



# University of St Andrews Students' Association Executive Committee

## AGENDA

Monday 28 October 2013 - Committee Room - 8.00pm

- 1. Adoption of the Agenda**
- 2. Apologies for Absence**
- 3. Adoption of the Minutes of the Previous Meeting**
- 4. Matters Arising from the Minutes of the Previous Meeting**
- 5. Unfinished General Business**
- 6. New General Business**
  - 6.1. Request of Association Chair to Clarify Ambiguity in 4 Laws §3
  - 6.2. Consideration of Reinstatement Policy Under Association Councils Absence Policy
  - 6.3. Consideration of Reinstatements Under Association Councils Absence Policy
    - 6.3.1. Peter DaBell
  - 6.4. Reply of Radim Dragomaca to Motion to Reconsider and Reconsideration of Honorary Life Membership of Radim Dragomaca of 10 May 2013
- 7. Any Other Competent Business**

27<sup>th</sup> October, 2013

To: Maxwell Baldi, Association Chair (for transmission to the Association Executive Committee)  
Subject: Right of Reply

Dear Mr. Baldi, Members of the Association Executive Committee,

My name is Radim Dragomaca and I am submitting this letter alongside my oral remarks in exercise of my Right of Reply, as per Section 14 of the Standing Orders of the Students Association. I believe I am entitled to exercise this right, as on the 10<sup>th</sup> of May, the Association Executive Committee met, and following remarks critical of me, a member of the Association, negative/punitive action was taken against me in the form of a motion to reconsider (effectively rescind) the Honorary Lifetime Membership which this body awarded me at its previous meeting. While the substance of the criticism remains in the confidential portion of the minutes, the outcome of the criticism, the reconsideration of the award, is in the public record. As I believe the Association cannot deny a member this substantive right to reply by utilising a procedural device (in camera proceedings), I would like to assert this right at this time.

Having asserted the right, I would like to explain why it is that I choose to exercise it. While I deeply regret both the Committee's decision, and the procedure utilised whereby allegations were brought against me without my knowledge, and without being asked to admit or deny these charges, which were material to the decision of the Committee, I humbly respect the Committee's decision. As that decision is now a matter of public record, however, I feel that my good name and reputation have suffered as a result, and it is incumbent on me to enter into the public record the true and contextualised version of the events which lead to this point, and defend myself against these allegations. I regret again that I was denied the opportunity to do so in the course of these proceedings, and am only afforded this opportunity *ex post facto*. I would encourage the Association to consider an amendment to their procedure whereby members against whom punitive or otherwise negative or critical actions are taken are always given a voice in that process.

As not all members of this Committee will be familiar with the proceedings of the 10<sup>th</sup> of May 2013, I will in brief recount them, and while I respect that those members of this Committee who were present will not be able to comment on those things which were said in camera, having not been present to the proceedings myself, I am not bound by the same injunction of secrecy.

I was nominated for an Honorary Lifetime Membership (HLM) in the Association by Ms. Yeji Moon, who cited my involvement in the Foreign Affairs Society, notably my founding and running of the Foreign Affairs Review, as well as my involvement with the 600<sup>th</sup> Anniversary Book project. On the basis of these

merits, I was awarded the HLM by this body. At a subsequent meeting of this body, on the 10<sup>th</sup> of May, a member of the body moved that the meeting adjourn in camera. During the course of the subsequent proceedings, it was argued that I should not be awarded an HLM, because in the view of the member who brought this motion forward, I had acted in bad faith in the course of my FAS duties. The specific charge is that I did not maintain in absolute secrecy the identity of a prospective high profile speaker whom the Society has been working on bringing to St Andrews. About a month prior to the May 10<sup>th</sup> meeting, the FAS Committee itself held an in-camera meeting, during which these on-going efforts were made known to the entire Committee. It was alleged that as I had disclosed the identity of the potential speaker to third parties following this in-camera meeting, I have violated the trust of the Society, and was therefore unfit to receive an award, the bulk of my merits for which pertained to my contributions to that same Society. Without any external verification of these allegations, and without myself being notified of them or of their consequences until after a decision was rendered, the Committee accepted these allegations prima facie and reconsidered (effectively rescinded) the HLM.

I would now like to enter into the public record my defence against these allegations. The allegation is that I violated the trust of the Foreign Affairs Society by not keeping secret matters disclosed to me at an in-camera meeting. There are a number of problems with this view. The first of these is that the Executive Committee accepted the charge of breaching the faith without externally ascertaining the truth of the charge. Attached, you will find a letter from the President of the FAS, affirming on behalf of the Society that my conduct therein has never violated the trust of the Society (Appendix A). As an affiliated but independently operated Society, its ruling on violations of trust ought to be authoritative, and its views ought to have been solicited and weighed against the allegations by a single member of the Executive Committee.

The second point is slightly more technical, but no less important. An in-camera session has the power to compel those who accept entering into it to not divulge the information that is imparted to them at this meeting. New information is imparted in camera so that those coming into possession of it will not divulge it to third parties. One can view this as a limited license to information – the information is not being freely given to the recipients to do with as they will, it is given only on the condition of certain limitations – in this case, secrecy. What an in camera meeting cannot do is take information that members already possess without limitation and impose limitations on it. Only the classification of information or documents can impose the limitation of secrecy on information someone already possesses, or their voluntary signing of an ex post facto non-disclosure agreement. Going into that in-camera meeting, at least three, and possibly four members of the Society Committee were already in possession of the information regarding this special speaker project. The rights of these members in respect to the information being shared with other members were not affected by the in-camera proceedings. In so far as new information was presented about the project, such as the details of a financial agreement with the Association, that information was indeed new to me, and I maintained it in the strictest confidence thereafter. Having been personally involved in the project

for almost a year prior to this meeting, the information I was already in possession of, the actions I had taken in support of it, and the conversations that myself and the other informed members of the Committee undertook before and after the in-camera proceedings are not legally prejudiced by those proceedings.

It could be alleged that though the in-camera proceedings did not create new obligations for those already in possession of the information being imparted onto others (for whom the obligation of secrecy did from that point exist), a voluntary duty to support the secrecy existed, and its violation would be an act in bad faith. It was well known to the leadership of the Society, both of the 2012-13 and 2013-14 years that I have a principled objection to operating a student society in secrecy and without transparency. In so far as this is necessary for security or financial arrangements (such as were newly disclosed to me during the in-camera proceedings), I respect those. It was and remains my view that keeping the matters in question secret with a view to ensure that certain influential third parties do not find out about the event prematurely would do more harm than good. My actions both before and after the in-camera meeting are known to the Society, and a letter of support from the Society, appended to this document as Appendix A, validates them.

Following the events of May 10<sup>th</sup> 2013, the matter was taken up by the Subcommittee of the Foreign Affairs Review (FAR) and the Committee of the Foreign Affairs Society. The reason for this was that the member of the Executive Committee who brought forward these charges was a member of the FAS Committee, and the accused – myself, was and continues to be a member of both the FAS and FAR. The FAR Subcommittee condemned the manner in which these charges were brought against me, and in recognition to the professional damage done to the relationship between my accuser and myself, called upon the FAS Committee to address the matter (Resolution attached as Appendix B). The FAS Committee deliberated on the matter for over an hour, with both parties present for the discussion. The outcome was that (to my knowledge) for the first time in its history, the Foreign Affairs Society censured one of its members for, inter alia, the actions taken against me during the HLM proceedings (Resolution attached as Appendix C). As I was facing the accusation that I had violated the trust of the Society, this rebuking of the allegations and the person who made them by the Society, in addition to the letter of support attached hereto, stand as supporting evidence to my argument.

In the conclusion of this letter, I would like to adopt a more personal tone. I have addressed these matters in as dispassionate a way as I know how in this letter, but the fact of the matter is that what transpired was and remains upsetting to me. There is something we all share, as student leaders, and that is a passion for what we do, a sense of service to those for whose benefit we do it, and pride in the countless hours of effort we put into extracurricular activities here. I was delighted when a peer nominated me for an Honorary Lifetime Membership, and I was proud that the work I put into making the Foreign Affairs Review and Society a success was being recognised and appreciated by my peers. What should have been a wonderful token of recognition, instead turned into a deeply

unfortunate and I believe unfair debacle. I was awarded an HLM for my service to a society. I was stripped of an HLM when a fellow member of the Society brought unverified allegations against me, and in my absence and without notification or solicitation of information from myself or the Society in question, these allegations were accepted. The Society repudiated these allegations with a subsequent censure of the accuser and letter of support. Nevertheless, I remain in the disgraced position of having had the award reconsidered, and feel that what transpired has spread a measure of undue animosity in a wide circle around the individuals directly involved. This seems a most unsatisfactory conclusion. At the core of all of this is, I believe, an unhealthy dose of secrecy and opaqueness unbecoming of student institutions, and not conducive to friendly and collegial relations among student leaders.

Beyond all of this, and I choose to conclude on this point, what has transpired has spiralled beyond the circumstances of the case, damaging reputations, destabilising societies, and coming between friendships. Our involvement in extracurricular activities may at times be contentious, and in the managing of friendships and egos, rules and rights, motives and aspirations, people can lose sight of our common purpose and dedication to improving the lives of fellow students at this University. I wish to put the incident in question behind us, which would have been possible in May if the Society or myself were permitted to respond to the allegations, and work with the Association on future projects of the FAS and the 600<sup>th</sup> Anniversary Book. In entering this view into the public record, whether the Association chooses to redress my grievance or not, I am grateful for the opportunity to share my side of the story, and hope that all parties involved will be able to set aside hard feelings arising from these events, as I will strive to do.

Sincerely,

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Radim Dragomaca