include:
  - (a) Consistent and regular contact with sponsors regarding their events, obligations and inquires throughout the year;
  - (b) Delegation of tasks to the sponsorship officers, where required to meet sponsorship obligations;
  - (c) Review of the 'Sponsorship Prospectus' to ensure consistency for each event;
  - (d) Attend meetings with sponsors throughout the year to confirm sponsorship arrangements and to address any inquiries they may have;

- (e) In collaboration with the Sponsorship Officers, send through a comprehensive sponsorship confirmation email to sponsors for each event at least 1 month prior to the event;
- (f) Liaise with the Treasurer regarding sponsorship funds for the year; and
- (g) Any other task required of the Sponsorship portfolio.

## **DUTIES OF OFFICERS**

### **22 General Duties of Officers**

All Officers shall:

- (1) Assist their portfolio in the completion of tasks wherever required;
- (2) Attend all QUTLS events and meetings wherever possible and shall provide notice to the event organiser where they are unable to attend;
- (3) Seek to promote and further the objects of QUTLS in the completion of all tasks;
- (4) Only at the discretion of the relevant Director or Management Committee member, may the Officer access QUTLS Qpay login details and the QUTLS Register of Members;
- (5) The Officer must maintain full and complete confidentiality of the QUTLS QPAY Login details, the QUTLS Office Code and the QUTLS Register of Members, now and in future. All Officers must only use this information for the purposes provided to them and which are necessary for the activities of QUTLS. All Officers are strictly prohibited from using this information for personal use, advantage or otherwise;
- (6) Prepare a comprehensive handover package for the next Officer to ensure a smooth transition between terms;
- (7) Attend QUTLS Office shifts as they are rostered to do so; and
- (8) Perform other functions as may be required from time to time.

### **23 Finance Officers**

- (1) The Finance Officers report to and assist the Treasurer in all matters of QUTLS' Finances.
- (2) The Finance Officers shall:
  - (a) Assist the treasurer in all tasks required; and
  - (b) In coordination with the organiser of each event, apply on behalf of the QUTLS for grants to help in the funding of various events.
  - (c) Complete all required workshops required for grants.

### **24 Health Officer**

- (1) The Health Officer reports to the Director of Sport and Health. They are to coordinate and organise various Health and Wellbeing initiative throughout the year.

- (a) The Director of Diversity, Culture and Wellbeing may also require the Health Officer to collaborate on any Diversity, Culture and Wellbeing events that seek to include a strong health message from time to time.
- (2) The Health Officer shall from time to time be required to assist the Director of Sport and Health as they see fit.
- (3) The Health Officer shall:
  - (a) Purchase and create Exam Stress Packs to be handed out during exam blocks.
  - (b) Work with the Faculty of Law to coordinate Mental Health Week including the Mental Health Breakfast. This includes: negotiating
  - (c) with faculty, securing student participants, advertising the event, and securing appropriate merchandise for those participating;
  - (d) Assist the Director of Sport and Health in any presentations they make during Mental Health Week.
  - (e) Run panel discussions on the topic of mental health;
  - (f) Run any other initiatives as appropriate;
  - (g) Coordinate any committee social events throughout the year; and
  - (h) Personally organise and take full responsibility for the Walk for Justice. This includes coordinating with the faculty to form a QUT team consisting of staff and students, purchasing tickets for sponsored students, promoting and initiating fundraising activities and providing information on the walk.

## **25 Diversity, Culture and Wellbeing Officer**

- (1) The Diversity, Culture and Wellbeing Officer reports to the Director of Diversity, Culture and Wellbeing and is responsible for providing support for students from diverse backgrounds including, but not limited to, international students, external students, graduate students and students facing financial hardship.
- (2) The Diversity, Culture and Wellbeing Officer shall:
  - (a) In conjunction with the Director of Diversity, Culture and Wellbeing and other Portfolio Officers, organise events and initiatives with a focus on bridging community gaps faced by students, including but not limited to, external students, international students, graduate students and students facing financial hardship;
  - (b) Consult with the Management Committee and subcommittees where necessary to ensure that the interests and challenges of students, including but not limited to external students, international students, graduate students and students facing financial hardship are considered;
  - (c) Assist the Director of Diversity, Culture and Wellbeing in all tasks required; and
  - (d) Assist other Officers within the Diversity, Culture and Wellbeing Portfolio where necessary.

## **26 First Nations Officers**

- (1) The First Nations Officers report to the Director of First Nations and are responsible for:

- (a) providing support for First Nations law students; and
  - (b) representing and advocating for the interests of First Nations law students, both within and outside the QUTLS.
- (2) The First Nations officers are to:
- (a) In conjunction with the Director of First Nations and other QUTLS committee members, organise events, initiatives and activities with a focus on:
    - (i) representing and advocating for the interests of First Nations law students; and
    - (ii) maintaining relationships and community engagement with relevant industry, professional and community contacts;
  - (b) Consult with the Management Committee and subcommittees to ensure the interests and challenges of First Nations law students are considered;
  - (c) Assist the Director of First Nations with all tasks required; and
  - (d) Assist other Officers within the First Nations Portfolio where necessary.

## **27 Education Officers**

- (1) The Education Officers report to the Director of Education and are responsible for promoting career opportunities and workshops which benefit QUTLS Members.
- (2) The Education Officers shall:
- (3) Personally organise and take responsibility for various career
  - (a) workshops run throughout the year. This includes, room booking, catering and to organise advertising;
  - (b) Assist the Director of Education in all tasks required; and
  - (c) Assist other Officers within the Education Portfolio where necessary.

## **28 Mentor Officer**

- (1) The Mentor Officer will report to the Director of Education and is responsible for the organisation and management of the Buddy Program, and engaging with 1st year and external students.
- (2) The Mentor Officer shall:
  - (a) Personally organise and take responsibility for organising the Buddy Program. This entails negotiating with the QUT Law Faculty and relevant sponsor/s, advertising the program, matching partners together and resolving any issues which arise throughout the year;
  - (b) Assist the First Year Officer in organizing initiatives to engage with First year Students. This includes coordinating with QUT Law Faculty to run the First Year Lunch, and increasing 1st year Participation in various QUTLS events and initiatives;
  - (c) Personally organise and take responsibility for initiatives to engage with External Students. This includes coordinating with QUT Law Faculty to run

- the External Lunch, and increasing External Participation in various QUTLS events and initiatives;
- (d) Assist the Director of Education in all tasks required; and
  - (e) Assist other Officers within the Education Portfolio where necessary.

## **29 Internal Competitions Officers**

- (1) The Internal Competitions Officers report to the Director of Internal Competitions. They are to assist the Director of Internal Competitions in the organisation of all QUTLS competitions. They are to negotiate the distribution of work between them, ideally of equal proportions.
- (2) The Internal Competitions Officers shall undertake the following tasks with regard to organising QUTLS competitions:
  - (a) organising volunteers for each competition round including recruitment, emailing and allocation of rounds;
  - (b) creating registration forms;
  - (c) allocating team numbers;
  - (d) allocating single registrations into teams;
  - (e) adding teams into a draw;
  - (f) notifying registrations of their team number and round time;
  - (g) sending opponent's submissions;
  - (h) answer queries received in the Competitions email; and
  - (i) generally organise the rounds as they occur including printing materials, setting up rooms, liaising with competitors and judges and troubleshooting.
- (3) The Internal Competitions Officers shall also undertake any other tasks as delegated by the Director of Internal Competitions in relation to the organisation of QUTLS internal competitions.
- (4) The Internal Competitions Officers shall keep accurate records of competition entrants, withdrawals and penalties.

## **30 External Competitions Officers**

- (1) The External Competitions Officers report to, and assist, the Director of External Competitions.
- (2) The duties of the External Competitions Officers are to assist the Director of External Competitions with:
  - (a) selecting and recruiting team members, including creating application forms, reviewing applications and arranging try-outs;
  - (b) liaising with representatives from other organisations involved in external competitions;
  - (c) liaising with the QUT Law Faculty and professionals on matters relating to external competitions, including coaching; and
  - (d) any other tasks required for QUTLS' involvement in the competition.

- (3) If the QUTLS hosts the Queensland Intervarsity Law Competitions, the duties of the External Competitions Officers also include assisting the Director of External Competitions with:
- (a) staffing the event;
  - (b) ensuring all allocated tasks for the event are complete;
  - (c) contacting and maintaining relationships with external stakeholders, including judges, competitors (from QUT and other universities) and venue staff.
  - (d) promoting the event to the QUT Law community and external stakeholders;
  - (e) ensuring adequate records of participants, judges, wins and other statistics are kept;
  - (f) any other tasks required for running the event.

### **31 Events Officers**

- (1) The Events Officers report to the Director of Events. They are to assist the Director of Events in the organisation of all QUTLS events. They are to negotiate the distribution of work between them, ideally of equal proportions.
- (2) The Events Officers shall undertake the following tasks in relation to the organisation of QUTLS events:
  - (a) Under direction from the Director of Events, assist with the development of the QUTLS Law Ball. Tasks may include but are not limited to sources quotes, organising theming, selling Law Ball tickets and sourcing photographers;
  - (b) Assist with the organisation of the QUTLS end of semester celebration.
  - (c) Take a lead role in the organisation of the QUTLS pub crawl. Tasks include sources quotes, liaising with venues and sourcing merchandise in collaboration with the merchandising officer;
  - (d) Under direction from the Director of Events, assist with the development of the QUTLS Law Dinner. Tasks may include but are not limited to sources quotes, organising theming, selling Law Dinner tickets and sourcing photographers; and
  - (e) Other tasks as required by the Director of Events to assist with the operation of the Events portfolio.

### **32 Creativity Officers**

- (1) The Creativity Officers report to the Director of Creativity.
- (2) The primary role of the Creativity Officers is to assist the Director of Creativity in the organisation and running of the Law Revue.
- (3) In respect of Law Revue, the roles of the Creativity Officers include:
  - (a) Assisting the Director of Creativity in all tasks required of them;
  - (b) Coordinating script writing, auditions, rehearsals, theatre booking, prop making, stage crew, advertising and ticket sales.

- (c) Liaising with sponsor firms and the faculty for the completion of Law Revue tasks.
- (4) The Creativity Officers must also assist the Director of Creativity in any other tasks required for other events run by the Creativity Portfolio.
- (5) The Creativity Officers, outside of these bylaws, may be interchangeably referred to as:
  - (a) “Creativity Officers”;
  - (b) “Law Revue Officers”; and
  - (c) “Law Revue Convenors”.

### **33 Merchandising Officer**

- (1) The Merchandising Officers are responsible for:
  - (a) organising official QUTLS Merchandise (shirts, hoodies, bags, bottles etc.); and
  - (b) keeping track of QUTLS Merchandise stock; and
  - (c) in consultation with the Management Committee, ordering new stock.
- (2) The Merchandising Officers report to the Treasurer.

### **34 Sports Officer**

- (1) The Sports Officer reports to and assists the Director of Sport and Health in all QUTLS sporting events.
- (2) The Sport Officer shall:
  - (a) Assist in the organisation and activities of the Soccer and Rugby QUT v UQ Grudge Matches.
    - (i) Organisation includes contacting UQLS and discussing the details of the event, creating Media Communications regarding team members and officials participating in the matches, ensure that the QUTLS Team jerseys required for the matches are fit for use, assistance or completion of event details, and any further actions required by the Director of Sport and Health; and
- (3) Run any other sport or health initiatives they see fit in consultation with the Director of Sport and Health and the Management Committee of the QUTLS.

### **35 Moot Club Officers**

- (1) The Moot Club Officers are to report to and assist the Director of Moot Club.
- (2) The Moot Club Officers shall:
  - (a) Assist the Director of Moot Club with organising various mooting law activities throughout the year; and
  - (b) Assist the Director of Moot Club with coordinating workshops before QUTLS competitions as necessary to improve the quality of competitors entering competitions.

### **36 Publications Officer**

- (1) The Publications Officers report to and assist the Director of Publications with all QUTLS publications.
- (2) The Publications Officers must:
  - (a) Source articles for publications, by seeking articles written by others and personally contributing content where necessary;
  - (b) Contribute to the creation of publication front covers. Contribution includes providing ideas, opinions and assisting at photoshoots if necessary;
  - (c) Assist the Director of Publications with the production and distribution of content; and
  - (d) Assist the Director of Media and Communications with other tasks as required.

### **37 Design Officers**

- (1) The Design Officers report to and assist the Director of Media and Communication with the design of QUTLS' social media and marketing.
- (2) The Design Officers must:
  - (a) Have experience working with Adobe Photoshop and Indesign or a willingness to learn;
  - (b) Contribute to the creation of social media and marketing content. Contribution includes providing ideas, opinions, photoshopping and assisting at photoshoots if necessary; and
  - (c) Provide artwork for events to the Director of Media and Communication by the due date.
  - (d) The Design Officers must also provide content for QUTLS Publications if requested by the Director of Publications.
  - (e) Applications must include 5 pieces of artwork (for example: Facebook event banners) showcasing the applicant's skills.

### **38 Photographer**

- (1) There shall be two (2) Photographers report to and assist the Director of Media and Communications. The Photographer shall photograph society events to increase awareness of QUTLS and the opportunities on offer to students.
- (2) Each Photographer shall:
  - (a) Own a DSLR camera or have access to one;
  - (b) Have experience working with Adobe Photoshop and Lightroom, or have a willingness to learn;
  - (c) As a team attend all events to photograph. Where both the
  - (d) Photographers are unable to attend, they are to advise the Director of Media and Communication and organise a suitable person to take photos in their place; and
  - (e) Ensure that all photos are uploaded and saved to the Society drive.

- (3) The application must include 10 photos showcasing the applicant's skill and use of suitable equipment.

### **39 IT Officer**

- (4) The IT Officer shall report to the Secretary. They are to ensure the smooth operation, security and design of the QUTLS website, storage, email database, servers, accounts and other technology in use by the QUTLS.

### **40 Administrative Officers**

- (1) The Administrative Officers report to and assist the Secretary in all matters relating to the legal, regulatory, constitutional and governance tasks of the QUTLS.
- (2) The duties of the Administrative Officers include:
  - (a) Assisting the Secretary in all tasks required; and
  - (b) Ensuring the smooth operation, security and design of QUTLS' information technology systems, including but not limited to:
    - (i) the QUTLS website;
    - (ii) virtual storage;
    - (iii) email;
    - (iv) servers;
    - (v) accounts;
    - (vi) communication channels (for example, Slack);
    - (vii) any other information technology used by QUTLS from time to time; and
  - (c) Maintaining and cleaning the QUTLS office as required; and
  - (d) Liaising with external bodies (including Faculty and the Office of Fair Trading) for the purposes of administrative tasks; and
- (3) Assisting the Secretary to draft documents for:
  - (a) the internal management of QUTLS; and
  - (b) legal and regulatory matters.
- (4) Without limiting the QUTLS Privacy Policy, the Administrative Officers must maintain full confidentiality in all matters relating to:
  - (a) information technology systems, including login details and personal information;
  - (b) legal and regulatory documents;
  - (c) discussions with external parties; and
  - (d) internal documents in draft form that are yet to be released to the wider committee or the public;  
- unless the Secretary directs otherwise.

### **41 Social Media Officer**

- (1) The Social Media Officer shall report to and assist the Director of Media and Communications with all QUTLS Social Media.

- (2) The Social Media Officer shall:
  - (a) develop, maintain, and adhere to a social media publishing calendar;
  - (b) maintain social media accounts, or contribute to any social media activities;
  - (c) assist the Media and Communications Portfolio in preparing marketing material;
  - (d) take all necessary steps to ensure effective reach of material; and
  - (e) assist with other tasks incidental to the Society's social media.

## **42 George Street Journal Officers**

- (1) The George Street Journal Officers report to the Director of Creativity;
- (2) The George Street Journal Officers must assist with compiling and reviewing submissions and producing content for the George Street Journal;
- (3) The George Street Journal officers must also:
  - (a) Assist with maintaining the George Street Journal social media accounts;
  - (b) Take all necessary steps to ensure effective reach of material; and
  - (c) Promote the QUTLS Law Revue through the George Street Journal if requested by the Director of Creativity.
- (4) Applications must include one item of creative writing intended for the George Street Journal, showcasing the applicant's skill and understanding of the role.
- (5) The Director of Creativity may select one (1) George Street Journal Officer to be the Editor of the George Street Journal.

## **43 First Year Officer**

- (1) The First Year Officer reports to the Director of Diversity, Culture and Wellbeing and is responsible for supporting first year students and assisting their transition into university.
- (2) The First Year Officer shall:
  - (a) Coordinate the strategies and initiatives with first year focuses;
  - (b) Work with other Portfolios as needed to organise events and initiatives which encourage First Year involvement with the QUTLS - specifically the First Year Guide, Mentor Program and First Year Social events;
  - (c) Provide a point of contact and friendly face for first year students;
  - (d) Attend First Year Student focussed events where possible;
  - (e) Assist the Director of Diversity, Culture and Wellbeing in all tasks required; and
  - (f) Assist other Officers within the Diversity, Culture and Wellbeing Portfolio where necessary.

## **44 Gender and Sexuality Officer**

- (1) The Gender and Sexuality Officer reports to the Director of Diversity, Culture and Wellbeing and is responsible for supporting students who identify as LGBTIQ+, non-binary or gender diverse. The Gender and Sexuality Officer

must advocate for their rights and views within QUTLS and the wider community. The Gender and Sexuality Officer must also advocate for gender equality within QUTLS and the wider community.

- (2) The Gender and Sexuality Officer shall:
- (a) Organise events and initiatives which support and raise awareness for the LGBTIQA+, non-binary and gender diverse communities;
  - (b) Organise events and initiatives which support gender equality and raise awareness of challenges faced due to gender;
  - (c) Monitor issues relevant to gender and to students who identify as LGBTIQA+, non-binary and gender diverse, both within the QUTLS and the wider community, and advise the Director on any developments and needs in this area;
  - (d) Consult with the Management Committee and subcommittees where necessary, to ensure gender equality and that the interests of the LGBTIQA+, non-binary and gender diverse communities are appropriately represented throughout the QUTLS as a whole;
  - (e) Assist the Director of Diversity, Culture and Wellbeing in all tasks required; and
  - (f) Assist other Officers within the Diversity, Culture and Wellbeing portfolio where necessary.

#### **45 Abilities Officer**

- (1) The Abilities Officer reports to the Director of Diversity, Culture and Wellbeing and is responsible for supporting students who identify as having a disability, injury or health condition. The Abilities Officer must advocate for their rights and views within QUTLS and the wider community.
- (2) The Abilities Officer shall:
- (a) Organise events and initiatives which support students with a disability,
  - (b) injury or health condition and promote a culture of inclusivity and respect for students' rights;
  - (c) Monitor issues relevant to students with a disability, injury or health condition both within the QUTLS and the wider University and advise the Director on developments and needs in this area;
  - (d) Consult with the Management Committee and subcommittees where necessary, to ensure that the interests of the students with a disability, injury or health condition are appropriately represented throughout the QUTLS as a whole;
  - (e) Assist the Director of Diversity, Culture and Wellbeing in all tasks required; and
  - (f) Assist other Officers within the Diversity, Culture and Wellbeing portfolio where necessary.

#### **46 Sponsorship Officer**

- (1) The Sponsorship Officers report to the Director of Sponsorship.

- (2) The Sponsorship Officers must shall assist the Director of Sponsorship with:
  - (a) Developing and releasing a 'Sponsorship Prospectus';
  - (b) Meeting with prospective sponsors
  - (c) Ensuring the delivery of sponsorship obligations;
  - (d) Liaising with sponsors regularly to maintain the relationship between QUTLS and sponsors;
  - (e) Ensuring detailed and accurate records of sponsorship meetings and agreements are maintained; and
  - (f) Any other tasks as required.

## **47 Media and Communications Officers**

- (1) The Media and Communications Officers report to and assist the Director of Media and Communications with running QUTLS' publications and marketing.
- (2) The Media and Communications Officers are to assist the Media and Communications Portfolio with the following tasks, as required:
  - (a) Running QUTLS' social media pages, including Facebook, Instagram, Tik Tok, LinkedIn and others;
  - (b) Designing and distributing any QUTLS publications, including brochures and pamphlets;
  - (c) Designing QUTLS marketing materials, including social media banners, events and posts;
  - (d) Any other tasks incidental to QUTLS' social media, publications and design works, as required.

## **QUTLS EVENT MANAGEMENT PLAN (“EMP”) POLICY**

### **1. Definition of Event Management Plan (“EMP”)**

An EMP is a comprehensive document created by the Treasurer to be used by Directors outlining the logistics, budget, and risk management strategies for events organised by the QUTLS. It is the relevant Director’s sole responsibility to draft the EMP and send for approval based on the below.

### **2. Major EMP**

A Major Event Management Plan (EMP) shall apply to any event classified as *major*. An event shall be classified as *major* if it meets any of the following criteria:

- It is considered risky, expensive, or large in scope;
- The total sponsorship value exceeds \$3,000; and
- The event requires significant planning, resources, or coordination across multiple portfolios or teams.

For all Major EMPs, they must be approved by a majority vote in favour by the Management Committee.

### **3. Minor EMP**

A Minor Event Management Plan (EMP) shall apply to smaller, low-risk events. An event shall be classified as *minor* if it meets the following criteria:

- It is low-risk and requires minimal resources;
- The total sponsorship value is under \$3,000; and
- The event involves a limited scope.

For all Minor EMPs, they must be approved by that portfolio's direct report (or “T4 Buddy”) of the Management Committee.

For the purposes of the EMP Policy, “risk” is defined as its plain and ordinary meaning, including anything carrying a risk to the QUTLS reputation, attendees and/or health and safety.

Should any clarification be required, defining what a Minor or Major EMP and general interpretation of the above is subject to the Management Committee’s sole discretion on a case by case basis.

## **QUTLS Membership Agreement**

1. By providing payment of the Membership Fee, you hereby give consent to Membership of QUT Law Society Inc. (IA39988) ('QUTLS').
2. You understand that QUTLS has public liability insurance of the amount of \$20,000,000 AUD.
3. You agree to payment of the Membership Fee which is \$15.00 AUD.
4. You agree and you understand that your membership will expire after the annual period specified in the QUTLS Constitution.
5. You agree you have read, understand, will comply with and will be bound by **all the terms and rules of QUTLS**, including, but not limited to:
  - (a) **The QUTLS Constitution**; and
  - (b) **The QUTLS By-Laws and its attached policies.**
  
6. You agree to act consistent with the QUTLS objects of QUTLS outlined in rule 3(1) of the QUTLS Constitution.
7. You agree that you have read rule 9 of the QUTLS Constitution and that we reserve the right to cancel your membership where your actions as a Member, when associating with QUTLS in any way are:
  - (a) Contrary to the QUTLS Constitution;
  - (b) Contrary to the QUTLS By-Laws or its attached policies;
  - (c) Prejudicial or injurious to the character or interests of QUTLS; or
  - (d) Have capacity to adversely affect the reputation of QUTLS.
  
8. You agree that your personal information, which you provide in purchasing a Membership, may be shared according to any QUTLS Privacy Policy which may be in force or updated from time to time.
9. You agree and you understand that the terms of this QUTLS Membership Agreement, the QUTLS Constitution and the QUTLS By-Laws may be updated from time to time.
10. You agree and you understand that your continued use of your membership signifies your acceptance of terms as they are updated.

You confirm that you have read, understand, will comply with and will be bound by the terms and conditions in this Membership Agreement.

**By ticking 'Yes' in response to 'Do you agree to be bound by the terms of the QUTLS Constitution and the QUTLS By-Laws?' you are providing an electronic signature which confirms your acceptance of this Membership Agreement.**

## QUTLS Code of Conduct

- (1) This QUTLS Conduct covers behavior and actions of all Members and other persons in:
  - (a) All interactions with QUTLS;
  - (b) At QUTLS Events; and
  - (c) On all QUTLS social media platforms and pages.
  
- (2) In all circumstances, all Members and other persons bound by the QUTLS Code of Conduct agree they will:
  - (a) Be honest, truthful and fully co-operative in all dealings with QUTLS;
  - (b) Comply with all relevant Australian and local legislation;
  - (c) Comply with all reasonable directions from the QUTLS Management Committee and QUTLS Event Staff;
  - (d) Consent to the QUTLS Code of Conduct before attending or participating in any QUTLS Event;
  - (e) Never act in a way that threatens the health or wellbeing of another person, or act in a way that is reasonably likely to cause the other person to fear for their health or wellbeing;
  - (f) Never engage in harassment or sexual harassment in any shape, form or medium (including in person, in writing or online). Harassment is any unwanted action, and sexual harassment is any unwanted sexual action, that:
    - (i) Involves a stated or implicit threat to the victim's membership, office, selection, employment status or general wellbeing; or
    - (ii) Has the purpose or effect of interfering with or restricting another person's participation in QUTLS Events or the performance of their duties; or
    - (iii) Creates an intimidating or offensive living or work environment.
  - (g) Never engage in behaviour to shame, humiliate, belittle or degrade others, or otherwise emotionally abuse others;
  - (h) Never discriminate against another person on the basis of an attribute. Discrimination is any direct or indirect discrimination which is brought about by differential treatment of a person on the basis of an attribute, that:
    - (i) Involves a stated or implicit threat to the victim's membership, office, selection, employment status or general wellbeing; or
    - (ii) Has the purpose or effect of interfering with or restricting another person's participation in QUTLS Events or the performance of their duties; or
    - (iii) Creates an intimidating or offensive living or work environment.
  - (i) Always treat other persons with dignity or respect, regardless of attribute;
  - (j) Never coerce any person by any means to consume alcohol, tobacco, or any other substance; and
  - (k) For QUTLS Events that are alcohol free, not consume any amount of alcohol or drugs at any time during the event with the exception of caffeine, tobacco or bona fide medicine.

- (3) Where a Member or other person submits any material on any QUTLS social media platforms or pages which is in breach of this QUTLS Code of Conduct, QUTLS reserves the right to proceed with one or more of the following actions:
- (a) Issuing of a formal warning;
  - (b) Removal of the comment, post or submitted material;
  - (c) Removal of QUTLS Membership in accordance with the QUTLS Constitution;
  - (d) Suspension or removal of membership from a QUTLS social media platform or page.
- (4) This QUTLS Code of Conduct does not limit or reinterpret the scope of the *Age Discrimination Act 2004* (Cth), *Australian Human Rights Commission Act 1986* (Cth), *Disability Discrimination Act 1992* (Cth), *Racial Discrimination Act 1975* (Cth), *Sex Discrimination Act 1984* (Cth) or the *Anti-Discrimination Act 1991* (Qld). QUTLS reserves the right to use this legislation in making determinations about whether a breach of the QUTLS Code of Conduct has occurred.
- For example, the definition or phrase of ‘attribute’ or ‘discrimination’ from the Anti-Discrimination Act 1991 (Qld) may be used.*
- (5) Members of the Management Committee, Executive Committee and Subcommittees agree to:
- (a) Immediately report concerns or allegations of any breach of the QUTLS Code of Conduct to the Secretary or the Vice-President;
  - (b) However, where the concern or allegation involves sexual harassment or sexual assault, such Members must only report with the consent of the alleged victim; and
  - (c) Never disclose sensitive or confidential information about Members or other persons, except as required under their mandatory reporting duties or by law.

## QUTLS Events Agreement

You agree that you have read, understand, will comply with and will be bound by the below terms and conditions on your involvement in any QUT Law Society Inc. (QUTLS) Event:

1. You understand that a QUTLS Event includes any meeting, activity or event organised, co-organised, hosted or co-hosted by QUTLS.
2. You understand that QUTLS Event Staff includes any employee or volunteer from QUTLS, a venue or an organisation which hosts or organises a QUTLS Event.
3. You have read, understand, will comply with and will be bound by the terms and rules of the QUTLS Constitution and the QUTLS By-Laws, including its attached policies.
4. You will co-operate with any procedure or decision made by QUTLS as a consequence of your breach of the QUTLS Constitution or QUTLS By-laws.
5. You will follow and respect all terms, conditions and rules mandated by any venue or organisation which hosts a QUTLS Event.
6. You will follow all reasonable directions of QUTLS Event Staff.
7. You agree that in the event of an emergency and where you cannot provide direction, you give your fully informed and free consent for QUTLS Event Staff to obtain, at your expense, any emergency medical assistance, treatment and transport which is reasonable in the circumstances.
8. You agree that it is your duty when registering for a QUTLS Event to provide when prompted, written notice of any allergy, medical condition, dietary requirement, special needs or special requests that you have or believe you have.
9. You give permission to QUTLS to use, edit or reproduce any photograph, audio recording, video recording, post or comment involving you in print, broadcast, online and social media, without further consent and free of charge, at this date or in future, agreeing that QUTLS reserves the right to treat this material at its ultimate discretion.
10. You understand and agree that, to the extent permitted by law and the QUTLS By-Laws, QUTLS may collect, store, share and use your personal information to:
  - (a) Organise QUTLS Events;
  - (b) Obtain feedback or inquiries;
  - (c) Inform you of promotional offers, QUTLS Events or QUTLS related topics;
  - or
  - (d) Provide updates or complete applications for QUT SCAP (**Student Clubs and Projects**) grants;

11. You agree to release, hold harmless, defend and indemnify QUTLS and QUTLS Committee Members from and against any damage, liability, claim and loss, including consequential loss, indirect loss, loss of opportunity or loss of profit arising from your conduct connected to a QUTLS Event.
12. You agree to reimburse or compensate QUTLS for any damage, liability, claim and loss (including loss specified at 11.) arising from you or your conduct at a QUTLS Event.
13. You agree and understand that if you have any complaint arising from a QUTLS Event you must submit the complaint, in writing, to the Secretary of QUTLS ([secretary@qutlawsociety.com](mailto:secretary@qutlawsociety.com)) as soon as reasonably practicable.

## **QUTLS Working with Children Policy**

### **1 Status**

- (1) This policy is primarily established for the purposes of any activity involving working with children, as assisted or organised by QUTLS, which require the use of blue cards in Queensland.
- (2) However, this policy will apply to other activities organised by QUTLS which require the use of blue cards in Queensland.
- (3) This policy only relates to individuals employed, whether voluntarily or for financial gain, in 'regulated employment' as defined by Schedule 1, Part 1 of the Working with Children (Risk Management and Screening) Act 2000 (Qld).
- (4) This policy is a QUTLS By-Law and may be reproduced by QUTLS separate to the QUTLS By- Laws provided the reproduction is identical.

### **2 Statement Of Commitment**

- (1) QUTLS is committed to the safety and wellbeing of all children and young people, including those who use our services. Our employees in regulated employment will treat them with respect and understanding and address their concerns at all times. QUTLS will endeavour to provide a safe and supportive environment for children and young people through:
  - (a) Blue card checks for all employees in regulated employment;
  - (b) A strictly enforced code of conduct for all employees in regulated employment;
  - (c) Clear dispute resolution mechanisms; and
  - (d) A publicly available risk management policy.
- (2) In accordance with the Working with Children (Risk Management and Screening) Act 2000 (Qld), QUTLS is required to have a written Child And Youth Risk Management Strategy to protect the children and young people in QUTLS from harm. The strategy will help ensure QUTLS is a safe and supportive service environment for children and young people by identifying and minimising risks. Screening employees in regulated employment through the blue card system is part of the strategy.
- (3) For the sake of clarity, this QUTLS Working with Children Policy is the Child and Youth Risk Management Strategy of QUTLS.

### **3 Role and Duties of the Moot Club Portfolio**

- (1) Any officer, or director of a portfolio, undertaking any activity involving working with children will share the responsibilities and duties of the Secretary in this policy in organising that activity.
- (2) The relevant director and officers involved in organising the activity shall have a responsibility to ensure the activity is compliant with this policy.

- (3) Outside of the relevant activity, the relevant directors and officers do not have a role or duty related to this policy.

#### **4 Selection Of Employees in Regulated Employment**

- (1) QUTLS has in place an effective set of policies and procedures for selecting employees in regulated employment. These processes ensure that QUTLS creates a safe and supportive environment for children and young people.
- (2) To become an employee in regulated employment for QUTLS, individuals must be willing to work professionally and appropriately with children. As part of our processes, our Secretary may question a potential employee in regulated employment to check their appropriateness for working with children. QUTLS also looks to experience to ensure that it responsibly manages the tasks of those employees in regulated employment.
- (3) Finally, all our employees in regulated employment must undergo Working Safe With Children Checks through the Queensland Government's Public Safety Business Agency's Blue Card Services.

#### **5 Breaches Of The Code Of Conduct**

- (1) A breach is any action or inaction by any Member of QUTLS, including children and young people, that fails to comply with any part of the strategy including the Code of Conduct. The following will occur if there is an allegation of a breach:
  - (a) The Management Committee shall appoint a welfare Ombudsman to oversee the process and advise the Management Committee;
  - (b) All people concerned will be advised of the process by the Ombudsman;
  - (c) All people concerned will be able to provide their version of events to the Ombudsman;
  - (d) The details of the breach, including the versions of all parties and the outcome, will be recorded;
  - (e) The Ombudsman will report to the Management Committee with recommendations for courses of action the Management Committee should take;
  - (f) The Management Committee will discuss between themselves and with the Ombudsman the nature of the events.
  - (g) An appropriate outcome will be decided by the Management Committee.
- (2) All matters discussed in an investigation will be confidential.
- (3) Depending on the nature of the breach, outcomes may include:
  - (a) Emphasising the relevant component of the Child And Youth Risk Management Strategy, for example, the code of conduct;
  - (b) Providing closer supervision;
  - (c) Further education and training;
  - (d) Mediating between those involved in the incident (where appropriate); (e)
  - (e) Disciplinary procedures if necessary; or
  - (f) Reviewing current policies and procedures and developing new policies and procedures if necessary.

## **6 Handling Disclosures And Suspicions of Harm**

### **(1) Definitions**

- (a) Harm is defined under the Child Protection Act 1999 (Qld) as “any detrimental effect of a significant nature on the child’s physical, psychological or emotional wellbeing. For harm to be significant, the detrimental effect on the child’s wellbeing must be substantial or serious, more than transitory and must be demonstrable in the child’s presentation, functioning or behaviour”. Suspicion of harm occurs when an individual is concerned by significant changes in behaviour or the presence of new unexplained and suspicious injuries.
- (b) Harm may be categorised into the following types:
  - (i) Physical abuse, for example, beating, shaking, burning, biting, causing bruise or fractures by inappropriate discipline, giving children alcohol, drugs or inappropriate medication;
  - (ii) Emotional or psychological abuse, for example, constant yelling, insults, swearing, criticism, bullying, not giving children positive support and encouragement;
  - (iii) Neglect, for example, not giving children sufficient food, clothing, enough sleep, hygiene, or medical care; and
  - (iv) Sexual abuse or exploitation, for example, sexual jokes or touching, exposing children to sexual acts or pornography or having sexual intercourse with a child or young person under 16 years of age (even if the child appears to have consented).
- (2) A breach of the Child and Youth Risk Management Policy is any action or inaction by any member of QUTLS, including children and young people, that fails to comply with any part of QUTLS’s Child And Youth Risk Management Strategy. However, a breach that results in significant harm to a child or young person as required by law will be considered in terms of an allegation or suspicion of harm in the first instance.

## **7 Procedures To Minimise Harm to Children And Young People**

- (1) QUTLS works to minimise harm to children and young people by acting in a manner that supports their interests and wellbeing, by:
  - (a) Making sure that children know that it is their right to feel safe at all times;
  - (b) Teaching them about acceptable and unacceptable behaviour in general;
  - (c) Letting them know who is and who is not an employee in regulated employment in QUTLS;
  - (d) Making sure they are safe by monitoring their activities and ensuring their environment meets all safety requirements;
  - (e) Taking anything a child or young person says seriously and following up their concerns;
  - (f) Letting them know there is no secret too awful, no story too terrible, that they cannot share with someone they trust;
  - (g) Teaching them about appropriate and inappropriate contact in a manner appropriate to their age and level of understanding;

- (h) Teaching children and young people to say 'no' to anything that makes them feel unsafe;
- (i) Encouraging them to tell staff of any suspicious activities or people; and
- (j) Listening to children and young people and letting them know that staff are available for them if they have any concerns.

## **8 Training Our Employees In Regulated Employment To Handle Disclosures And Suspicions Of Harm**

- (1) This policy applies to all QUTLS employees in regulated employment which includes the Management Committee when they are engaged in activities that are regulated. QUTLS employees in regulated employment are aware of what to look for in relation to harm and handling of disclosures or suspicions of harm.
- (2) Regarding documenting a suspicion of harm, if our employees in regulated employment have concerns about the safety of a child, they will record concerns in a non-judgmental and accurate manner as soon as possible. If a parent explains a noticeable mark on a child, they will record their observations as well as accurate details of the conversation. If they see unsafe or harmful actions towards a child in QUTLS's care, they are instructed to intervene immediately, provided it is safe to do so. If it is unsafe, they will call the police for assistance.
- (3) QUTLS employees in regulated employment are instructed as follows when they receive a disclosure of harm:
  - (a) Remain calm and find a private place to talk;
  - (b) Don't promise that you will keep a secret - tell them they have done the right thing in telling you but that you will need to tell someone who can help keep them safe;
  - (c) Only ask enough questions to confirm the need to report the matter; probing questions could cause distress, confusion and interfere with any later inquiries, and
  - (d) Do not attempt to conduct an investigation or mediate an outcome between the parties involved.

## **9 How To Submit A Disclosure Or Suspicion Of Harm**

- (1) It is QUTLS policy that any instance be reported to the Secretary of QUTLS by telephone or email and immediately to a Director in charge of any event that QUTLS runs.
- (2) An individual who reports an incident will be required to complete an incident report form which includes:
  - (a) Time, date and place of the disclosure;
  - (b) 'Word for word' what happened and what was said, including anything the individual said and any actions that have been taken; and
  - (c) Date of report and signature.
- (3) At this stage, QUTLS will undertake a full, confidential investigation. This may include the consultation of the Queensland Police or Department of Communities, Child Safety and Disability Services for guidance. Depending on

the outcome of that investigation, QUTLS may or may not report the incident to the Queensland Police.

- (4) Regardless of the outcome of the investigation, QUTLS will direct affected persons to appropriate support and counselling services. QUTLS will also review all policies and procedures relating to the handling of disclosures or suspicions of harm after an incident has occurred.

## **10 Compliance With Queensland Screening Requirements**

- (1) The Secretary is responsible for managing blue cards within QUTLS. To meet government requirements, QUTLS keeps a blue card registry which contacts the blue card information of all of our employees in regulated employment. All of QUTLS's employees in regulated employment are confirmed as holding a valid blue card through a government confirmation.
- (2) QUTLS warns our employees in regulated employment that it is an offence for a 'disqualified person' to sign a blue card application or renewal form. A person is disqualified if they:
  - (a) have been convicted of a 'disqualifying offence'; or
  - (b) Are a 'reportable offender' with current reporting obligations under the *Child Protection (Offender Reporting) Act 2004* (Qld); or
  - (c) Are subject to an offender prohibition order under the *Child Protection (Offender Prohibition Order) Act 2008* (Qld); or
  - (d) Are subject to a sexual offender order under the *Dangerous Prisoners (Sexual Offenders) Act 2003* (Qld); or
  - (e) Are subject to a disqualification order from a court prohibiting them from applying for or holding a blue card (see Blue Card Services website for further details of all the above).

## **11 Annual Review**

- (1) QUTLS reviews the Child And Youth Risk Management Strategy annually. QUTLS invites any interested party to contact QUTLS if they have any information that may be useful for the review. The review considers:
  - (a) Whether QUTLS's policies and procedures were followed;
  - (b) Whether any incidents relating to children and young people's risk management issues occurred;
  - (c) The actual process used to manage any incidents;
  - (d) The effectiveness of QUTLS' policies and procedures in preventing or minimising harm to children and young people; and
  - (e) The content and frequency of training in relation to QUTLS' Child And Youth Risk Management Strategy.

## **12 Strategies For Communication And Support**

- (1) This Child And Youth Risk Management Strategy is available publicly to ensure that all relevant stakeholders have access to it.

## **13 Concerns With This Strategy**

- (1) To improve our policies over time, QUTLS is readily contactable for any issues relating to our Child And Youth Risk Management Strategy and processes. Any issues with our policy will be dealt with professionally and with the greatest priority

## **QUTLS Privacy Policy**

QUT Law Society Inc. (**QUTLS**) is committed to protecting the personal and sensitive information it collects from all individuals, whether they are Members, non-Members or otherwise. QUTLS must comply with the National Privacy Principles in Schedule 3 of the Privacy Act 1988 (Cth) and this will be reflected in the way QUTLS collects, retains, uses and destroys information.

This QUTLS Privacy Policy applies to all personal information collected by QUTLS or provided by individuals. This QUTLS Privacy Policy represents a statement of compliance with the law and explains how QUTLS will manage personal information collected from all individuals.

### **1 How to contact QUTLS about privacy**

Privacy is very important to QUTLS. In advocating for law students we also advocate for lawful, responsible and transparent collection of information. For that reason, please read this QUTLS Privacy Policy carefully and contact us if you have any questions.

### **2 Confidentiality**

- (1) All QUTLS Committee Members may, in their dealings with QUTLS, be required to access, use or collect sensitive or personal information.
- (2) All QUTLS Committee Members must only access, use or collect sensitive or personal information for the purposes provided to them and which are necessary for the activities of QUTLS.
- (3) All QUTLS Committee Members are strictly prohibited from using this information for personal use, advantage or otherwise.

### **3 Collection**

- (1) QUTLS will not collect personal information unless the information is necessary for one or more of its functions or activities. These activities include but are not limited to:
  - (a) Applications and updates made for QUT's Student Clubs and Project (SCAP) Grants; and
  - (b) Ticketed events, merchandise and L Cards;
  - (c) Keeping a register of Members in compliance with the QUTLS Constitution and the Associations Incorporation Act 1981 (Qld).
- (2) QUTLS will not collect sensitive information about an individual unless:
  - (a) The individual has consented; or
  - (b) The collection is required by law; or
  - (c) The collection is necessary to prevent or lessen a serious

and imminent threat to the life or health of any individual;

- (3) The following information collected by QUTLS includes, but is not limited to:
- (a) Your full name;
  - (b) Your student identification number;
  - (c) Your email address;
  - (d) Your phone number;
  - (e) Whether you are a QUT Law student or not; and
  - (f) Whether you are an international student.

#### **4 Use and Disclosure**

- (1) QUTLS will not use or disclose personal information about an individual for a purpose (the “secondary purpose”) other than the primary purpose of collection unless:
- (a) Both of the following apply:
    - (i) The secondary purpose is related to the primary purpose of collection; and
    - (ii) The individual would reasonably expect QUTLS to use or disclose the information for the secondary purpose’;
  - (b) The individual has consented to the use or disclosure;
  - (c) If the information is not sensitive information and the secondary purpose relates to direct marketing:
    - (i) It is impractical for QUTLS to seek the individual’s consent before that particular use; and
    - (ii) QUTLS will not charge the individual for giving effect to a request not to receive direct marketing communications; and
    - (iii) The individual has not made a request to QUTLS not to receive direct marketing communications; and
    - (iv) In each direct marketing communication with the individual QUTLS draws to the individual’s attention or prominently displays a notice, that he or she may express a wish not to receive any further direct marketing communications; and
    - (v) Each written direct marketing communication by QUTLS with the individual (up to and including the communication that involves the use) sets out QUTLS’ business address and telephone number and, if the communication with the individual is made by fax, telex or other electronic means, a number or address at which QUTLS can be directly contacted electronically;
  - (d) QUTLS reasonably believes that the use or disclosure is necessary to lessen or prevent a serious and imminent threat to an individual’s life, health or safety;
  - (e) QUTLS has reason to suspect that unlawful activity has been, is being or may be engaged in, and uses or discloses the personal information as a necessary part of its investigation of the matter or in reporting its concerns to relevant persons or authorities; or
  - (f) The use or disclosure is required or authorised by or under law.

## **5 Storage and Security**

- (1) QUTLS will store all information in a secure form accessible only by the QUTLS, QUT SCAP Grant staff, authorised event staff, medical practitioners, and legal authorities as appropriate.
- (2) QUTLS will take reasonable steps to protect the personal information it holds from misuse, loss and unauthorised access, modification or disclosure.
- (3) Where this stored information is compromised or subject to a Data Breach, QUTLS will follow a Data Breach response plan which will, where appropriate, execute one or more steps in the following order, as recommended by the Office of the Australian Information Commissioner:
  - (a) Contain the Data Breach;
  - (b) Assess the Data Breach and its risks;
  - (c) Consider whether or not to notify individuals of a suspected Data Breach; and
  - (d) Review the data breach incident and develop a strategy to prevent such an incident from occurring in the future.
- (4) Data Breach refers to where personal information has been subject to unauthorised access or disclosure, or is lost. This may occur by malicious action (by an external or insider party), human error or a failure in information handling or security systems. Examples of data breaches include:
  - (a) Loss or theft of physical devices or paper records that contain personal information;
  - (b) Unauthorised access to personal information by a QUTLS Committee Member or other person;
  - (c) Inadvertent disclosure of personal information due to human error; or
  - (d) Disclosure of an individual's personal information to a scammer, as a result of inadequate identity verification procedures.

## **6 Accessing Information**

- (1) All records pertaining to welfare, including reports of medical emergencies, incident reports, and other sensitive records, but not risk management plans, shall not be accessed except by:
  - (a) The QUTLS Committee;
  - (b) QUT SCAP Grant Staff;
  - (c) Any person mentioned in such a record (and/or their parents/guardians if they are a minor), with the names of all other persons redacted in the excerpt that person receives;
  - (d) To the police and other authorities upon legitimate request; and
  - (e) Members not otherwise entitled to access them, if and only if the information has had all personally identifiable content redacted and has been included by a member of the Management Committee in a formal report.
- (2) If QUT SCAP Grant Staff requests a copy of the Register of members, the Secretary must only provide a copy of the names and student identification numbers, and remove all other details that may appear in that Register.

- (3) All police checks, references, and working with children check records shall be held only by QUTLS. Only Members of the QUTLS Committee may access such records in the course of their duties.

## **7 Destruction of Information**

- (1) QUTLS will destroy this information (except information included in an incident report) when the purpose for which it is requested or collected concludes.
- (2) It shall be the responsibility of the Secretary to check that this information has been destroyed.

## **8 Providing Personal Information to an Individual or Member Complaints Procedure**

- (1) If QUTLS holds personal information about an individual, it must provide the individual with access to the information on request by the individual or, in the case of a child, their parent and/or guardian, except to the extent that:
  - (a) Providing access would pose a serious and imminent threat to the life or health of any individual; or
  - (b) Providing access would have an unreasonable impact upon the privacy of other individuals; or
  - (c) The request for access is frivolous or vexatious; or
  - (d) The information relates to existing or anticipated legal proceedings between QUTLS and the individual, and the information would not be accessible by the process of discovery in those proceedings; or
  - (e) Providing access would reveal the intentions of QUTLS in relation to negotiations with the individual in such a way as to prejudice those negotiations; or
  - (f) Providing access would be unlawful; or
  - (g) Denying access is required or authorised by or under law; or
  - (h) Providing access would be likely to prejudice an investigation of possible unlawful activity; or
  - (i) Providing access would be likely to prejudice the prevention, detection, investigation, prosecution or punishment of criminal offences, breaches of a law imposing a penalty or sanction or breaches of a prescribed law; or
  - (j) An enforcement body performing a lawful security function asks the QUTLS not to provide access to the information on the basis that providing access would be likely to cause damage to the security of Australia.
- (2) If a Member requests a copy of the Register of Members, the Secretary must only provide a copy of the names of the Members and remove all other details that may appear in that Register.
- (3) QUTLS will provide a copy of this section to any individual upon request.

## **9 Complaints Procedure**

- (1) Individuals who have a complaint about this QUTLS Privacy Policy or believe QUTLS is in breach of the Australian Privacy Principles, may contact us on the details set out above.
- (2) We aim to process complaints within a reasonable time.
- (3) If you are unsatisfied with the response of QUTLS, you may refer the matter to the Office of the Australian Information Commissioner

## **QUTLS Grievance Policy**

### **1 Context**

- (a) The QUT Law Society Incorporated (QUTLS) is committed to ensuring a healthy and safe environment free from discrimination, sexual harassment and bullying, in which all Volunteers and Members are treated with dignity, courtesy and respect.
- (b) This policy should be read in conjunction with the:
  - (i) Constitution of QUT Law Society Inc.; and
  - (ii) The By-Laws of QUT Law Society Inc.

### **2 Purpose**

- (a) The purpose of this Policy is to:
  - (i) create an environment which is free from discrimination, sexual harassment and bullying, in which all Volunteers and Members are treated with dignity, courtesy and respect;
  - (ii) promote appropriate standards of conduct;
  - (iii) establish a system for treating all complaints in a sensitive, fair, timely and confidential manner; and
  - (iv) ensure protection from any victimisation or reprisals.

### **3 Application**

This Policy applies to all QUTLS Volunteers and Members engaged in any activity or context which involves the QUTLS.

### **4 Policy**

- (a) QUTLS does not tolerate unlawful Discrimination, Vilification, Sexual Harassment or Bullying.
- (b) All reports of Discrimination, Vilification, Sexual Harassment or Bullying will be treated seriously and investigated promptly, fairly and impartially.
- (c) A person making a complaint and/or who is a witness to Discrimination, Vilification, Sexual Harassment or Bullying must not be victimised.

### **5 Discrimination**

- (a) QUTLS treats all Volunteers and Members equally, without regard to race, age, sex, marital status or any other protected attribute.
- (b) Volunteers are valued according to how well they perform their duties and their ability and enthusiasm in maintaining the expected standards of behaviour and service.
- (c) Under Federal and State anti-discrimination laws, discrimination against Volunteers and Members, on the basis of any of the following Attributes is against the law:
  - (i) race;
  - (ii) gender;
  - (iii) age;
  - (iv) nationality;
  - (v) religious belief or religious activity;

- (i) disability or impairment;
  - (ii) a medical record;
  - (iii) political conviction or activity;
  - (iv) an irrelevant criminal record;
  - (v) lawful sexual activity;
  - (vi) gender identity;
  - (vii) sexual orientation;
  - (viii) sexuality;
  - (ix) intersex status;
  - (x) family responsibilities;
  - (xi) pregnancy;
  - (xii) relationship or marriage status (i.e. whether someone is married or not);
  - (xiii) breastfeeding;
  - (xiv) parental status (i.e. whether someone has children or not);
  - (xv) carer's status;
  - (xvi) social origin; or
  - (xvii) association with someone who has one or more of these Attributes. 35
- (d) Discrimination can be unlawful even if the conduct is unintentional or the person is not aware that the conduct is unlawful.
- (e) The person's motive for the discriminatory conduct is also irrelevant.
- (f) There are two types of unlawful discrimination: direct and indirect.
- (g) Direct discrimination occurs if a person treats, or proposes to treat, a person with an Attribute (or perceived Attribute) less favourably than that person would treat a person without that Attribute in circumstances which are not materially different. For example, refusing to appoint a person to a Volunteer role because they are of a particular nationality.
- (h) Indirect discrimination occurs where a person imposes, or proposes to impose, a requirement, condition or practice which:
- (i) A person with an Attribute does not or is not able to comply;
  - (ii) With which a higher proportion of people without the Attribute comply or are able to comply; and
  - (iii) that is not reasonable.,

For example, an organisation that regularly holds meetings in a building without wheelchair access may be indirectly discriminating against a member with an impairment that limits or prevents their use of stairs.

- (i) Discrimination may involve (without limitation):
- (i) offensive 'jokes' or comments about another worker's racial or ethnic background, sex, sexual preference, age, disability or physical appearance;
  - (ii) display of pictures, computer graphics or posters which are offensive or derogatory;
  - (iii) expressing negative stereotypes of particular groups;
  - (iv) using stereotypes or assumptions to guide decision-making about a Volunteer; or

- (v) undermining a person's authority or volunteer performance because you dislike one of their personal characteristics which is related to an Attribute.

## **6 Vilification**

- (a) Vilification is a public act that incites others to hate or to have serious contempt for, or to severely ridicule, a person or group of people because of their race, religion, sexuality or gender identity.
- (b) It may also be a criminal offence to incite racial or religious hatred of others by threatening physical harm towards a person or their property.
- (c) Vilification may include (without limitation):
  - (i) hate graffiti in public places;
  - (ii) public speeches that incite hatred;
  - (iii) public abuse or remarks in the media that incite others to hate people because of their race, religion, sexuality or gender identity;
  - (iv) wearing badges or clothing with slogans that incite hatred;
  - (v) internet sites with pictures or words that incite hatred;
  - (vi) public gestures which incite hatred;
  - (vii) posters or stickers in a public place that incite hatred.
- (d) The following is unlikely to be Vilification:
  - (i) a fair report of someone else's act of hatred (unless extra material has been added which is vilifying);
  - (ii) discussions or debates about racial or religious issues, done "reasonably and in good faith"; or
  - (iii) material used in parliament, courts, tribunals or other government inquiries.

## **7 Sexual Harassment**

- (a) Sexual harassment occurs if:
  - (i) a person makes an unwelcome sexual advance or unwelcome request for sexual favours to a Volunteer or Member, or engages in other unwelcome conduct of a sexual nature in relation to the Volunteer or Member which makes them feel offended, humiliated and/or intimidated; and
  - (ii) a reasonable person, having regard to the circumstances, would have anticipated the possibility that the Volunteer or Member would be offended, humiliated or intimidated.
- (b) Sexual harassment is not behaviour that is based on mutual attraction, friendship or respect.
- (c) Sexual harassment may include (without limitation):
  - (i) unwelcome physical touching, e.g. touching, kissing or embracing, patting or pinching;
  - (ii) unnecessary familiarity, e.g. deliberately brushing against a person;
  - (iii) sexual or suggestive comments, jokes, name calling or taunts;
  - (iv) smutty jokes or comments;

- (v) unwelcome requests for sex;
  - (vi) staring or leering at a person or parts of their body;
  - (vii) touching or fiddling with a person's clothing, e.g. lifting up skirts or shirts, flicking bra straps or putting hands in someone's pockets;
  - (viii) sending explicit or sexually suggestive emails, texts or other communications;
  - (ix) the display of sexual material (such as photos, pin-ups or pictures) or reading matter (such as e-mails, faxes or letters); or
  - (x) asking intrusive questions about someone's personal life, including their sex life.
- (d) The behaviour does not have to be repeated or ongoing to constitute sexual harassment.
- (e) The behaviour also does not need to be deliberately intended to be offensive to constitute sexual harassment.
- (f) A person has the right to complain about sexual harassment even if the behaviour was not specifically directed at them. Conduct of a sexual nature includes making a statement of a sexual nature to a Volunteer or Member, or in their presence, and can be both oral and written statements.
- (g) Some sexual harassment, such as sexual assault, indecent exposure and stalking is also a criminal offence.

## 8 Bullying

- (a) Bullying is repeated behaviour of a Volunteer or Member (or group of Volunteers or Members) connected with the QUTLS, which may be considered by a reasonable person to intimidate, offend, degrade, threaten or humiliate another Volunteer or Member.
- (b) Behaviours that may be regarded as workplace bullying, if the behaviour is repeated or occurs as part of a pattern of behaviour, may include (without limitation):
- (i) shouting, screaming or using offensive language;
  - (ii) repeated threats of dismissal or other severe punishment for no reason;
  - (iii) ridicule or derisive comments;
  - (iv) leaving offensive messages on email or the telephone;
  - (v) sabotaging a person's work, for example, by deliberately withholding or supplying incorrect information, hiding documents or equipment, not passing on messages and getting a person into trouble in other ways;
  - (vi) assigning meaningless tasks unrelated to the job;
  - (vii) maliciously excluding and isolating a person from QUTLS activities;
  - (viii) persistent and unjustified criticisms, often about petty, irrelevant or insignificant matters;
  - (ix) humiliating a person through gestures, sarcasm, criticism and insults; or
  - (x) spreading gossip or false, malicious rumours about a person.
- (c) Bullying does not include reasonable management action (including, without limitation, provision of feedback about performance, performance appraisals or actions taken to discipline or dismiss a Volunteer or Member) taken in a

reasonable way by the QUTLS Management Committee in connection with the Volunteer or Member's engagement with the QUTLS.

- (d) Bullying is not low level conflict or a difference of opinion.
- (e) QUTLS aims to prevent and control bullying by:
- (f) making Volunteers and Members aware of this policy, and if required, providing additional training;
- (g) the reasonable provision of support to any Volunteer or Member who experiences bullying;
- (h) promptly investigating complaints of bullying; and
- (i) taking appropriate disciplinary action against any Volunteer or Member who bullies another Volunteer or Member.

## **9 Grievance Procedures**

- (a) This procedure applies to complaints of:
  - (i) Discrimination;
  - (ii) Sexual Harassment;
  - (iii) Vilification;
  - (iv) Victimisation;
  - (v) Bullying;
  - (vi) actions which create an unsafe environment; or
  - (vii) actions which the management committee deems to be in breach of the QUTLS Constitution or QUTLS By-laws (Complaints).
- (b) QUTLS recognises that Complaints may be complex, sensitive and potentially volatile. This Procedure aims to ensure that both the Complainant and the Respondent are treated with respect and dignity.
- (c) QUTLS aims to deal with Complaints as quickly as possible and to keep the issues confidential as far as possible.
- (d) QUTLS encourages informal resolution of Complaints wherever possible. However, QUTLS recognises that there may be circumstances that require formal investigation.
- (e) QUTLS takes all genuine Complaints seriously and expects Complaints to be made in good faith.
- (f) If a Complaint is made in good faith but is later found to be unsubstantiated then this will not be taken to be a vexatious Complaint. A vexatious Complaint is one which is made solely to make life difficult for the person the Complaint is about and which is made knowing that there is insufficient substance to back it up.

### **Informal procedures**

#### *Complainant action*

- (a) If they feel comfortable doing so, a Complainant may informally raise their concerns with the Respondent by:

- (i) clearly and assertively stating to the person that the comments made or behaviour engaged in them feel uncomfortable and that they want it to stop happening; or
- (ii) talking or writing to the Respondent/s stating that the behaviour is unacceptable and asking them to stop engaging in that behaviour.

*Director or Management Committee action*

- (b) A Complainant may discuss their Complaint with their Director or with the Management Committee.
- (c) If the Complainant wishes to take the matter further, the Director may ask the Management Committee to become involved, at which time at least 2 members of the Management Committee will meet with the Complainant to discuss:
  - (i) the detail and circumstances of the complaint/s; and
  - (ii) what resolution the Complainant is seeking.
- (d) The Management Committee will advise the Complainant of:
  - (i) the procedures set out in this Policy and the options for resolution available under this Policy; and
  - (ii) any alternate resolution options, for example raising a grievance with the QUT Faculty of Law.
- (e) The Management Committee may deal with the Complaint in a manner that they feel is appropriate in the circumstances which may include (but is not limited to):
  - (i) speaking to the Respondent informally and attempting to resolve the issue without the complaint requiring more formal investigation; The Complainant's allegations will be relayed verbally to the Respondent/s and the Respondent will be advised that it is an informal meeting. The Respondent will be told what the Complainant is seeking out of the process and will be asked if they think that this can be achieved. The Respondent will be asked for their response to the Complaint, but this will not be a formal response nor will any formal investigation be undertaken. Any response given to the Complaint will be used solely for the purposes of assisting the Complainant and Respondent to move forward and resolve their differences. The Management Committee members may make notes of the discussions with the Complainant and the Respondent and will keep a copy of these notes for their own reference. Both the Complainant and the Respondent are also free to make their own notes during the process.
  - (ii) conducting a 'team talk' with the relevant portfolio or QUTLS Committee focussed on discrimination, harassment and/or bullying. During that talk, the Management Committee may advise the team that concerns have been raised regarding discrimination, harassment and/or bullying and emphasise how seriously QUTLS treats such concerns. The Management Committee may reiterate the contents of this Policy and state that any such behaviour will not be tolerated and must cease immediately. This team talk can be conducted without the Complainant

or the Respondent being identified. Relevant examples might be given during the team talk to increase the likelihood that the types of behaviour which have created problems are clearly flagged as needing to stop in the future.

### *Mediation*

- (f) Where the options discussed above are not suitable or have been unsuccessful, the Complainant and the Respondent may be asked by QUTLS to attend mediation with a neutral third party mediator. This may be a particularly useful option where the Complainant and the Respondent work together closely. Although the Complainant and the Respondent might initially feel awkward about attending mediation, there is often real value in clearing the air and making sure that both the Complainant and the Respondent are comfortable with one another in future. If both parties agree, then the Management Committee will arrange the mediation process. The mediation will not be about apportioning blame or making findings of misconduct. It will be about agreeing on expectations, moving forward and attempting to mend any past hurts or distress. The mediator will make confidential notes of the mediation process. These notes will be provided to the Management Committee when the mediation is concluded and will include details of those who attended the mediation and dates when the mediation occurred. If the mediation is unsuccessful, then the Complainant may wish to proceed to a formal Complaint.

### *Confidentiality*

- (g) Any genuine Complaints will be dealt with promptly, confidentially and impartially by QUTLS.
- (h) In order to properly deal with a Complaint and ensure the health and safety of its Volunteers and Members, QUTLS will likely need to raise the matter with the Respondent and any potential witnesses. The Respondent and witnesses will be required to keep the matter confidential where possible.

### **Serious complaints**

- (a) There may be Complaints regarding behaviour that are so serious that the Complaint cannot be dealt with appropriately through informal procedures.
- (b) If a Complainant makes a Complaint about serious behaviour that may affect the health and safety of Volunteers or Members, the Management Committee will:
  - (i) ensure that the Complainant is physically well and depending on the nature of the serious behaviour assist the Complainant to report the matter:
    - (A) to QUT in accordance with the MOPP; or

- (B) the police for behaviour involving an alleged criminal offence; If the Complainant needs medical treatment or wants the police to be involved, then this must be arranged as quickly as possible.
- (ii) For serious behaviour which is not at the degrees of significance which requires referral to QUT or the police in accordance with the above clause, take steps to obtain full details of the incident from the Complainant. The Complainant must be allowed to have a support person with them if they wish to do so.
- (c) In these cases, QUTLS must balance its respect for the Complainant's privacy and confidentiality against its obligations to afford procedural fairness to all relevant parties and to ensure that there is no unreasonable risk to the health, safety and wellbeing of the Complainant and other Volunteers or Members.

### **Formal procedure**

- (a) If a Complaint cannot be resolved informally or if informal procedures are not appropriate in the circumstances, then the formal procedure may be used (except in circumstances where the matter is referred to QUT or the police, in which case QUTLS will take no further steps to investigate the complaint but will provide the necessary assistance to support that external process).
- (b) A Complainant may discuss the matter with a member of the Management Committee to assist in determining whether the issue should be addressed through an informal or formal procedures.
- (c) The Management Committee will determine the most appropriate method for addressing the Complaint having regard to the Complainant's preferences.
- (d) If a Complaint is made by or against a member of the Management Committee, that member of the Management Committee will recuse themselves from managing or deciding any outcome in any grievance resolution process that occurs.

### ***Conflict of interest***

- (e) The Management Committee aims to perform its duties in accordance with this Policy and apply this Policy equally and fairly to all parties to the Complaint.
- (f) It is recognised that the QUTLS is a small community in which the Management Committee will often have close relationships with Volunteers and/or Members.
- (g) When a Complaint is made, each member of the Management Committee will consider if they have a conflict of interest. Examples of a conflict of interest include but are not limited to where a Management Committee member is good friends with a party, is dating a party or otherwise may not be able to comply with clause (e) above.
- (h) Where the Management Committee members identifies a possible conflict of interest, they will declare the possible conflict in writing to the other members of the Management Committee and advise whether they consider this precludes them from performing their duties under this Policy. The 3 other

members of the Management Committee will decide, by simple majority, whether it is appropriate for the Management Committee member declaring the conflict of interest to recuse themselves from managing or deciding any outcome in any grievance resolution process that occurs.

- (i) Where more than one member of the QUTLS is required to recuse themselves from their duties under this Policy, the remaining members of the Management Committee will perform the duties of the Management Committee under this Policy.

### *Complaint*

- (j) A formal Complaint must be made to the Vice President of the QUTLS. Where the Complaint is about the Vice President, the formal Complaint may be made to one other member of the Management Committee.
- (k) The Complaint should be made in writing and:
  - (i) identify the Respondent;
  - (ii) provide the specific details about the Complaint; and
  - (iii) specify the outcome sought by the Complainant.
- (l) The Complaint may be made verbally to the Management Committee. If provided verbally, the Management Committee member taking the Complaint must record the Complaint in writing. The Complaint must be signed by the Complainant.

### *Initial consideration*

- (m) The Management Committee may:
  - (i) obtain further details of the allegations from the Complainant; and/or
  - (ii) conduct an initial assessment about the allegation including:
    - (A) confirming details of possible Volunteers, Members other witnesses who are alleged to have witnessed the incident/s; and
    - (B) consider whether the nature of the allegations is behaviour which is prohibited under this policy; and
    - (C) make any further initial enquires necessary to form a view about how to progress the complaint.
- (n) If the Management Committee determines from conducting the initial assessment that the allegations:
  - (i) lacks sufficient particulars to establish any basis for an investigation; or
  - (ii) do not amount to potential Discrimination, Vilification, Victimisation, Harassment, Bullying or otherwise in breach of this Policy, then the Management Committee must reject the Complaint and must advise the Complainant as soon as possible that:
    - (iii) the Complaint has been rejected; and
    - (iv) the grounds upon which the complaint has been rejected.

- (o) Otherwise, the Management Committee must determine that the Complaint will be progressed and should; advise the Complainant:
  - (i) that the Complaint will be progressed to be formally investigated; and
  - (ii) the next steps.
- (p) The Management Committee must assess the seriousness of the allegations, the number of Volunteers and/or Members involved and the seniority of the Respondent and determine whether to involve an independent expert to assist with the investigation.

### *Response*

- (q) If the Management Committee does not reject the Complaint (as outlined above), the Respondent must be provided with details of the allegations against them. This may be in writing or by way of a meeting with the Management Committee. The Respondent does not need to be provided with a full copy of the Complaint however they must be provided with sufficient information to enable them to respond to the Complaint.
- (r) The Respondent must be asked to respond to the allegations and to give their version of events.
- (s) The Management Committee or Respondent may request a subsequent meeting to obtain or provide further details in response to the Complaint. The Respondent may wish to take notes to the meeting to assist them in responding.
- (t) The Respondent may provide a written response to the allegations if they wish to do so. However, the Respondent must also meet with the Management Committee as required.

### *Investigation*

- (u) Once a response is obtained from the Respondent, the Management Committee must identify any other information required in order to complete the investigation. This may involve interviewing witnesses and gathering documents and other evidence.
- (v) If other people are alleged to have witnessed the interactions between the Complainant and the Respondent, then these witnesses must be named by the Complainant and the Respondent.
- (w) If the Management Committee determines it is appropriate, they will speak with those witnesses to obtain their version of events, unless impracticable to do so.
- (x) The Complainant and the Respondent must not discuss the issues with the witnesses.
- (y) All witnesses should be asked to sign a confidentiality undertaking.
- (z) Once all relevant evidence has been collected and considered, the Management Committee should request any further necessary information

from either the Complainant or the Respondent. Further meetings may be held with either or both the Complainant and the Respondent if necessary to clarify any outstanding points.

### *Report*

- (aa) The Management Committee must produce a report setting out:
  - (i) the allegations;
  - (ii) the relevant evidence;
  - (iii) the findings, including whether the Complaint is substantiated or not; and
  - (iv) any recommended further action, including disciplinary action, based on the findings of the report and in consideration of clause 6 Discipline of this Policy.
- (bb) The report will be put to the Management Committee to consider. The Management Committee will, by a simple majority vote, decide any further action to be taken.
- (cc) The findings of the report will be provided to the Complainant and the Respondent. Neither party will be provided with a full copy of the report unless QUTLS is required to provide a copy by law.

### *Confidentiality*

- (dd) Both the Complainant and the Respondent must treat the Complaint as completely confidential.
- (ee) The Complainant and the Respondent may need to talk to close family and friends about the issues and are encouraged to rely on these sources of support.
- (ff) However, the Complainant and the Respondent must not make any statements that a Complaint has been made or statements about the behaviour which has been complained of or otherwise discuss the issues with other QUTLS Volunteers, Members, QUT staff, Sponsors, industry stakeholders or other QUTLS contacts.

### *Support person*

- (gg) The Complainant and the Respondent shall be allowed to have a support person with them if they wish to do so during any meetings with the Management Committee.

### *Victimisation*

- (hh) Any victimisation of or reprisals against a Complainant or witness will not be tolerated. They will be dealt with as a breach of this Policy and may involve disciplinary action up to and including termination of the Volunteer/Member's membership with the QUTLS.

*Malicious, frivolous or vexatious complaints*

- (ii) Malicious, frivolous or vexatious Complaints will not be tolerated. They will be dealt with as a breach of this Policy and may involve disciplinary action up to and including termination of the Volunteer/Member’s membership with the QUTLS.

**10 Discipline**

- (a) Discrimination, vilification, victimisation, harassment, bullying and a breach of the QUTLS Constitution and/or QUTLS By-laws are misconduct.
- (b) Disciplinary action will be taken against any Volunteer or Members who unlawfully discriminates, vilifies, victimises, sexually harasses or bullies a person during their involvement with the QUTLS.
- (c) Disciplinary action may be taken against any Volunteer and/or Member who is in breach of the QUTLS Constitution and/or QUTLS By-laws.
- (d) Where a finding of misconduct is made, the misconduct will be categorised as either:
  - (i) minor misconduct; or
  - (ii) serious misconduct.
- (e) Serious misconduct includes but is not limited to putting others health and safety at risk, causing significant harm or injury to the standing of the QUTLS, or multiple instances of minor misconduct.
- (f) Depending on the circumstances, disciplinary action may involve (but is not limited to):
  - (i) a warning;
  - (ii) training;
  - (iii) temporary ban from attending QUTLS events;
  - (iv) referral to counselling;
  - (v) dismissal from Volunteer role; and/or
  - (vi) the Management Committee seeking termination of QUTLS membership.
- (g) Dismissal from Volunteer role and/or termination of QUTLS membership will only be considered for instances of serious misconduct.

**11 Roles and Responsibilities**

Role	Responsibility
Director	<ul style="list-style-type: none"> <li>• Ensure that QUTLS Volunteers, Members and others are not unlawfully discriminated against, vilified, victimised, sexually harassed or bullied by QUTLS Volunteers and Members</li> <li>• Monitor their portfolio’s working environment to ensure that conduct is acceptable at all times and take appropriate action if it is not</li> <li>• Demonstrate appropriate behaviour themselves</li> </ul>

	<ul style="list-style-type: none"> <li>● Promote this Policy within their portfolio</li> <li>● Treat all Complaints seriously and take action as required by this Policy to resolve them</li> </ul>
Volunteers	<ul style="list-style-type: none"> <li>● Comply with this Policy and refrain from engaging in unlawful Discrimination, Vilification, Victimisation, Sexual Harassment or Bullying</li> <li>● Report incidents of unlawful Discrimination, Vilification, Victimisation, Sexual Harassment or Bullying in accordance with this Policy</li> <li>● Maintain privacy and confidentiality during investigations</li> </ul>
Management Committee	<ul style="list-style-type: none"> <li>● Ensure that QUTLS Volunteers, Members and others are not unlawfully discriminated against, vilified, victimised, sexually harassed or bullied by QUTLS Volunteers and Members</li> <li>● Monitor the QUTLS to ensure that conduct is acceptable at all times and take appropriate action if it is not</li> <li>● Demonstrate appropriate behaviour themselves</li> <li>● Promote this Policy to the QUTLS community</li> <li>● Treat all Complaints seriously and take action as required by this Policy to resolve them</li> <li>● Act impartially and declare conflicts of interest where appropriate</li> </ul>
Faculty Member	<ul style="list-style-type: none"> <li>● Maintain privacy and confidentiality during when acting under this Policy</li> <li>● Act impartially and declare conflicts of interest where appropriate</li> </ul>

## 12 Definitions

Term	Definition
Attributes	<ul style="list-style-type: none"> <li>● The attributes listed in paragraph 5(f) of this Policy.</li> </ul>
Bullying	<ul style="list-style-type: none"> <li>● The behaviour described in paragraphs 8(a) 8(d) of this Policy.</li> </ul>
Complainant	<ul style="list-style-type: none"> <li>● A person who is concerned about and/or who has made a Complaint about behaviour in breach of this Policy.</li> </ul>
Management Committee	<ul style="list-style-type: none"> <li>● The President, Vice President, Secretary and Treasurer of the QUTLS.</li> </ul>

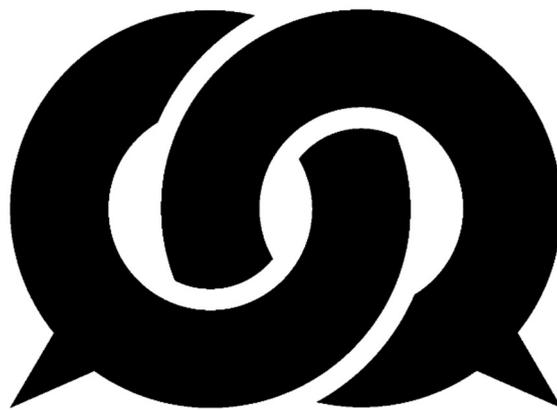
Director	<ul style="list-style-type: none"> <li>• A QUTLS Volunteer with line management responsibility for another Volunteer.</li> </ul>
Executive Committee	<ul style="list-style-type: none"> <li>• The Directors of the QUTLS.</li> </ul>
Respondent	<ul style="list-style-type: none"> <li>• A person alleged to have engaged in behaviour in breach of this Policy.</li> </ul>
Significant harm or injury	<ul style="list-style-type: none"> <li>• Any act or omission which brings the QUTLS into disrepute.</li> </ul>
QUTLS	<ul style="list-style-type: none"> <li>• QUT Law Society Incorporated.</li> </ul>
Member	<ul style="list-style-type: none"> <li>• A person who has become a member of the QUTLS by purchasing membership in the usual way.</li> </ul>
Volunteer	<ul style="list-style-type: none"> <li>• Any member of the QUTLS committee.</li> </ul>

### 13 References

<i>Age Discrimination Act 2004 (Cth)</i>
<i>Anti-Discrimination Act 1991 (Qld)</i>
<i>Disability Discrimination Act 1992 (Cth)</i>
<i>Racial Discrimination Act 1975 (Cth)</i>
<i>Sex Discrimination Act 1984 (Cth)</i>
QUT Law Society Inc. Constitution
QUT Law Society By-Laws

### 14 Review

- (a) This Policy shall be reviewed at least every 3 years, in the light of current good practice and regulatory advice.



## **QUTLS BY-LAWS**

QUT Law Society Inc. (IA39988) C Block, Level 4,  
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Brisbane QLD [www.qutlawsociety.com](http://www.qutlawsociety.com)  
[secretary@qutlawsociety.com](mailto:secretary@qutlawsociety.com)

QUTLS would like to thank the University of Queensland Law Society Inc. for allowing us to model our QUTLS By-Laws from the UQLS By-Laws. We recognise and celebrate this positive relationship between university law societies, and the residual value that it brings for all law students in Queensland.