

Discipline committee too concerned with legal trivia

The last meeting of the Student Disciplinary Committee proves it is time that body revised both its thinking and form.

Six committee members sat a little more than a week ago to hear the case of John Gillis, charged with disrupting the Oct. 9 SRC, Board of Governors and Senate elections.

The trial would have pleased Perry Mason fans, but it had little, if any, relevance to the campus.

The case was handled well enough from a lawyer's point of view, but most laymen who attended seemed to agree that a few legal niceties and more justice would have been appropriate.

Long discussions concerning the jurisdiction of the court, the lack of a specific regulation being broken, and the time period between the issuing of the summons and the trial date were excellent practises for the law students. However, these discussions seemed to have more effect on the trial result than they deserved.

Clyde Spinney, legal counsel for the defendant, made a great deal of fuss about the above points before allowing the trial to continue. Actually, no discussion should have been necessary. Gillis knew he would be charged before the SDC the night after the incident took place, but the law, in this case, says there must be six days between the issuing of the summons and the trial date. Because Gillis was not given official notice until four or five days before the trial, the case was very nearly postponed.

Arguing about the jurisdiction of the court was not very relevant since the SDC was granted jurisdiction to try the case by the Board of Deans.

The discussion about the fact that no specific regulation was broken, was as irrelevant as the others. Is it necessary to have specific regulation saying that no poll worker shall spoil ballots and place them in a ballot box?

By the time students reach university they should know the difference between right and wrong without having to have specific regulations defining conduct.

It was obvious that, while a specific regulation was not broken, the spirit concerning elections certainly was.

The whole trial placed too much emphasis on courtroom procedure and not enough on making the best decision for the campus.

Peter Forbes, representing the SRC, asked for compensation of \$132.26 for the expenses incurred by the SRC during the election.

The SDC can levy a maximum fine of \$100, plus damages.

However, in their wisdom and knowledge of the law, the SDC decided the SRC was partially responsible for the incident. The result was a fine of \$25 against Gillis.

The fact that his fine was less than one fifth of the election expenses implies that the SRC was mostly responsible for the incident that invalidated the election.

This was an unfortunate blow for the SRC, since they rely on volunteers to man the polling stations during each election. Since there is little formal supervision during elections a great deal of trust must be placed on each of the poll clerks. With this decision poll clerks in the

future may not feel they are totally responsible for their actions during an election.

This practically forces the SRC to begin a revision of election procedures to bring in more safeguards against similar action, a revision that is long overdue.

The whole incident placed an unfavorable light on the entire decision from the SDC.

The SDC must take a long look at their methods of operation or

any other cases of this magnitude will be "taken downtown" to be tried.

This would destroy any feasibility the SDC has as a decision making body.

In the interest of justice the SDC must revise their methods so they can remain a viable court in which to try campus infractions. More emphasis must be placed on achieving justice than observing professional courtroom procedures.

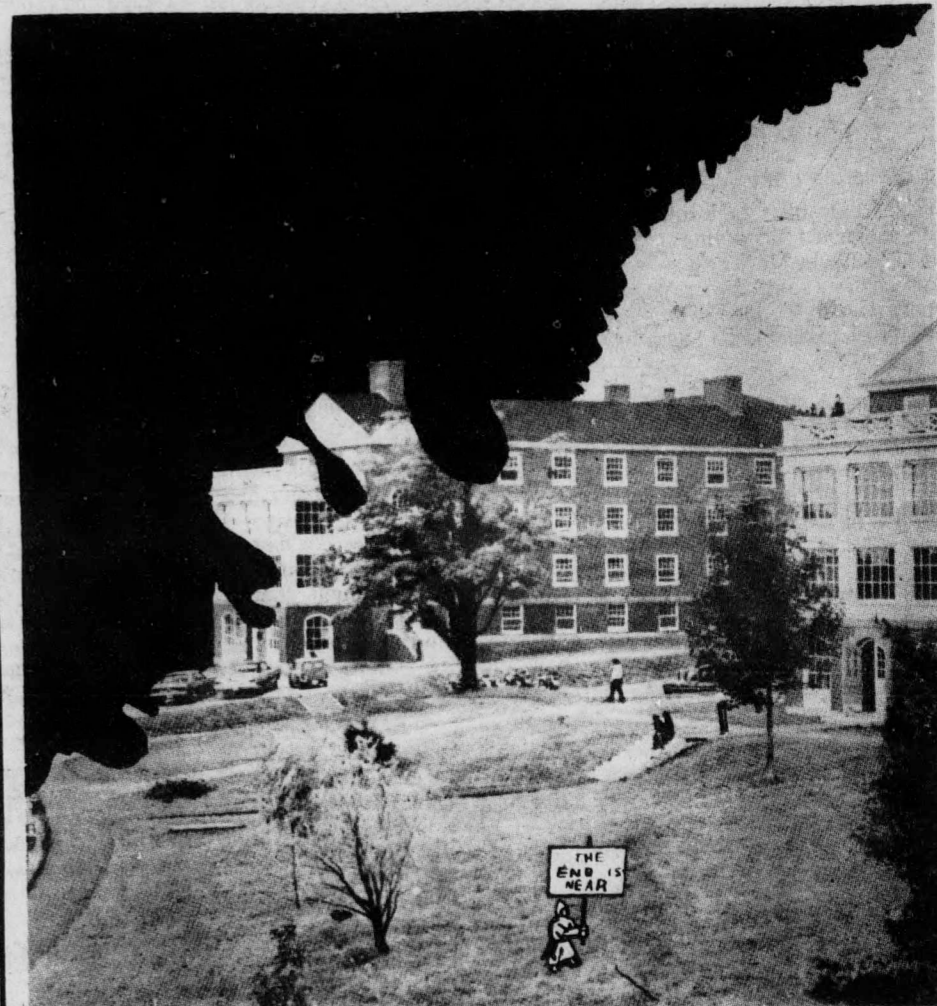


Photo by Steve Patriquen

CALNAN 74

THE BRUNSWICKAN

EDITOR-IN-CHIEF

Susan Manzer

MANAGING EDITOR

Tom Benjamin

EDITORS

news
sports
inside
features
photo

Kathy Westman
Bob Potter
Sheryl Wright
Dave Simms
Phantom Photos
Steve Patriquen

ADVERTISING MANAGER

Eric Howatt

ASSOCIATE

Don Mersereau

AD DESIGN & LAYOUT

Pat MacFarland
Judy Orr
Diane Shaw
Steve Fox

BUSINESS MANAGER

Sarah Ingersoll

SECRETARY

Staff This Week

Rick Baston
James Walker
Colin Calnan
Eric Wood
Mike Carey
Derwin Gowan
Kathy Lewis
Alex Varty
Danielle Thibeault
Bev Hillis
Robert Paquette
Tom Best
Nora Briant
Andre Ladouceur
Mike Hogan

Lorne McIntosh
Rick Fisher
Joanne Jefferson
Aloysius Ajabamin
Bruce Bartlett
Lorna Pitcher
Laureen Hennessey
Agnes Hennessey
Dawn Elgee
John McGuire
John Lumsden
Nadine Clark

Dave McCurdy

One hundred and ninth year of publication. Canada's Oldest Official Student Publication. A member of Canadian University Press. The Brunswickan, "New Brunswick's largest weekly newspaper", is published weekly at the Fredericton campus of the University of New Brunswick. Opinions expressed in this newspaper are not necessarily those of the Student Representative Council or the Administration of the University. The Brunswickan office is located in the Student Union Building, College Hill, Fredericton, N. B. Printed at Acadia Printing Ltd., Moncton, N.B. Subscriptions, \$3 per year. Postage paid in cash at the Third Class Rate, Permit No. 7. National advertising rates available through Youthstream, 307 Davenport Road, Toronto. Local ad rates available at 453-4983.