

Draft Minutes of the Emergency Meeting of the Rules Committee

8th Week Michaelmas Term 2018

Thursday 29th November 2018

Macmillan Room, 2.00pm

Present

The Treasurer-Elect (Ms Amy Gregg, Somerville), **Mr Adam Watson** (Ex-Standing Committee, Hertford), **Mr Ray Williams** (Ex-Standing Committee, Wadham), **Mr Samuel Burns** (Ex-Secretary's Committee, St John's), **The President** (Mr Stephen Horvath, New), **The Returning Officer** (Ms Louise Kandler, LMH)

Observers

Mr Hugh Bellamy (Secretary's Committee, LMH), **Mr Dominic Brind** (Deputy Returning Officer, Magdalen), **Mx Brian Wong** (Ex-Standing Committee, Pembroke), **Mr David Graham** (St John's)

Mr Williams opens the meeting at 2.08pm.

Minutes

1. Election of a 13th member of the Committee

Mr Williams explains that each candidate for the vacancy on the Committee will be expected to give hustings speeches for two minutes.

The Returning Officer states that speeches will be given in reverse ballot order, with Mr Graham first.

Mr Graham says that although he does not have an encyclopaedic knowledge of the rules, he does possess eight years of policy experience working for major corporations, possessing what he believes to be many transferable skills. He believes the purpose of the Committee is to reduce the amount of ambiguity in the rules. He feels that poorly written rules (such as including a misplaced comma) lead to arguments that waste a lot of time.

The Returning Officer states that Mr Brind will speak next.

Mr Brind says that he possesses two terms of experience in the society, as a Returning Officer's Assistant and then a Deputy Returning Officer. He greatly enjoys debate about rules, debates in scrutiny, and arguments over the validity of ballot papers. He has been involved in competitive debating. He already has proposals for rules changes he would like to discuss. He has external policy experience in a political campaign group.

The Returning Officer states that Mr Bellamy will speak last.

Mr Bellamy says that he is passionate about cleaning up the rules, and is not a lapdog for the President, the Treasurer, or Mr Watson. He thinks the Committee should be assessing the feasibility of proposals, rather than attempting to weaponize the rules. He has experience in

JCR constitutional reform at his college. He enjoyed being present in the count at the recent Election.

The Returning Officer says that questions to the candidates will now be put.

Mr Watson asks for the candidates thoughts on the question of bias raised in the DAC of Walsh v. McClaren.

Mr Bellamy says that he would like to see all disciplinary reports and Private Business Motions made available online – publicly available precedent is very important for him.

Mr Brind says he is not familiar with particular case mentioned by Mr Watson.

The Treasurer-Elect enters at 2.14pm.

Mr Graham says that exact knowledge of past cases is not relevant to this election.

Mr Burns asks if one can withdraw a Private Business Motion after it has been passed.

Mr Graham says that he does not know.

Mr Brind says it would be a violation of natural justice.

Mr Bellamy says it would be invalid.

The Returning Officer moves that Mx Wong be given speaking rights, seconded by Mr Williams

Passes nem. con.

Mr Wong asks what considerations of natural justice should be put into interpretation and redesign of the rules.

HB: this whole natural justice joke is frivolous, rules should not be ambiguous – nj is vital but you can't argue a court case on this, why should you do it for rules

Mr Bellamy says that the running joke about natural justice is frivolous, as the rules should never be ambiguous – the value of natural justice is important, but as it never factors into a court case it should never factor into a rules dispute either.

Mr Brind says that the rules should be in accordance with natural justice, and that it is the job of the Committee should try and make the rules accord with these values as much as possible.

Mr Brind also says that natural justice should be a consideration when ambiguities exist in the rules.

Mr Graham says that he agrees with both stances – ideally the Rules should be so clear that natural justice is not a consideration, but that when ambiguities do exist it should become a consideration in adjudicating disputes. He also notes that the meaning of natural justice is highly subjective.

The Treasurer-Elect asks how broad the meaning of 'natural justice' should be.

Mr Graham says that the spirit of the rules should be a consideration.

The President and **Mr Watson** say that the Treasurer is referring to a ruling overturned by a DAC.

Mr Brind says he sees natural justice as a means of restoring members' rights when they have been denied by unfair use of procedure.

Mr Bellamy says that the Committee is not a tribunal, but just a body for assessing rules change proposals – it should clarify all changes so that natural justice never needs to be a consideration.

The Returning Officer begins the ballot.

Mx Wong expresses their disappointment that they cannot vote.

7 ballots were cast, with quota set at 3.51.

Mr Brind received 4 votes, meeting quota.

Mr Bellamy received 2 votes and Mr Graham received 1 vote.

Mr Brind was elected as the 13th member of the Rules Committee.

The President announces his intent to resign from the Committee.

Mr Watson believes that the President's resignation means that the sole business of the meeting, to elect a 13th member of the Committee, was still unfulfilled and thus a new ballot was necessary.

Mr Williams closes the meeting at 2.30pm

Samuel Burns

St John's College

Ex-Secretary's Committee

Secretary of the Rules Committee