

BAIS ELECTIONS 1992

Response to Bob Purdie's report.

The report whilst acknowledging the bitterness surrounding the conduct of the elections identifies only three issues of substance arising from the complaints made by one side in the contest. These have been examined by Bob because they represent an obstacle to the count taking place. Quite as many complaints could have been made about the conduct of those who have challenged the eligibility of members but they have not been examined as they do not pose an obstacle to the count being completed.

In examining the three issues of substance, the report argues for the principle of natural justice to be applied. Individuals like Maureen Carter and Ullrich Kockel paid their membership subscriptions in good faith to make them eligible to stand as candidates for the committee. The fact that no definitive membership list existed and that errors of omission were committed in the haste to construct a first membership list should not debar them from being eligible. Natural justice should apply. The first objection cannot be sustained.

The second objection is the procedure whereby Cormac O'Grada was issued with a ballot paper. This was clearly regrettable but follows from mistakes on both sides. O'Grada's name was omitted initially from the second list but this was noticed at the same time that it was reported that some members were not receiving ballot papers from Huddersfield, so a copy of a ballot paper was supplied, just as the returning officer was informed that some ballot papers had not been sent out. Again it is a question of the culpability of officers rather than any illegitimate action that could debar O'Grada from membership and the right to vote. His letter of application exists as proof of his wish to become a member. Therefore natural justice again determines the second objection cannot be sustained.

The third issue revolves around the members recruited by Ruth at the British Irish Association conference. As there is documentary proof on conference notepaper submitted to Bob of the lists of names and sums of money involved in payment of the membership subscriptions, the last objection is clearly invalid. In the circumstances, it is surprising and illogical for the report to recommend the following proposals:

- 1 Re-registering the membership
- 2 A revised constitution
- 3 An Interim Executive
- 4 All accounts in the hands of the Trustees

I have to say that such a course of action would achieve the maximum damage to BAIS. Firstly, re-registering the membership would, after the current fiasco of the election, be likely to a) lose a substantial part of the membership through disillusion b) be a very expensive way to lose membership income c) impose an unnecessary financial expenditure in requiring a further election d) encourage more unseemly packing of the vote prior to a second election e) almost certainly lead to further recriminations over eligibility of

members if one side fear they might lose.

Secondly, a revised constitution would be a time-consuming and difficult exercise when time is fast running out along with the last remaining money in BAIS accounts. I have no objection to the accounts being in the hands of the Trustees but that again assumes a period of several months while things are sorted out and while another election is organised. The proposal for an Interim Executive suggests names of very sound people but they happen to be very disillusioned themselves with the bitterness surrounding the election and may lack the will to take on the task.

I believe Bob Purdie's report should go to the Executive Committee where a majority vote should be taken on the recommendation that the count should go ahead on the basis of the votes already cast, with no exceptions and the members should decide the issue. That embodies the spirit of the report. The new officers and committee will have the responsibility to review the constitution on electoral procedures and any other matters of urgency confronting BAIS.

If all these issues are to be raked over once again, then a whole raft of complaints will be lodged about the conduct of the elections from the other side, none of which would allow any progress to be made.

Is it not time for common sense to break out, count the votes cast, and attempt to move forward before the destruction of BAIS?

1. Re-registering the membership

2. A revised constitution

3. An Interim Executive

4. All accounts in the hands of the Trustees

GRAHAM DAVIS
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