

# Student Code of Conduct

## Section 1 - Purpose

(1) The Student Code of Conduct (Code) is published in order to give students notice of general conduct which is prohibited. It is not an exhaustive list of misconduct. For example, University by-laws, rules, policies and other codes of conduct published by the University may specify other behaviour which will be misconduct.

(2) Students are accountable for their misconduct. Any misconduct may be subject to disciplinary action by the University under its [Student Conduct Rule](#).

(3) It is a student's responsibility to be familiar with this Code and other behaviour standards required by the University.

(4) Compliance with this Code is a policy of the University. It is binding on all students.

## Section 2 - Code

### Guiding Principles

(5) The University by publishing this Code seeks to provide an environment that:

- a. serves the educational mission of the University;
- b. promotes integrity and academic achievement;
- c. is protective of free inquiry; and
- d. is respectful of the rights and welfare of members of the University community and others.

### Misconduct

(6) A student must not intentionally or recklessly:

- a. Disruption and harm
  - i. disrupt or hinder any University activities;
  - ii. interfere with the ability of any member of the University community or any associate of the University to engage in or enjoy any University activities or to access, occupy, use or move about University property;
  - iii. disrupt or hinder the exercise of the right to freedom of expression by any member of the University community or any associate of the University;
  - iv. engage in disorderly conduct including by:
    - fighting with any person;
    - disrupting a lawful assembly of persons; or
    - doing anything which disturbs the peace;
  - v. do anything which may bring the University into disrepute including by making or publishing false or misleading statements relating to the University;

b. Dishonesty

i. engage in any dishonest behaviour including by:

- being dishonest in dealings with the University;
- stealing or taking or using without permission any property of any person or possessing property which is stolen or taken without permission;
- using or providing false or misleading documentation or information for the purpose of obtaining a benefit or advantage for any person;
- impersonating another person or relying on the academic record or any other aspect of another person for the purpose of obtaining a benefit or advantage for any person or causing a detriment to any person; or
- improperly influencing any University Representative;

c. Safety

- i. do anything which may endanger the physical or mental health or safety of any person (including the student);
- ii. possess, store or use on University premises any weapon, explosive materials, fireworks, dangerous chemicals or biological agents or other dangerous thing, without authorisation from the University;

d. Breach of rights

- i. cause physical harm to any person or bully, stalk or haze (including hazing to which the person being hazed has consented) any person;
- ii. engage in violent or threatening behaviour including by using threatening or abusive language;
- iii. conduct himself or herself in an offensive manner or use offensive language, on or near, or within view or hearing from University premises or whilst engaged in University activities, without a reasonable excuse;
- iv. make allegations of misconduct by another person to the University or of unlawful conduct to the police or any other government body if:
  - the alleged misconduct or unlawful conduct is trivial; or
  - the allegation is made without reasonable grounds; and
  - the allegation is made or pursued to harass or annoy or cause detriment to another person or delay or for another ulterior purpose;
- v. engage in:
  - Gender-based Violence (including any form of physical, sexual, psychological, or economic violence, harassment, abuse or threats, based on gender that results in, or is likely to result in, harm, coercion, control, fear or deprivation of liberty or autonomy. Gender-Based Violence includes sex-based harassment, workplace sexual harassment, stalking, cyber abuse, family and domestic violence, and conduct that creates a hostile, intimidating, or humiliating environment on the basis of sex, gender, or sexuality);
  - sexual misconduct including sexual assault, sexual harassment, indecent assault or any other conduct of a sexual nature that is non-consensual or has the purpose or effect of threatening, intimidating or coercing a person;
- vi. vilify another person or class of persons because of the actual or perceived gender (including the characteristics of the actual or perceived gender), gender identity, intersex status, sexual orientation, race, marital or relationship status or religious beliefs or activities, disability or age of that person or class of persons;
- vii. disclose or purport to disclose to any person the sexual orientation, gender identification or intersex status of any person who is gay, lesbian, transgender or intersex, without that person's authorisation unless it is public knowledge because of a public disclosure by or authorised by that person;
- viii. victimise a person by subjecting that person to any detriment because he or she, or a person associated

(whether as a relative or otherwise) with him or her, does or proposes to do any of the following:

- condemn, express disagreement with or take any step to prevent, misconduct by any person;
- inform the University of the misconduct;
- participate in an investigation into alleged misconduct or participate in disciplinary proceedings or legal proceedings relating to misconduct by any person; or
- engage in a University activity;

e. Alcohol and drugs

- i. be drunk on any public part of University premises;
- ii. consume or distribute alcohol on any public part of University premises except those parts:
  - which are licensed for the sale and consumption of alcohol; or
  - on which the University otherwise authorises the consumption of alcohol;
- iii. use, possess, grow, manufacture, store or distribute illegal drugs or drug paraphernalia;
- iv. give another person or cause another person to be given or to consume food or drink which contains an intoxicating substance if the recipient is not aware the food or drink contains the intoxicating substance or that the food or drink contains more of an intoxicating substance than the recipient would reasonably expect it to contain;

f. Property

- i. damage, destroy, endanger, vandalise, put at risk, pollute or obstruct; or
- ii. hinder, disrupt or otherwise interfere with the operation or availability of, any University property or any property of any member of the University community or any associate of the University;
- iii. enter, occupy, use or interfere with any University property or enable any other person to do so, without authorisation from the University;
- iv. possess, duplicate or use or provide other persons with access codes, keys, access cards, passwords or similar information or devices to any University property, without authorisation from the University;

g. Co-operation

- i. fail to comply with any agreement between the student and the University;
- ii. disobey a reasonable direction given within their authority by a University representative;
- iii. refuse to disclose his or her name or age or show proof of identity or age or his or her student identity card to a University representative if it is reasonable to request it to be given (it will be taken to be a reasonable request if the student is on University premises or engaged in or present at University activities);
- iv. possess or provide to any University representative false or misleading proof of identity or age or a false student identity card;
- v. obstruct any University representative in the performance of his or her duties;

h. Compliance

- i. do anything which is unlawful in New South Wales or, if done outside of New South Wales, would be unlawful if it was done in New South Wales;
- ii. either:
  - drive a motor vehicle whilst drunk; or
  - occupy the driving seat of a motor vehicle and attempt to put the motor vehicle in motion, whilst drunk;
- iii. as a driver of a vehicle fail to comply with published speed limits applicable to University premises including those indicated on signs on University premises; or
- iv. do anything on University premises as a driver of a vehicle or a passenger in or on a vehicle, which would

be unlawful if done on a road in New South Wales,  
(terms used in this provision have the same meaning as in the [Road Transport Act 2013](#));

- v. breach any University regulation;
- vi. breach any applicable standards of professional conduct;

i. Disciplinary process

i. without reasonable excuse fail to:

- appear before or otherwise co-operate with a University disciplinary body or person carrying out any disciplinary function of the University, as directed; or
- comply with or complete a disciplinary direction or sanction given or imposed by the University;

j. Investigation

- i. without reasonable excuse fail to co-operate with a person carrying out an investigation on behalf of the University, as directed;

k. General

- i. incite, persuade, conspire with or assist any other person to engage in misconduct;
- ii. attempt or threaten to do anything which is misconduct;
- iii. be party to any cover-up of misconduct or the destruction, concealment, alteration or withholding of any evidence of misconduct or otherwise conceal the identity or whereabouts of any person who is alleged to have engaged in misconduct;
- iv. publish or display material which could be understood by a reasonable person as indicating that somebody intends to engage in misconduct.

(7) Provisions independent

- a. Each of the provisions set out above must be read separately and none of those provisions is limited by reference to or inference from any other of those provisions or any other University regulation.

## Group Responsibility

### Student Organisations

(8) If:

- a. a student organisation;
- b. the management committee of a student organisation; or
- c. other leaders or spokespersons of a student organisation,

approves, encourages or condones (either before or after the misconduct occurs and either tacitly or expressly) any members of the student organisation and others associated with it, engaging in misconduct, then:

- i. that student organisation;
- ii. each member of its management committee; and
- iii. each such leader or spokesperson,

will be taken to have also engaged in that misconduct.

(9) A person will not be taken to have engaged in that misconduct if he or she took all reasonable steps he or she is able to take to prevent it.

(10) In deciding whether a person took reasonable steps all the circumstances must be considered including the

following:

- a. whether that person knew, or ought reasonably to have known, of the misconduct; and
- b. if that person knew of the misconduct, whether that person:
  - i. promptly notified the University of it;
  - ii. was able to influence whether the misconduct occurred;
  - iii. did or should have done anything to try to dissuade others from carrying out, approving or encouraging the misconduct;
  - iv. if they are a member of the management committee, resigned or should have resigned from the management committee because of the misconduct.

### **Group Behaviour**

(11) If a student is a member of a group which engages in misconduct the student will be taken to have engaged in that misconduct unless he or she has taken all reasonable steps to promptly disassociate himself or herself from the group's misconduct upon becoming aware of it.

### **Unincorporated Associations**

(12) The provisions of this Code relating to misconduct apply in relation to an unincorporated association as if the association is a person.

### **Freedom of Expression**

(13) Every member of the University community and associate of the University has a right to freedom of expression. It is not misconduct under this Code for a person to exercise that right. This Code must be interpreted in a manner which is consistent with that right.

(14) Students are free to participate in student societies and associations, provided they comply with the requirements of this Code and any relevant legislation.

## **Section 3 - Definitions and Interpretations**

### **Definitions**

(15) In this Code the following definitions apply.

- a. "academic exercise" means:
  - i. an examination, that is, a time limited assessment task conducted under invigilation including tests, practical assessments and final examinations; and
  - ii. the submission and assessment of a thesis, dissertation, essay, practical work or other coursework and any other exercise (including in the case of graduate students transfer and confirmation of status exercises) which is not undertaken in formal examination conditions but counts towards or constitutes the work for an academic award and includes related research.
- b. "aggravated sexual assault" means a more serious form of sexual assault, with the circumstances of aggravation including where:
  - i. a person intentionally or recklessly inflicts actual bodily harm on the other person during a sexual assault;
  - ii. a person threatens to use a weapon or dangerous instrument;
  - iii. one or more other people were present when a person commits the sexual assault;

- iv. the complainant was under the age of 16;
  - v. a person who commits the sexual assault was in a position of trust with, or authority over, the complainant;
  - vi. the complainant had a serious physical disability or cognitive impairment;
  - vii. a person who commits the sexual assault also commits a 'break and enter'; or
  - viii. the complainant was deprived of their liberty before or after the sexual assault.
- c. "aggravated sexual assault in company" means a more serious form of sexual assault when a person sexually assaults another person in the presence of another person or persons, and the first person:
- i. intentionally or recklessly inflicts actual bodily harm (being any kind of psychological or physical injury that is more than merely transient or trifling) upon the complainant or someone else who is nearby;
  - ii. threatens to inflict actual bodily harm upon the complainant or someone nearby using a weapon or dangerous instrument; or
  - iii. deprives the complainant of their liberty before or after the sexual assault.
- d. "alcohol" means a beverage which is reasonably believed, to contain more than 1.15% ethanol by volume at 20°celsius and includes, beer, wine, spirits and pre-mixed spirit based drinks.
- e. "assault with intent to commit a sexual act" means a person deliberately or recklessly inflicting actual bodily harm (being any kind of psychological or physical injury that is more than merely transient or trifling) upon another person with the intention of committing a sexual act with that person.

It also includes threatening to inflict actual bodily harm on another person using a weapon or dangerous instrument with the intention committing a sexual act with that person.

- f. "associate of the University" includes:
- i. any person on University premises with authorisation from the University; and
  - ii. any person engaged in any dealing or discourse with the University or a member of the University community.
- g. "bullying" means any unwelcome act directed at a person that:
- i. would cause a reasonable person in the circumstances to be humiliated, intimidated or seriously offended;
  - ii. place a reasonable person in the circumstances in fear of physical or emotional harm to himself or herself or of damage to his or her property; or
  - iii. create a hostile or demeaning environment for a reasonable person in the circumstances;
- and includes bullying either in person or via the internet, email or other electronic means.
- h. "college" means any college of the University, residential premises of the University or residential premises primarily intended to be used as student residences (including Macquarie University Village or any similar premises) whether or not they are owned, operated or managed by the University.
- i. "consent" means when a person freely or voluntarily gives agreement to engage in an act. A person may be unable to give consent when they:
- i. are asleep or unconscious;
  - ii. are intoxicated or affected by drugs (including alcohol);
  - iii. are unable to understand what they are consenting to due to their age or cognitive capacity;
  - iv. are intimidated or, coerced or threatened;
  - v. are unlawfully detained or held against their will;
  - vi. submit due to the person being in a position of authority or trust; or
  - vii. are under the mistaken belief as to the identity of the other person.

A person who does not resist physically is not, by reason of that fact alone, considered to have given consent.

This provision does not limit the grounds on which it may be established that a person does not consent.

- j. “consent to sexual acts” occurs when a person freely, voluntarily and unambiguously agrees to engage in specific sexual acts throughout a sexual encounter. Sexual assault occurs when someone is unable to and / or does not give consent to the sexual act(s). A person may be unable to give consent when they:
- i. are asleep or unconscious;
  - ii. are intoxicated or affected by drugs (including alcohol);
  - iii. are unable to understand what they are consenting to due to their age, physical disability or cognitive impairment (“vulnerable person”);
  - iv. are intimidated or, coerced or threatened;
  - v. are unlawfully detained or held against their will;
  - vi. submit due to the person being in a position of authority or trust;
  - vii. are under a mistaken belief as to the identity of the other person.

A person who does not resist physically is not, by reason of that fact alone, considered to have given consent. Consent may be withdrawn.

People under the age of 16 years and those with a physical disability or cognitive impairment cannot be said to have consented because of their age and vulnerability.

- k. “dishonesty” includes unethical behaviour.
- l. “drug paraphernalia” means any drug equipment, products and materials which are used, intended for use or designed for use in:
- i. planting, propagating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analysing, repackaging, storing, containing or concealing any illegal drug or plant; or
  - ii. injecting, ingesting, inhaling or otherwise introducing into the human body an illegal drug.
- m. “drunk” means in respect of a person, that:
- i. the person’s speech, balance, co-ordination or behaviour is noticeably affected; and
  - ii. it is reasonable in all the circumstances to believe that the affected speech, balance, co-ordination or behaviour is the result of the drinking, injection, ingestion, inhaling or other consumption of alcohol or another drug or a combination of drugs.
- n. “Gender-Based Violence” means any form of physical, sexual, psychological, or economic violence, harassment, abuse or threats, based on gender that results in, or is likely to result in, harm, coercion, control, fear or deprivation of liberty or autonomy. Gender-Based Violence includes sex-based harassment, workplace sexual harassment, stalking, cyber abuse, family and domestic violence, and conduct that creates a hostile, intimidating, or humiliating environment on the basis of sex, gender, or sexuality.
- o. “hazing” means any act which:
- i. endangers or is likely to cause mental, emotional or physical harm to the person being hazed;
  - ii. involves the humiliation of the person being hazed; or
  - iii. destroys, damages or endangers property of any person; and
  - iv. relates to the initiation of, admission into, affiliation with or as a condition for continued membership of or affiliation with, a group or organization,
  - v. and includes any assault, physical activity, exposure to the weather, forced consumption of any food, beverage or other substance or subjecting the person to mental stress by extended deprivation of sleep

or rest, extended isolation or otherwise.

- p. "illegal drug" means:
  - i. a plant, drug or substance the possession, use or distribution of which is unlawful or, if only available on prescription for which the student does not have a prescription; and
  - ii. a substance the chemical structure of which is substantially similar to the chemical structure of an illegal drug and has a substantially similar effect to the illegal drug.
- q. "indecent assault" occurs if a person assaults another person, and at the time of, or immediately before or after the assault, commits an act of indecency on, or in the presence of the other person.
- r. "improperly influence" means:
  - i. corruptly giving or offering, receiving or soliciting an inducement or reward for doing something; or
  - ii. making a demand for the purpose of influencing the exercise of a duty by any person or otherwise obtaining a benefit or advantage for any person; and
  - iii. making or allowing to be made an express or implied threat of detriment to another person if the demand is not complied with.
- s. "intoxicating" includes stupefying.
- t. "misconduct" means any conduct which is prohibited under this Code or under any University regulation and includes proposed misconduct.
- u. "offensive" means in respect of any conduct or language, anything which a reasonable person would regard as offensive in the circumstances and includes, in the case of conduct or language directed at any person, anything which a reasonable person would consider insulting or humiliating in the circumstances.
- v. "possession" of anything by a person includes that person being in control of that thing or it being in the vicinity of that person in circumstances where it is reasonable to assume that it has in the recent past been in that person's possession or control.
- w. "premises" means any:
  - i. structure, building, aircraft, vehicle or vessel; or
  - ii. land or place (whether or not it is enclosed, built on or covered by water).
- x. "property" includes facilities, resources, equipment, intellectual property and online and physical infrastructure.
- y. "public part of University premises" means any part of University premises that the University community is entitled to access (whether on payment of money, by virtue of membership of a student organisation or other body or otherwise) or which is within sight or hearing of such a place.
- z. "race" includes:
  - i. colour;
  - ii. descent or ancestry;
  - iii. nationality or national origin; and
  - iv. ethnicity or ethnic origin.
- aa. "reckless" means in relation to any act by a person, that person doing that act despite the fact that he or she foresees or a reasonable person would foresee, the possible consequences of that act.
- ab. "religious belief or activity" means:
  - i. holding or not holding a religious belief or view; or
  - ii. engaging in, not engaging in or refusing to engage in a religious activity including wearing clothing or adopting any other aspect of personal appearance in accordance with a religious belief.
- ac. "right to freedom of expression" means the right of a person to lawfully say or do something reasonably and in good faith:
  - i. in the course of any statement, publication, discussion or debate made or held for any genuine academic, artistic or scientific purpose or any other genuine purpose in the public interest;

- ii. in the performance, exhibition or distribution of an artistic work;
  - iii. in making or publishing:
    - a fair and accurate report of any event or matter of public interest;
    - a fair comment on any event or matter of public interest if the comment is an expression of a genuine belief held by the person making the comment; or
    - material for the purpose of discouraging misconduct;
  - iv. in making or publishing a fair and accurate criticism of or a complaint about the University or any member of the University community.
- ad. "Sexual acts" means
- i. sexual connection caused by the penetration, to any extent, of a person's genitalia or anus using any body part of another person or any object manipulated by another person; or
  - ii. sexual connection occasioned by the introduction of any part of the penis of a person into the mouth of another person; or
  - iii. oral sex performed on female genitalia; or
  - iv. the continuation of sexual acts as defined in (i), (ii) or (iii).
- ae. "Genitalia" includes a surgically constructed vagina.
- af. "sexual assault" means when a person is forced, coerced or tricked into sexual acts against their will or without their consent. Sexual assault also occurs if a child or young person under 16 or a person with a serious physical disability or cognitive impairment is exposed to sexual acts.
- ag. "sexual harassment" means a person:
  - i. making an unwelcome sexual advance, or an unwelcome request for sexual favours, to another person; or
  - ii. engaging in other unwelcome conduct of a sexual nature in relation to another person (including making a statement of a sexual nature to, about or, in the presence of another person);
  - iii. in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated.
- ah. "sexual misconduct" incorporates a range of behaviours including sexual assault, sexual harassment, indecent assault, and any other conduct of a sexual nature that is non-consensual, or has the purpose or effect of threatening, intimidating or coercing a person.
- ai. "stalking" means a course of unwelcome conduct that is directed at a person and that would cause a reasonable person in the circumstances to be seriously alarmed, annoyed, distressed or feel harassed and includes:
  - i. contacting, communicating or causing a communication with another person for no legitimate purpose after being asked to stop;
  - ii. continuing to follow another person for no legitimate purpose after being asked to stop;
  - iii. surveilling or causing another person to surveil a person for no legitimate purpose;
  - iv. the surveilling or frequenting of the vicinity of, or an approach to, a person's place of residence, study or work or any place that a person frequents for the purposes of any social or leisure activity, for no legitimate purpose; or
  - v. sending gifts to a person for no legitimate purpose after being asked to stop.
- aj. "student" includes:
  - i. a person who is enrolled in or auditing a program or a unit of study provided by the University;
  - ii. a person who is enrolled in a program or a unit of study at or offered by an affiliated educational institution which is approved as an award program or a unit of study by the University;
  - iii. a person who has accepted an offer of admission to the University but who has not yet enrolled in any program or unit of study;

- iv. a student of another educational institution who is authorised by the University to be on or to have access to or use of University property;
  - v. a person who was a student at the time of any alleged misconduct;
  - vi. a person who became admitted or enrolled as a student after having done so by misleading or dishonest means;
  - vii. any person who has been suspended or excluded from a program or unit of study at the University;
  - viii. a person who is on leave of absence from or who has deferred enrolment in a program or unit of study offered by the University or by an affiliated educational institution which is approved as an award program or unit of study by the University;
  - ix. any person who undertakes any academic exercise on University premises or which is part of a program or unit of study provided, supervised or assessed by the University; or
  - x. a person who has consented to be subject to this Code.
- ak. “student organisation” means any incorporated or unincorporated association or group of persons the majority of whom are students:
- i. which is affiliated with or otherwise associated with the University; or
  - ii. which takes or attempts to take action in a collective manner on University premises or at any University activity.
- al. “University” means:
- i. Macquarie University;
  - ii. its controlled entities;
  - iii. any affiliated institution;
  - iv. any college; and
  - v. any educational institution located on University premises.
- am. “University Activities” means the activities of the University and the University Community including:
- i. teaching, study and research at the University; and
  - ii. the conduct of any Academic Exercise; and
  - iii. recreational, commercial, disciplinary or ceremonial activities of the University or the University Community; and
  - iv. any clinical, professional or practical work, research, workshops, camps or field or vocational placements and any other activities arranged, sponsored, controlled or supervised by the University, whether or not it is part of a program or unit of study at the University; and
  - v. the provision by the University of services to the general community; and
  - vi. the use or enjoyment of any University Property by any person authorised by the University; and
  - vii. the management or administration of the University; and
  - viii. anything incidental to any activities of the University or the University Community.
- an. “University Community” means the:
- i. members of the University’s council and Staff Members of the University; and
  - ii. Students; and
  - iii. Student Organisations; and
  - iv. tenants and licensees of University Premises and their officers and staff; and
  - v. persons conducting an authorised business or other activity upon University Premises; and
  - vi. persons otherwise involved in University Activities.
- ao. “University Premises” means
- i. any premises owned, operated, supervised, occupied or controlled by the University, including premises of which the University is the landlord; and

- ii. any premises on which University Activities take place; and
  - iii. any Residential College premises.
- ap. “University property” means any facility, resource or property which is:
- i. owned by the University or in which the University has an interest or right;
  - ii. in the custody or control of the University;
  - iii. provided by the University; or
  - iv. on University premises,
  - v. and includes any University premises.
- aq. “University Regulations” means the by-laws, rules, codes of conduct, policies and directions from time to time of the University and includes this code.
- ar. “University representative” means any officer, employee, contractor or agent of the University or any employer or subcontractor of a contractor to the University who:
- i. in the circumstances would appear to a reasonable person to be a University representative; or
  - ii. if requested by a student, identifies himself or herself to the student as a University representative.
- as. “vilify” means engage in conduct that incites hatred against, serious contempt for or revulsion or severe ridicule of, a person.
- at. “weapon” means any object or substance designed to wound, cause injury or incapacitate including any firearm, ammunition, pellet gun, spear, sword, knife or other blade, stun gun and any chemicals such as capsicum spray, Mace or tear gas.

## **Jurisdiction**

(16) This Code applies in any context relevant to:

- a. the management, good governance or discipline of the University;
- b. the reputation of the University;
- c. the rights, health, safety or well being of members of the University community or of associates of the University;
- d. the safety of the property of the University, members of the University community or of associates of the University,
- e. and includes any conduct:
  - i. anywhere (including on or off University premises or the premises of any college) or at any time (including when the University is in or not in session) in any of those contexts;
  - ii. relating to University activities; or
  - iii. in circumstances where:
    - a student is acting as or identifies himself or herself or is otherwise readily identifiable as being a member of the University community (including where a student is representing the University or a student organisation in any capacity); or
    - any act affects a person acting as or who identifies himself or herself as being a member of the University community or is otherwise readily identifiable as a member of the University community.

## **Broad Interpretation**

(17) This Code must be interpreted broadly and as operating to the full extent of, but so as not to exceed, the powers of the University.

(18) If any part of this Code or the application of any part to any person, subject matter or circumstance, would, but

for this provision, be interpreted as exceeding the powers of the University:

- a. it will be a valid provision to the extent to which it does not exceed that power; and
- b. the remainder of this Code and the application of the provision to other persons, subject matters or circumstances, will not be affected.

## **Inclusive Wording**

(19) In this Code:

- a. the mention of anything after the word “include” or any derivative of it does not limit the nature or class of things included; and
- b. a reference to anything includes a part of it.

## **Directions**

(20) A direction given to a student by a University representative is reasonable if a reasonable person would consider it to be appropriate in all the circumstances and will be taken to be reasonable if it is a direction to a student to:

- a. cease engaging in a University activity; or
- b. leave University premises,

because the student is drunk or putting himself, herself or others at risk of harm.

## **Intention**

(21) A student will be taken to have intended misconduct if a person in the position of the student can reasonably be supposed to have intended that misconduct in the circumstances.

## Status and Details

|                              |   |
|------------------------------|---|
| <b>Status</b>                | Current   |
| <b>Effective Date</b>        | 19th December 2025  |
| <b>Review Date</b>           | 19th January 2026   |
| <b>Approval Authority</b>    | Deputy Vice-Chancellor (Academic)                           |
| <b>Approval Date</b>         | 19th December 2025  |
| <b>Expiry Date</b>           | Not Applicable  |
| <b>Responsible Executive</b> | Rorden Wilkinson<br>Deputy Vice-Chancellor (Academic)       |
| <b>Responsible Officer</b>   | Leanne Piggott<br>Pro Vice-Chancellor (Dean of Students)    |
| <b>Enquiries Contact</b>     | Kane Murdoch<br>Manager, Complaints, Appeals and Misconduct |