

From: Michael de Bruyn <mjm.debruyn@gmail.com>
Date: 10 June 2011 5:16:36 PM AEST
Cc: Grant Poulter <grant.poulter@gmail.com>
Subject: Re: Motion of the Victorian Young Labor Executive

Dear All,

I regret to inform you that some of you have been misled by Grant Poulter, the outgoing President of Victorian Young Labor. In an email sent yesterday, Grant Poulter informed all delegates that a motion was passed at a Victorian Young Labor Executive meeting to recommend a new ballot for VYL be held. In short, I will explain why the text of the email was false, and why its motives were unnecessary and undemocratic.

Yesterday, a lame-duck meeting of the outgoing Young Labor Executive was indeed called - albeit improperly, apparently to discuss the VYL website, an issue that had already been resolved prior to Conference. It became apparent that the real reason for this meeting was to circumvent and shut down the democratic ballot that was conducted at conference in April, a ballot that is due to be counted imminently.

For those unaware, the ballot at conference was conducted as normal, and several ballot papers were enveloped (as is common practice) due to disputes relating to enrolment and other issues. These envelopes were set aside by the Returning Officer to be ruled upon. A majority were included in the count, and a number excluded.

Due to concerns regarding the enforcement of party rules when some of these ballots were included, a dispute was lodged with the impartial body of the party - the Victorian Dispute Tribunal - which heard the case two weeks ago. Both the Tribunal and Returning Officer ruled on these disputed ballots, finding in all but one case, there existed cause for their exclusion.

The rulings of the independent tribunal were acceptable to the lodger and others, but it seems not acceptable to those factions who now seek to overturn a democratic ballot because they now fear they will lose.

There seems no reason to interrupt and spoil a ballot while the proper processes of the party are running their course. I look forward to the ballot being counted as expected following the imminent resolution of a National Dispute hearing. I see no reason why this shouldn't take place, once all the avenues of scrutiny have been exhausted.

I will now return to the alleged 'meeting' of Victorian Young Labor that occurred last night. It must be said from the outset, that at no point was quorum reached at the meeting, nor within the requisite time for a meeting to go ahead as scheduled (within 30 minutes of its commencement). I would refer delegates and interested parties to the VYL Rules which state:

14.7.5 A meeting of the VYL Executive can only take place when a quorum of 50% plus 1 of VYL Executive members is present. If the required number of members is not present thirty minutes after the meeting commencement time, the meeting shall not take place.

This would require 10 members of VYL Executive to be present at the meeting for it to be conducted properly. Proxies do not count for quorum - and this was not in dispute. Only seven members were present, with a further three calling in on speaker phone. It is clear that there is no provision in the rules for unverified individuals (the same who had submitted apologies for the meeting) to be present on a phone.

(I would make the very simple example with reference to the meeting of an ALP branch. Quorum does not exist for a branch meeting to pass motions and admit members if there is not the requisite 7 people present having signed the attendance book. Joe Bloggs phoning in on loudspeaker from home does not count towards quorum.)

Regardless, those determined to shut down the democratic voices of delegates pressed ahead with a meeting clearly inquorate. A motion was sprung, moved by the Left. The motion was deeply undemocratic. It sought to override and ignore a live ballot, which is currently being resolved through the proper party dispute processes.

What is most concerning was that this was not an item of 'General Business' - normally a casual item raised by a member of Executive following the conclusion of agenda items. It was a carefully typed up and prepared document, almost two pages in length, moved and seconded by members from two factions on Executive currently acting in what can only be described as a political ruthlessness akin to the worst excesses of the pre-intervention Victorian Branch.

Given that this was a prepared and lengthy document, proper circulation prior to the meeting as per the below rule should have occurred:

14.7.9 Agenda items for meetings of the VYL Executive and other committees must be submitted in writing to the Secretary at least five (5) days prior to such meetings.

This did not happen. Why? Because those who sought to pass the motion have shown themselves to be happy flagrantly ignoring rules and processes, and procedural fairness. Their mentality seems to be one of 'whatever it takes'. Despite this breach, those moving the motion did not circulate it to members of Executive sitting around the table at the inquorate meeting, nor read it aloud in its entirety as should have occurred.

In fact, members present, despite requests for copies of the motion they were supposed to be illegitimately voting on were refused copies until after the 'vote' had taken place. A prepared motion, on a piece of paper two pages in length, was simply rammed through - without any scrutiny or debate. Those "present" on the phone could not have possibly had knowledge of the motion they attempted to vote for under these circumstances.

Though all of this is moot given the meeting was never quorate, it is important to note to delegates and members of VYL - and especially members of the Left who for so long have advocated for a more open and accountable Young Labor - that their factional chiefs behave in an undemocratic and ruthless manner when it suits them.

To conclude, the meeting in question was called without required notice, the meeting was inquorate, and regardless, the said motion was not properly distributed or 'passed' with a requisite majority. We also note that any attempt to restage a current ballot and override a National Disputes tribunal would run counter to party rules.

If individuals have concerns about a ballot, the impartial dispute channels exist. They were exercised in this case, and are close to resolution. (Indeed, the only thing preventing the ballot from being counted now is a dispute lodged by a 37 year old, who is a member of Grant Poulter's senior party faction).

Last night's motion called upon the Victorian Administrative Committee to intervene and rule on this matter. Administrative Committee is not an independent body. It is a political body, as factional as they come. I have only ever sought for this dispute to be resolved within the proper independent avenues that

the party affords. The individuals seeking to pass this motion want to bypass these avenues, ignore the rulings of these independent tribunals, and call for a new ballot via a political body they conveniently control, simply because they are now of the belief they are about to lose.

An independent Tribunal and the Chief Returning Officer ruled out ballots due to rules breaches and irregularities, and these individuals seek to have another go, just casually reload and start again. This is not Super Mario Brothers or Call of Duty - a game where if you stuff up or things don't go your way you can restart the level. This is democracy, and about allowing those who bothered to turn out on the fateful day in April having their voice heard.

Do you really think that the Left and minority Right would be calling for this to happen had the questionable ballots been ruled in? At no point over the past eight weeks have they called for a new ballot - in fact, all the way through they have been very keen to bring on the count! They wanted the ballot to be counted before the Tribunal had a chance to convene and consider the eligibility of ballots and non-compliance of rules. How it all changes when things don't go your way...

Young Labor members deserve better than to have a democratic ballot thrown into the bin because the expected outcome doesn't fit the goals of certain individuals and factions. In this case, the motives of the mover and supporters of this motion - on a body that is almost three years old and close to dissolution and replacement with new members - must be questioned.

I ask delegates to stand up against this attempt to whitewash a democratic election. A ballot for Victorian Young Labor was conducted at conference two months ago, and we will fight for that ballot to be counted. We will fight for democracy, independence and an outcome that is free from interference from factional chiefs and political bodies.

If this email were not already so long, I would happily go into details and refute point by point why the claims made in the motion are false and irrelevant, and certainly not cause for the destruction of a democratic ballot. I will more than likely communicate with you all, as well as the State Secretary these facts at some point in the future.

I urge delegates and interested members to contact me if they have any questions, and I especially reach out to independent delegates or those who were not informed of the actions of their factional leaders last night. Whether you are in the Left or the minority Right group, I will sit down with you and explain to you the facts. No bullshit, just the truth.

In Unity,

Michael de Bruyn

Secretary
Victorian Young Labor

Convenor
Young Labor Unity, Victoria