1. **Under the current Guild Regulations:**

14- Discipline Procedures  
15- Discipline Committee  
16- Discipline Penalties  
17- Guild Council Sitting as the Appeals Committee

2. I propose to significantly alter the Discipline regulations, based on consultation with Statutes Committee, Gina Barron (head of UWA Discipline Unit), Guild President, and Guild Council:

3. Gina’s comments (in brief) were as follows:

   a) Gina broadly advised of the possibility of the Guild Regulations being less prescriptive and consequentially drafting a Policy document providing practical interpretation on discrete elements of the Regulations.

   b) Gina advised that the Regulations needed to lead the reader through a logical process:

      o What is it about?
      o Who does it apply to?
      o Process- how to start proceedings, how to report, how to receive complaints, self-initiation
      o Scope- Ability to dismiss incidents (e.g vexatious and frivolous matters)- and to refer incidents to other relevant authorities (Police, UWA etc)

   c) Gina recommended that we could have a rethink about the “escalation” structures in place. Could devise a “matrix” which more clearly outlined where to originate a complaint. E.g- Internal club review mechanisms- SOC – Guild Executive- Refer to Discipline Committee (with reformulated membership) – then to Guild President (who replaces Guild Council).

   d) Broadly speaking, the procedures need quick functionality and workability, and need to accord natural justice and procedural fairness to the complainants and respondents. We also need to bear in mind that Councillors and Guild Executive are essentially student volunteers and not legal experts or experienced professionals, and we should try to limit our potential exposure in the exercise of our duties imposed by Regulations.

4. The Discipline Committee will be replaced by the ‘Governance Committee’, which will also incorporate the current ‘Statutes Committee’. The Chair of Council will chair this new Committee.
5. The Governance Committee will appoint, convene and dissolve a ‘Discipline Panel’ (DP) upon reaching the requisite escalation level.

6. I have modelled my proposed regulations on the UWA Regulations for Student Conduct and Discipline.

7. The UWA discipline unit was of the view that it was not appropriate to grant disciplinary officers (a large group potentially in excess of 20 persons) the power to “enforce compliance” or to indefinitely exclude persons from Guild buildings (in 14.1.4).

8. Under the proposed new process:
   a. There will be a four step process to resolving disputes:
      1. Resolution within the relevant club/society/area and their internal process
      2. Referral to either Subsidiary Council President OR Guild President for a decision
      3. Request for appeal to Discipline Panel made to Governance Committee, which then decides whether to
         - Have the matter heard by Discipline Panel
         - Refer the matter to the University (if outside our scope)
         - Dismiss the complaint as frivolous or vexatious
      4. Final decision made by Discipline Panel, which is convened & constituted by the Governance Committee
   b. A Guild Discipline Policy guiding the discipline process will be drafted and regularly reviewed by the new Governance Committee, subject to approval by Guild Council. This addressed feedback from the discipline above at 3(a).