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 fewer 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 offical 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 irrevelant 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 prodecures 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.

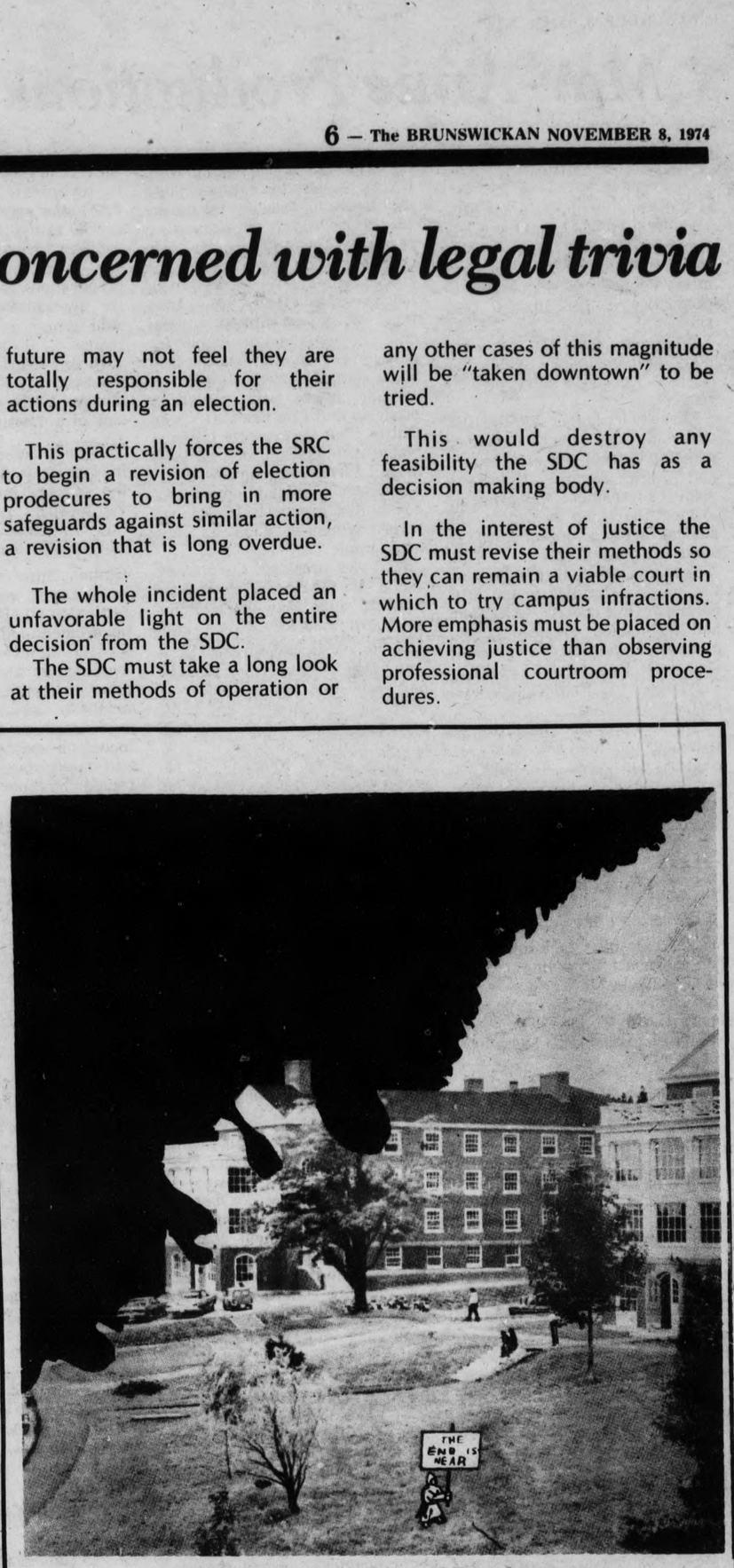


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