

Ratified Minutes of  
THE ORDINARY MEETING OF THE STANDING COMMITTEE  
1<sup>st</sup> Week Hilary Term 2015  
Monday 19<sup>th</sup> January 2015  
President's Office, 16:00

**Present:** **The President** (Miss Lisa Wehden, *Worcester College*), **The Librarian** (Mr Charlie Vaughan, *St. John's College*), **The Treasurer** (Miss NamPhuong Dinh, *Corpus Christi College*), **The Elected Member** (Mr Joe Fowles, *Pembroke College*), **The Elected Member** (Miss Verity Hubbard, *Lady Margaret Hall*), **The Elected Member** (Miss Cindy Yu, *Christ Church*), **The Elected Member** (Mr David Browne, *Merton College*), **The Elected Member** (Mr Alastair Holder Ross, *St. Hilda's College*), **The Librarian-Elect** (Mr Stuart Webber, *Somerville College*), **The Treasurer-Elect** (Miss Antonia Trent, *St. Hugh's College*), **The Senior Librarian** (Mr Sean Power, *Oriel College*), **The Senior Treasurer** (Mr Stephen Dixon, *Downing College, Cambridge*), **The Bursar** (Mrs Lindsay Warne), **The Returning Officer** (Mr Thomas Reynolds, *University College*), **The Chairman of the Consultative Committee** (Miss Felicity Blackburn, *Somerville College*), **The Access Officer** (Mr Samuel Billington, *Somerville College*), **The Access Officer** (Mr Daniel Haynes, *New College*), **The Access Officer** (Miss Claire Butler, *Worcester College*), **The Chair of the Debate Selection Committee** (Mr Jamie Jackson, *St. John's College*).

**Attending:** **The Ex-Elected Member** (Mr Joseph Miles, *Wadham College*), **The Press Officer** (Mr Daniel Valentine, *Hertford College*), **The Senior Deputy Returning Officer** (Mr Michael Flagg, *St. Hugh's College*), **The Deputy Returning Officer** (Mr Robert Boissonneault, *Keble College*), Miss Ceri Smith (*St. Anne's College*), Mr Jamie Lagerberg (*Corpus Christi College*).

**Apologies:** **The Secretary** (Mr Robert Harris, *New College*), **The President-Elect** (Mr Roberto Weeden-Sanz, *St. Benet's Hall*).

**Absent:** None.

*The President opens the meeting at 16:00.*

**Requests to Pass Absences from Previous Meeting**

There is no discussion on absences from the previous meeting.

**Matters Arising from Previous Minutes**

There are no matters arising from the previous minutes.

**Ratification of Minutes**

The President moves that TSC ratifies the Minutes from the Ordinary Meeting of TSC of MT14 1<sup>st</sup> Week.

*Nem. con.*

The President moves that TSC ratifies the Minutes from the Emergency Meeting of TSC of HT15 0<sup>th</sup> Week.

*Nem. con.*

The President moves that TSC ratifies the Minutes from the Ordinary Meeting of TSC of HT15 0<sup>th</sup> Week.

*Nem. con.*

## **The President**

*Meetings missed: 0, Missed without good reason: 0*

### **Business of the President:**

**The President** explains that, in accordance with Standing Order A1, she has received Officer Reports from all those required to submit them. They need to be ratified by TSC.

**The Bursar** raises concerns of transparency that the Reports have not been actually presented to TSC.

**The President** agrees to delay the ratification of the Reports until 2<sup>nd</sup> Week TSC.

**The President** asks the Bursar if she has the annual budget to re-present to TSC.

**The Bursar** hands round copies of the annual budget and notes that it was passed at the end of MT14. The profit is forecasted to be £1,525 (i.e. we effectively break even).

**The Senior Treasurer** explains that we have to have an annual budget, comprised of three terms, because we only receive substantial income during the Michaelmas membership drive.

**The Bursar** says that she would be happy to take anyone through the budget if requested.

*Mr David Browne (Elected Member) and Miss Felicity Blackburn (CCC) enter the room at 16:15.*

**The President** explains that a small amendment has been made to the complaints procedure under Rule 71(a). It is essentially the same as last term, but it never went to the House for some reason.

**The Librarian** notes that the only change is one that the Complaints Consultant recommended to ensure that she never interacts with the complainant. The rules changes were recommended by TSC last term but never went to the House, hence why that needs to happen this term.

**Miss Yu** suggests that the pronoun ‘he’ is replaced with the gender-neutral pronoun ‘they’.

**The Librarian** explains that this is an issue throughout the entire rules, so everything needs to be updated as a coherent package during the next vacation. He says he would be happy to do this.

**The Treasurer** questions the harm in updating the relevant new sections as we come across them.

**The President** responds that it would make more sense to update the whole rules at the same time.

**The CDSC** explains that DSC has its own equity procedure for dealing with complaints it receives at external competitions, but this is a separate Standing Order and does not fall under this rule.

**The Bursar** suggests that we should adopt the same complaints procedure across all aspects of the Union.

**The CDSC** explains that the DSC equity procedure only applies to matters happening off site, not on the Union’s premises. The Union’s rules have no jurisdiction on matters happening elsewhere, so DSC needs its own procedures to respond to external equity violations.

**The President** proposes that TSC recommends the amendments to the complaints procedure under Rule 71(a).

*Nem. con.*

**The President** reaffirms her desire to pass electoral rules changes this term.

**The Librarian** explains that he and the President have received a number of suggested amendments to the electoral rules changes over the past week. Individual responses are going to be sent to all those who have suggested amendments. Apart from small formatting changes, though, the substantive issues raised fell under four headings: treating and the definition thereof; malpractice claims brought out of malice; conspiracy; and campaigning in ‘private lodgings’ (Colleges).

**The Returning Officer** agrees that these are the four main areas of contention.

**The Librarian** explains that, regarding treating, there is a deficiency in the current rule meaning that ‘candidature’ has to be defined as ‘not being a candidate’, that is, before the Opening of Nominations, for it to make sense. They now recognise that the proposed change to this rule does not solve this latent defect, so, for the time being, the old rule is going to remain until better wording can be found. Friendly amendments can still be accepted from now until the rules go to the House on Thursday of 3<sup>rd</sup> Week, so there is time to work with ‘RO World’ on the definition. Regarding claims being brought out of malice (Rule 33(a)(i)(12)), the old rules maintained that, if an allegation was malicious but founded, nothing would happen to the complainant; but this is wrong because the reason for litigating in the Union should solely be justice, not malice. The purpose of the tribunal is to stop bad things from happening to the election, not to facilitate people doing dodgy stuff. If an allegation is malicious but also founded, then both the defendant and the complainant should suffer a penalty. For this threshold to be satisfied, the claim must not just be ‘malicious’ but ‘brought out of malice’, which sets a very high bar.

**The Returning Officer** explains that some members of ‘RO World’ see this suggestion as problematic because, if someone brings a founded, non-frivolous claim of electoral malpractice, and the ‘wrong’ is then remedied, the motivation for bringing the claim should be irrelevant.

**The Librarian** clarifies that this change is not to help the defendant – if the claim is founded, then they should be punished as under the status quo – but to prevent the system from facilitating claims being made purely out of malice. It is a very high burden of proof on the defendant to show that the complainant has brought the allegation ‘out of malice’.

**Mr Holder Ross** asks for the details regarding this standard of proof.

**The Librarian** says that this is a matter to be decided by the tribunal panel.

**Mr Boissonneault** says that it is almost inconceivable that a claim that is both non-frivolous and founded will be deemed to have been brought out of malice.

**The Bursar** queries whether this would set the bar so high that no one would ever be able to bring any charges at all, which is bad for justice. How could someone prove that their claim was not brought out of malice?

**The Librarian** explains that the burden of proof is not on the complainant but, rather, is on the defendant to prove that the claim has been brought out of malice.

**The Bursar** remarks that, due to the way the system works, pretty much every claim of malpractice seems to have been brought out of malice.

**Mr Miles** notes that none of the allegations brought in TT14 were deemed to have been malicious.

**The Librarian** reaffirms that, despite allegations being deemed unfounded by the TT14 tribunal, there were still no decisions of malice. The evidentiary standard is unlikely to change much, and the practical difference will be small. The question is simply whether someone ought to be penalised for bringing a claim purely out of malice.

**The President** asks how many members of 'RO World' are opposed to this change.

**The Returning Officer** replies that the change is opposed by Martine Wauben, Zachary Spiro and potentially Ronnie Collinson. We should leave this particular change for now as it is an academic issue that can be discussed over the next couple of weeks.

**The President** agrees that it would be useful to have them here at TSC to discuss the change further.

**The Librarian** continues that, regarding conspiracy, the line drawn on the timeline of electoral malpractice at which we consider something to be malpractice is premature. Most of the objectors to this change are, perhaps, not using the Union's very precise definition of conspiracy. Since the 2011 Tribunal on this subject, we have used the legal definition of conspiracy. If two or more people merely agree to commit electoral malpractice, but do not go ahead with it, we should not deem them to have done something wrongful enough to warrant the attribution of liability at that point in time alone. Malpractice should only be deemed to have occurred if someone commits or attempts an act of malpractice, or aids, abets or procures any of the things banned under Rule 33. Regarding campaigning in Colleges, 'RO World' argues that it should not be allowed. But there is no point in banning things that are necessarily going to happen; if you annoy someone, then they are not going to vote for you anyway, so there is a natural remedy to this problem. As soon as you start to ban campaigning in private lodgings, a candidate could be disqualified for asking their best friend to vote, which is obviously absurd.

**Mr Miles** further notes that there is a separate rule (71) which deals with harassment were someone's campaigning ever to go that far.

**The Returning Officer** notes that OUSU elections are extremely annoying, and they are only once a year. One of the major annoyances is the prevalence of door-knocking.

**The President** responds that it is pointless to pretend we are less annoying than OUSU when, in reality, door-knocking still happens in secrecy. We should just accept it happens. There is a natural remedy that, if door-knocking annoys people, candidates will not be successful.

**The Librarian-Elect** says that the OUSU concern is due to random people doing the door-knocking, which is not the case if someone is door-knocking their own friends in their own College.

**Mr Boissonneault** explains that, ideally, there would be a way of banning door-knocking without banning other forms of interaction or campaigning on College premises. However, there is no adequate way to formulate the rules selectively in this way.

**The Librarian** summarises that continued discussion is needed on the first three issues (treating, claims brought out of malice and conspiracy), but that there is a clear difference regarding the purpose of these rules changes on the issue of campaigning in Colleges. The point of these rules changes is to emphasise the existence of natural remedies, and to reject an underhanded system which incentivises losing candidates to find evidence of strict liability offences regardless of whether the person from whom they are receiving the evidence feels harassed.

**The Returning Officer** clarifies that, if there remains disagreement over these changes, they will ultimately be decided in the Chamber.

The President proposes that TSC recommends her Private Business Motion regarding electoral rules changes.

*Nem. con.*

**Mr Browne**, whilst stating he supports these rules changes, expresses his general desire for the rule regarding the speaking rights of members of TSC on motions recommended by TSC to be revisited.

**The Librarian** states that, due to procedural requirements, we now need to activate Rule 67(b)(iv), which requires that notices about the rules changes are put into the local and national press over the next two weeks, and that notices are sent to every College and Hall.

The President proposes that TSC activates Rule 67(b)(iv).

*Nem. con.*

**Miss Yu** asks whether TSC members can continue to voice thoughts on the rules changes.

**The Librarian** responds that this is still possible and that, since the President is the proposer of the motion, she can accept amendments as friendly.

**Mr Boissonneault** asserts that the notice in the national press is unlikely to have a big impact due to its small size.

Questions to the President:

**Mr Holder Ross** asks whether balloting will continue.

**The President** responds that the ballot system will be continued for all big speaker events and for spaces at drinks receptions and dinners. This week, there is a drinks ballot for Gerard Way.

**Miss Yu** notes that there is not yet a Facebook event for Gerard Way.

**The President** says that the Digital Strategy Officer will make this as soon as possible.

**The Librarian**

*Meetings missed: 0, Missed without good reason: 0*

Business of the Librarian:

The Librarian has no business.

Questions to the Librarian:

There are no questions to the Librarian.

**The Treasurer**

*Meetings missed: 0, Missed without good reason: 0*

Business of the Treasurer:

The Treasurer proposes that TSC passes DSC expenses of the values £199.20 and £240.

*Seconded by the President.*

*Nem. con.*

Questions to the Treasurer:

There are no questions to the Treasurer.

### **The Secretary**

*Meetings missed: 1, Missed without good reason: 1*

#### **Business of the Secretary in his absence:**

The Secretary has no business.

#### **Questions to the Secretary in his absence:**

**The Senior Treasurer** asks for an update on whether the Wealdstone Raider will appear at the Ball.

**The President** explains that this is still to be confirmed.

**Mr Fowles** notes that the Secretary has negotiated the cost down to £875, which would include a promotional video, a performance of his song and him socialising with guests for a couple of hours.

**The Returning Officer** raises concern that hosting the Wealdstone Raider would be offensive since it is effectively laughing at working-class football fans.

**Mr Fowles** points out that the Secretary is not required to bring the decision back to TSC since 0<sup>th</sup> Week TSC passed the Ball budget “with an amendment temporarily to remove the Wealdstone Raider (Gordon Hill) and, instead, to approve the spending of a £1,000 pot as the Secretary sees fit”. It is up to the Secretary to decide whether or not to pay for the Wealdstone Raider to appear.

**The Bursar** emphasises her concern that the Wealdstone Raider will not fit with the Parisian theme.

**The President** encourages individuals to email the Secretary with their concerns, but notes that he is in charge of the Ball and she is happy for him to have free rein in making decisions regarding the entertainment provided.

**The Librarian** notes that, however the Secretary decides to spend the £1,000 pot, this decision still needs to be ratified by TSC.

**Mr Browne** suggests that, once the Secretary has decided what is in the best interests of the Ball, it would be inappropriate for TSC to restrict this decision.

### **Mr Fowles**

*Meetings missed: 0, Missed without good reason: 0*

#### **Business of Mr Fowles:**

Mr Fowles has no business.

#### **Questions to Mr Fowles:**

There are no questions to Mr Fowles.

### **Miss Hubbard**

*Meetings missed: 0, Missed without good reason: 0*

#### **Business of Miss Hubbard:**

Miss Hubbard has no business.

#### **Questions to Miss Hubbard:**

There are no questions to Miss Hubbard.

**Miss Yu**

*Meetings missed: 0, Missed without good reason: 0*

**Business of Miss Yu:**

Miss Yu has no business.

**Questions to Miss Yu:**

There are no questions to Miss Yu.

**Mr Browne**

*Meetings missed: 0, Missed without good reason: 0*

**Business of Mr Browne in his absence:**

Mr Browne has no business.

**Questions to Mr Browne in his absence:**

There are no questions to Mr Browne.

**Mr Holder Ross**

*Meetings missed: 0, Missed without good reason: 0*

**Business of Mr Holder Ross:**

Mr Holder Ross has no business.

**Questions to Mr Holder Ross:**

There are no questions to Mr Holder Ross.

**The President-Elect**

*Meetings missed: 1, Missed without good reason: 1*

**Business of the President-Elect in his absence:**

The President-Elect has no business.

**Questions to the President-Elect in his absence:**

There are no questions to the President-Elect.

**The Librarian-Elect**

*Meetings missed: 0, Missed without good reason: 0*

**Business of the Librarian-Elect:**

The Librarian-Elect has no business.

**Questions to the Librarian-Elect:**

There are no questions to the Librarian-Elect.

### **The Treasurer-Elect**

*Meetings missed: 0, Missed without good reason: 0*

#### **Business of the Treasurer-Elect:**

The Treasurer-Elect has no business.

#### **Questions to the Treasurer-Elect:**

There are no questions to the Treasurer-Elect.

### **The Ex-Officio**

#### **Business of the Ex-Officio in their absence:**

The Ex-Officio have no business.

#### **Questions to the Ex-Officio in their absence:**

There are no questions to the Ex-Officio.

### **The Senior Librarian**

#### **Business of the Senior Librarian:**

The Senior Librarian has no business.

#### **Questions to the Senior Librarian:**

There are no questions to the Senior Librarian.

### **The Senior Treasurer**

#### **Business of the Senior Treasurer:**

The Senior Treasurer has no business.

#### **Questions to the Senior Treasurer:**

There are no questions to the Senior Treasurer.

### **The Bursar**

#### **Business of the Bursar:**

The Bursar has no business.

#### **Questions to the Bursar:**

There are no questions to the Bursar.

### **The Returning Officer**

#### **Business of the RO:**



The RO has no business.

Questions to the RO:

There are no questions to the RO.

**The Chairman of the Consultative Committee**

Business of the CCC in her absence:

The CCC has no business.

Questions to the CCC in her absence:

There are no questions to the CCC.

**The Access Officers**

Business of the Access Officers:

The Access Officers have no business.

Questions to the Access Officers:

There are no questions to the Access Officers.

**The Chair of the Debate Selection Committee**

Business of the CDSC:

The CDSC has no business.

Questions to the CDSC:

There are no questions to the CDSC.

**Changes to the Composition of this Committee**

There are no changes.

**Any Other Business**

There is no other business.

**Date of the Next Meeting**

Monday 2<sup>nd</sup> Week Hilary Term 2015 (26<sup>th</sup> January 2015), 16:00, in the President's Office.

*The President closes the meeting at 16:46.*

Signed,

**Robert Harris**  
New College  
Secretary