

**Patricia Georgee**

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**From:** Darren Churchill <dmchurchill@optusnet.com.au>  
**Sent:** Friday, 5 April 2013 4:40 PM  
**To:** FAD  
**Cc:** Roger Howe  
**Subject:** A2 item 4,5  
**Attachments:** 5\_Minutes of the ACT Democrats Executive Meeting - September....pdf; 4\_Disputed factional emails purporting to claim to be a quorate NE meeting.docx; 4\_NE EO minutes 130131.pdf; 4\_NE minutes 130129.pdf; 4\_NE minutes 130131.pdf; 5\_APLetter-130404\_membershipDchurchillRogerHowe.pdf





## Minutes of the ACT Democrats Executive Meeting

Held on Tuesday 25 September 2012 at the  
Canberra Southern Cross Club, Jamison

### 1. Meeting Opening

Darren Churchill declared the meeting open at 6.37pm.

### 2. Attendance

Darren Churchill	President
Trevor Jenner	Deputy President/General Secretary
Bill Henshilwood	General Executive Member
Tim Fountain	General Executive Member

### 3. Apologies

Bob Churchill            General Executive Member

### 4. Minutes of the Previous Meeting

Trevor Jenner provided a verbal report on the minutes of the previous meeting. The minutes were accepted as read.

### 5. Business Arising from the Previous Minutes

#### 5.1 ACT Election

Darren Churchill provided a report on his campaign activities as a candidate in the ACT Election, including a speech to Sustainable Population Australia which was well received. Darren had also received some good publicity in the Canberra City News newspaper.

Action Item: *Darren Churchill to provide a copy of his speech to Sustainable Population Australia to the Executive.*

### 6. Financial Report

Darren Churchill provided the financial report.

The bank account balance was \$170.63 with a cheque for the hire of a meeting room at the Belconnen Community Centre still yet to be cashed.

Darren Churchill requested that he be reimbursed an amount of \$100 for payment of a deposit as a candidate in the ACT Election and inclusion of his name on the ballot paper.

Motion: *That Darren Churchill be reimbursed an amount of \$100 for payment of a deposit as a candidate in the ACT Election.*

Moved: Trevor Jenner

Seconded: Tim Fountain

Carried

## **7. National Executive Report**

Trevor Jenner provided a verbal report on the outcomes of the National Executive meeting held on Tuesday 18 September 2012.

### **7.1 Membership Status – Mr John Davey**

Ensuing from this report, the ACT Division Executive discussed at length the membership status of Mr John Davey as, although John is a member of the ACT Division, it was understood that he was standing as a candidate for election to the Victorian Division Executive.

It was agreed that the ACT Division should write to John inviting him to meet with the Executive to discuss his membership of the ACT Division.

Motion: *That Trevor Jenner write to Mr John Davey inviting him to meet with the ACT Division Executive to discuss his membership of the ACT Division and ask him to explain his actions in standing as a candidate for election to the Victorian Division Executive and to show cause why his membership of the ACT Division should not be revoked.*

Moved: Bill Henshilwood

Seconded: Tim Fountain

Carried Unanimously

## 7.2 Recognition of the Senior Deputy President

Concern was expressed by the ACT Division Executive in the treatment that Darren Churchill was experiencing in his role as the acting Chair of the National Executive, following the sudden resignation of Mr Brian Greig as the National President.

The Executive were unanimous in their support of Darren as both the Senior Deputy President and, in the absence of a National President, the acting Chair of the National Executive.

Motion: *That the ACT Division recognises the role of the Senior Deputy President as the Chair of the National Executive, in the absence of a National President and until an election of a new National President has been held.*

Moved: Trevor Jenner

Seconded: Tim Fountain

Carried Unanimously

## 7.3 Vote of Confidence – President of the ACT Division

In view of the treatment being experienced by Darren Churchill from some members of the National Executive it was considered appropriate that the ACT Division propose a vote of confidence in ratification of Darren as the balloted candidate for Ginninderra in the 2012 ACT Election.

*Motion: That the Executive of the ACT Division approve and ratify the pre-selection of Darren Churchill as a candidate for the Seat of Ginninderra in the 2012 ACT Election.*

Moved: Trevor Jenner

Seconded: Bill Henshilwood

Carried Unanimously

## 7.4 Vote of Confidence – President of the ACT Division

In view of the treatment being experienced by Darren Churchill from some members of the National Executive it was considered appropriate that the ACT Division propose a vote of confidence in support of Darren as the President of the ACT Division.

Motion: *That the Executive of the ACT Division pass a vote of confidence in support of Darren Churchill as the duly elected President of the ACT Division.*

Moved: Trevor Jenner  
Seconded: Tim Fountain

Carried Unanimously

## **8. Meeting Closure**

The ACT President, Darren Churchill declared the meeting closed at 8.38pm.



Trevor Jenner  
General Secretary

# Disputed: Fwd: MINUTES OF THE MEETING 2013-01-29 >> Re: [AusDems NE] Re: Reminder: National Executive Meeting Tonight



Roger Howe

Mar 4

to Brian

Brian,

I raise a dispute as to the veracity of the documents attached purporting to be official minutes, and the actions taken by certain individuals to usurp a properly constituted National Executive meeting. I am concerned that if these notes are distributed they will be taken to be an accurate reflection of the meeting and its outcomes, where they are far from the truth. I forward an email by Stuart Horrex in addition to this email and attachments forwarded, to show Stuart's lack of following correct procedure. There are many mistakes in attendance, status and roles including recognised proxies (Proxies are to be delivered to the National Secretary and need to be recognised by the Chair) and the issue as to who authorised Stuart Horrex to take minutes in the first place. For instance the attachment state that Julia Melland is a suspended member, however this goes against the finding of Troy's report that Julia acted in good faith and recommended no action should be taken against Julia. This was the first meeting of the NE since Troy's report was issued, yet Stuart appears to have acted unilaterally to find that Julia should be suspended.

There is a failure to recognise the Chair(Darren Churchill) who opened the meeting,as there is for the failure to recognise the National Secretary(Roger Howe) who sent out the notice of meeting.I can only appreciate that the recognition of all NE members who attended the meeting recognised these 2 positions, as otherwise they would not have given the meeting credibility by attending.

In reference to the role of Darren Churchill, the ballot returned a result of Darren as National President. However the dispute report by Troy reported that this was considered by Troy to be invalid. This would then give Darren the status of Acting National President as SDNP with a vacant president role and the second half of the term having commenced. As Acting National President, it is still Darren's responsibility to chair the National Executive.

Stuart has tried to carry out meeting business by email commentary, this is seemingly in an attempt to usurp the proper order and management of the meeting by the Chair. A procedural motion does not have the power to remove the chair.

In the past, I have waited for the next properly constituted NE meeting to discuss the contents and move that amendments be accepted, although in this case the notes distributed by Stuart Horrex have little resemblance to the activity in the meeting. However in a previous dispute I was challenged as not having raised a dispute against previous notes of meetings by Stuart Horrex, subsequently treated as minutes in a dispute without a properly constituted NE meeting having accepted them as a true and accurate record of the meeting.

I make no claims for restitution here or asking for specific findings/damages or awards to be made, as this process is not a court of law but is purely a procedural umpire to call out if the correct process has been followed, and should not be swayed by an individuals request for certain outcomes to be found or certain actions to be taken. Any subsequent recommendation should rely only on the interpretation of the rules of the organisation ie constitution, regulations, standing orders and organisational precedence.

The NE has since accepted as true and accurate the correct set of minutes ie not Mr Horrex's version. Mr Horrex has since been expelled from the party by the NE.

Roger Howe

----- Forwarded message -----

From: stuart horrex [REDACTED]  
 Date: Tue, 29 Jan 2013 22:02:02 +1100  
 Subject: MINUTES OF THE MEETING 2013-01-29 >> Re: [AusDems NE] Re: Reminder: National Executive Meeting Tonight  
 To: NEmotions@googlegroups.com  
 Cc: Darren Churchill [REDACTED], Roger Howe [REDACTED], Hayden Brown [REDACTED], Paulene Hutton [REDACTED], Robert Livesay [REDACTED], Trevor Jenner [REDACTED], Anthony David [REDACTED], Drew Simmons [REDACTED], Paul Cole [REDACTED], Paul Young [REDACTED], Greg Croke [REDACTED], Bruce Hogben [REDACTED], Matt YADS [REDACTED]

Hello Chris, Hello all,

I have posted these minutes to the NE group.



While the meeting was invalid due to being called by a non member (refer to motion 2012- attached), all NE members were in attendance with the exception of Mr Roger Howe, who may have been on the call, but did not announce himself.

The minutes show the attendance and record of proxies received by the National Secretary.

The meeting was quorate, and two items of business were dealt with.

The minutes are attached.

Faithfully,

Stuart Horrex  
National Secretary  
Australian Democrats

On Tue, Jan 29, 2013 at 8:49 PM, Christopher Ridings  
[REDACTED] wrote:

- > I came in late as I checked my computer about 8.10pm and then at about
- > 8.38pm.
- > By the time I dialled in, a vote was being counted but I was able to vote
- > against the adjournment on the grounds that we had assembled.
- > Hence I do not know who actually is taking the Minutes of this unusually
- > brief meeting.
- >
- > I will need to have a phone-in number for Saturday afternoon's meeting.
- >
- > Can we all also please have a copy of the Minutes of tonight's adjourned
- > meeting.
- >
- > shalom
- > Chris
- >





**Extra-Ordinary National Executive Meeting to Consider Disciplinary Action**  
**Date: 31st January 2013 9:00pm AEDST**  
(via Operator Assisted Chorus Call)

**1.0 Meeting Opened by National President Darren Churchill in Chair at 9:00pm**

**2.0 Welcome / Roll Call / Apologies – Chair: National President Darren Churchill**  
(P=present, Pa=Partial, Ap=apology, NI=Not invited, ?=absent, NV=non voting)

**Voting Members**

**National President**

P Darren Churchill

**SDNP & Deputy National Presidents (5)**

P Roger Howe SDNP

P David Collyer DNP

NI Hayden Ostrom Brown DNP

P Chris Ridings DNP

NI Stuart Horrex DNP

**Divisional Presidents/Proxies**

**Recognised Proxies:** SA, ACT, Tas

NI Drew Simmons NSW President

P Robert Livesay VIC President

NI Paulene Hutton TAS Proxy

P Greg Croke SA Proxy

P Trevor Jenner ACT Proxy

NI Paul Young Acting WA President

**YADs President**

NI Matthew Burke YADS President

**Non-Voting**

**Divisional President**

NI Paul Cole Qld President (insufficient length of membership for a vote on NE)  
(ie. < 1 year) No proxy appointed.

**Officers, Subcommittee Office Holders**

PNV Roger Howe (Acting) National Secretary

PNV Anthony David IT Coordinator

PaNV Max Baumann Policy Convenor

PNV Robin Davis Membership Officer

PNV Julia Melland Ballot Administrator & Minute taker

The Chair outlines meeting rules under National Standing Orders.

Say name to be heard by Chair, Don't interrupt speaker (Chair is allowed to interrupt), No discussion after motion put to vote. If you are named 3 times you will be required to leave.

It was noted that the members subject to these proceedings were given a very generous opportunity to come together on Tuesday night, 29<sup>th</sup> January 2013, and function as a full National Executive. When they caused the meeting to be abandoned, it became clear that the tactic used in September 2012 was going to be used at every meeting. Therefore this urgent disciplinary action was considered necessary, in order to enable the call for 2013/14 nominations to be opened and the decision put back into the hands of the shareholders, i.e. the members.

Also, that due to the disciplinary nature of the meeting some parts of it would be held 'in camera' as per Standing Order Sec. 39.2(b).

The Chair called a 30 seconds period of reflection for participants in the meeting to reflect on ethical practice, due to the serious matters being considered.

### **3.0 Constitutional and Legal Advisor to the National Executive**

**Motion:** That National Executive appoint Greg Raines as Constitutional and Legal Advisor to the National Executive.

Moved: Robert Livesay

Seconded: David Collyer

Carried unanimously.

### **4.0 Disciplinary Action**

The Chair moved the meeting 'in camera' for discussion and consideration.

The Chair resumed full standing orders.

**Motion:** That [REDACTED] membership be suspended for breaches of Sections 4.9; 4.8 (2); and 4.8 (3) of the Constitution and that he must show just cause why he should not be expelled.

Moved: David Collyer

Seconded: Greg Croke

Carried unanimously.

**Motion:** That [REDACTED] membership be suspended for breaches of Section 4.8 (3) of the Constitution and Sections 40; 3; 11.1; and, 11.2 of the Standing Orders and that he must show just cause why he should not be expelled.

Moved: Chris Ridings

Seconded: David Collyer

Carried unanimously.

**Motion:** That [REDACTED] membership be suspended for breaches of Sections 4.9; and, 4.8 (3) the Constitution and Sections 40; 3; 11.1; and, 11.2 of the Standing Orders and that he must show just cause why he should not be expelled.

Moved: Greg Croke

Seconded: David Collyer

Carried unanimously.

**Motion:** That [REDACTED] membership be suspended for breaches of Section 4.8 (2) of the Constitution and Sections 40; 3; 11.1; and, 11.2 of the Standing Orders and that he must show just cause why he should not be expelled.

Moved: Chris Ridings

Seconded: Robert Livesay

Carried unanimously.

**Motion:** That [REDACTED] membership be suspended for breaches of Section 4.8 (3) of the Constitution and Sections 40; 3; 11.1; and, 11.2 of the Standing Orders and that he must show just cause why he should not be expelled.

Moved: Chris Ridings

Seconded: David Collyer

Carried unanimously.

**Motion:** That [REDACTED] membership be suspended for breaches of Sections 4.8; and, 6.5(a) of the Constitution and that he must show just cause why he should not be expelled.

Moved: Chris Ridings

Seconded: David Collyer

Carried unanimously.

**Motion:** That [REDACTED] membership be suspended for breaches of Section 4.8 of the Constitution and Sections 40; 3; 11.1; and, 11.2 of the Standing Orders and that she must show just cause why she should not be expelled.

Moved: David Collyer

Seconded: Greg Croke

Carried unanimously.

**Motion:** That [REDACTED] membership be suspended for breaches of Section 4.8 of the Constitution and Sections 40; 3; 11.1; and, 11.2 of the Standing Orders and that he must show just cause why he should not be expelled.

Moved: David Collyer

Seconded: Greg Croke

Carried unanimously.

**Motion:** That [REDACTED] membership be suspended for breaches of Section 4.8 of the Constitution and Sections 40; 3; 11.1; and, 11.2 of the Standing Orders and that he must show just cause why he should not be expelled.

Moved: David Collyer

Seconded: Greg Croke

Carried unanimously.

**Action:** To write to these members by email and registered post and invite them to give account of themselves at the next National Executive meeting (other than the follow-on meeting tonight), giving information on how this will proceed.

**By:** National Secretary, Roger Howe.

Note: The next meeting expected to be March 2013.

**Meeting closed:** 10:42pm





**Meeting Date: 29th January 2013 8:30pm AEDST**

(via Chorus Call)

**1.0 Welcome / Roll Call / Apologies – Chair: National President Darren Churchill**

(P=present, Pa=Partial Ap=apology, ?=absent, NV - non voting)

#### **Voting Members**

##### **National President**

P Darren Churchill

##### **SDNP & Deputy National Presidents (5)**

Ap Roger Howe SDNP

P David Collyer DNP

P Hayden Ostrom Brown DNP

Pa Chris Ridings DNP

Pa Stuart Horrex DNP

##### **Divisional Presidents/Proxies**

**Recognised Proxies:** SA, ACT, Tas

P Drew Simmons NSW President

P Robert Livesay VIC President

P Paulene Hutton TAS Proxy

P Greg Croke SA Proxy

P Trevor Jenner ACT Proxy

Ap Paul Young Acting WA President

##### **YADs President**

P Matthew Burke YADS President

#### **Non-Voting**

##### **Divisional President**

PNV Paul Cole Qld President (insufficient length of membership for a vote on NE)

(ie. < 1 year) No proxy appointed.

##### **Officers, Subcommittee Office Holders**

Ap Roger Howe (Acting) National Secretary

##### **Guests**

PNV Michael Pilling Observer

PNV Alex Bond Observer

PNV Julia Melland Observer & Minute taker

PNV James Long Observer

**8:30 PM** Meeting failed to come to order and open. Chair declared the meeting out of order and to be reconvened.







**Date: Thursday 31st January 2013 at 10.42pm AEDST**  
(via Chorus Call)

**Meeting Opened by National President Darren Churchill in Chair at 10:42pm**

**1.0 Welcome / Roll Call / Apologies /AWOA/ Proxy Registrations**

(P=present, Pa=Partial, Ap=apology, ?=absent, NV=non voting)

**Voting Members**

**National President**

P Darren Churchill

**SDNP & Deputy National Presidents (5)**

P Roger Howe SDNP

P David Collyer DNP

P Chris Ridings DNP

(4<sup>th</sup> & 5<sup>th</sup> DNP Vacant)

**Divisional Presidents/Proxies**

**Recognised Proxies:** SA, ACT.

P Robert Livesay VIC President

P Greg Croke SA Proxy

P Trevor Jenner ACT Proxy

**Non-Voting**

**Officers, Subcommittee Office Holders**

PNV Roger Howe (Acting) National Secretary

PNV Anthony David IT Coordinator

PaNV Max Baumann Policy Convenor

PNV Robin Davis Membership Officer

PNV Julia Melland Ballots Administrator & Minute taker

Chair outlines meeting rules under National Standing Orders.

Say name to be heard by Chair, Don't interrupt speaker (Chair is allowed to interrupt), No discussion after motion put to vote. If you are named 3 times you will be required to leave

**2.0 Confirmation of Minutes**

Minutes of previous National Executive meetings as circulated by the National Secretary.

**Motion:** That the minutes for the August and September 2012 NE meetings be accepted.

Moved: David Collyer  
Seconded: Roger Howe  
Carried unanimously.

## **2.1 Business arising from the minutes**

Deferred to next meeting.

## **3.0 Reports as tabled by NE members**

Deferred to next meeting.

## **3.1 Business arising from the Reports**

Deferred to next meeting.

### **3.1.1 SA Division membership motions**

Deferred to next meeting.

## **4.0 Correspondence In**

1. Resignation email from National Treasurer, Bruce Carnwell.
2. Email from AEC advising there had been an attempt made to appoint Stuart Horrex as National Secretary and Paul Morgan as Registered Officer.

## **4.1 Business arising from the Correspondence**

1. Charlie Bell has offered to act as Treasurer until June 2013.  
**Motion:** That John Charles Bell be appointed as acting National Treasurer until 30<sup>th</sup> June 2013.  
Moved: David Collyer  
Seconded: Chris Ridings  
Carried unanimously.
2. **Motion:** That National Executive confirms that it has not met since 18<sup>th</sup> September 2012 and the attempted appointments are invalid. National Executive also confirms the ongoing appointments of Roger Howe as National Secretary and John Charles Bell as Registered Officer.  
Moved: David Collyer  
Seconded: Roger Howe  
Carried unanimously.

## **5.0 Email motions**

**Motion:** That all proposed email motions conducted between 18<sup>th</sup> September and the present are invalid.

Moved: Roger Howe  
Seconded: David Collyer  
Carried unanimously.

**Action:** That all motions are invited to be re-submitted to the Secretary in time for a future National Executive meeting.

## **6.0 Closing of Pre-selections**

**Motion:** That National Executive instructs Divisions to conclude pre-selections for 2013 Senate Election by Wednesday 27<sup>th</sup> March 2013.

Moved: Chris Ridings  
Seconded: Greg Croke  
Carried unanimously.

## **7.0 Communication to the members**

Deferred to next meeting.

#### **8.0 Building a co-operative way forward**

Deferred to next meeting.

#### **9.0 Planning for Face-to-Face NE**

Deferred to next meeting.

#### **10.0 New Business**

##### **10.1 Anderson Report 1 2012(1)**

The report from Troy Anderson was tabled.

**Motion:** That the report be noted.

Moved: Roger Howe

Seconded: Chris Ridings

Carried.

**Motion 10.11:** Whilst National Executive accept that Julia Melland acted in good faith and accept the recommendation to re-ballot the whole National Executive, we find the report lacked full consideration of the actions of members who are since subject to disciplinary action.

**Motion 10.12:** That National Executive accepts the Melland ballot result, as members voted in good faith.

**Motion 10.13:** That National Executive calls for nominations for the 2013/14 National Executive Ballot.

**Motion 10.14:** That National Executive appoints Lyn Allison as Ballot Administrator.

**Motion 10.15:** That National Executive recognises the appointment of Julia Melland as Ballot Administrator for the Melland ballot.

**Motion 10.16:** That National Executive thanks Deanne Crabb for his work as National Returning Officer.

Moved Motions 10.11 to 10.16 (incl.): Greg Croke

Seconded: David Collyer

Carried unanimously.

##### **10.2 Proposed meeting on 2<sup>nd</sup> February 2013**

**Motion:** That the proposed Brisbane meeting on 2<sup>nd</sup> February 2013 is not valid.

Moved: Greg Croke

Seconded: Chris Ridings

Carried.

**Next Meeting: Tuesday 5<sup>th</sup> March 2013 AEDST (TBC)**

**Meeting closed 11:25pm.**



**National President**

**Darren Churchill**

[president@democrats.org.au](mailto:president@democrats.org.au)

**National Secretary**

**Roger Howe** (Acting)

[Secretary@democrats.org.au](mailto:Secretary@democrats.org.au)

April 4, 2013

To whom it might concern:


This is to certify that Darren Churchill and Roger Howe are both members of the Australian Democrats in good standing. Both are highly respected within the party.

The membership database I have maintained shows that Roger Howe has been a full voting member of the Victorian division since April 23, 1998 and Darren Churchill has been a full voting member of the ACT division since May 9, 2007.

Recent quorate meetings of the ACT and Victorian division Executives and the National Executive have affirmed that both Darren Churchill and Roger Howe remain members of the Australian Democrats in good standing.

Sincerely,

Robin Davis  
Acting National Membership Officer  
Victorian Membership Officer

03 9735 1168  


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