



REPORT ON THE REMOVAL OF A MEMBER

The following is a summary of the reasons and process regarding the removal of a member from the organisation, involving committee members Charlie Helyar (president and chairman), Ray Potter (treasurer), Neil Warner (secretary), Rob Sims, Dudleigh Oakes, John Donohoe and Roger Kennett (counselor). Time frame is January 2020 through April 2020.

Complaints were received following an email sent by a member. The member's name is not mentioned due to privacy.

The President launched an investigation into the matter and presented his findings to the committee.

The committee agreed with the report that found the member to be in breach of bullying and harassment by way of personal attacks via email. These attacks were not isolated and were found to be systemic dating back several years. It was proposed the committee accept the findings. The proposal was carried.

It was proposed to the committee that disciplinary action needed to be taken for breach of the constitution in accordance with section ten of the constitution, and more specifically;

Where the committee is of the opinion that a member of the association -

- (a) has persistently refused or neglected to comply with a provision or provisions of these rules; or*
- (b) has persistently and wilfully acted in a manner prejudicial to the interests of the association, the committee may, by resolution -*
 - (i) expel the member from the association; or*
 - (ii) suspend the member from membership of the association for a specified period.*

The proposal was carried.

Given the member had already received previous warnings to desist; it was proposed the form of this discipline be that the member be expelled from the organisation. The following comments, observations or acknowledgements were shared among the committee when considering the proposal:-

- The gravity of the proposal.
- The valuable contribution the member had made to the organisation over many years.
- The need to uphold the integrity of our constitution, protocols and bullying policy.
- The personal effect of bullying.
- The organisation's legal and moral responsibility to protect its members from bullying.
- The attack was not isolated and followed several previous warnings to desist.
- The committee welcomes robust debate, constructive criticism and disagreement; however, these are never an excuse for personal attacks.

On March 3, the member was advised by email of the committee's decision to terminate his membership. The notice also included the removal of his partner as their membership was a "joint membership". No separate notice was sent to his partner. The member was advised he had 28 days in which to respond before the committee would meet again to consider any response.

After 28 days expired, there was no response on the matter from the member. The President telephoned the member and gave him another 48 hours to respond. No response was received.

It was proposed to the committee to confirm the previous resolution. However, during discussions, it was also proposed the removal of his partner because of their "joint membership" status was not grounds for removal and therefore his partner could remain a member. It was also acknowledged that should the member appeal and the committee's resolution be overturned by the members, this would be seen as a vote of no confidence and all committee members would need to consider their position. Given there was no response from the member, both proposals (to remove the member and not to remove his partner) were carried.

On April 10, the member was advised of the committee's resolution to terminate his membership. The member was also advised he had 7 days in which to appeal the decision.

If an appeal is lodged, the matter is taken to a general meeting for the members to decide. In the current lock-down environment, such a general meeting would be conducted via an electronic ballot in accordance with the constitution.

By April 17, no appeal was received. The matter was considered concluded.

The process was conducted in accordance with the constitution (parts 10 and 11) and the committee can confirm the member was suitably notified and afforded every opportunity (over and above the requirements as set out in the constitution) to state his case and then appeal the decision. The member declined to do so.