

MID-SEMESTER REPORT ON THE CONDUCT OF THE COUNCIL

by the 2nd Yale-NUS College Student Government Judiciary

INTRODUCTION

1 This is a public report by the 2nd Yale-NUS College Student Government Judiciary (hereafter referred to as “the Judiciary”). The report reviews the Government’s current Council (“the Council”), for the period starting December 2016 and through February 2017. The current Council started its term in September 2016, and the Council’s conduct and adherence to the Yale-NUS College Student Government Constitution, (“the Constitution”).

2 The Judiciary is an independent branch of the Government separate from the Council. As outlined in Article V of the Constitution, the main functions of the Judiciary are to scrutinise the affairs of the Council, ensure the Council’s actions are in line with the Constitution, and monitor the conduct of Council members. The Judiciary also hears cases from students against the Council, and has the power to deal out disciplinary action against Council members including impeachment.

3 Pursuant to Article V, Section 5, Clause 4 of the Constitution, and in the spirit of upholding the ideals and principles enshrined in the Constitution’s Preamble (P) by the Yale-NUS College student body (“students”, “student body”, or “the public”), namely,

“...to secure for ourselves and all who come after representation, autonomy, and community, as well as to safeguard and promote the interests of the Yale-NUS College student body pursuant to the values of transparency, accountability, and effectiveness”,

the Judiciary drafted this mid-semester report for the perusal of all students.¹

SUMMARY

4 In the first half of the second semester, the Student Council’s performance has maintained its accountability, transparency, and effectiveness. The Council has also improved on some areas as highlighted in the Judiciary’s report presented November 13, 2016², especially with regard to communications, punctuality, attendance, and meeting proceedings. Nevertheless, there are still areas for improvement, including preparedness for meetings, members’ participation during meetings, promptness in attending to Judicial requests, and premature resignations.

¹ All references to Articles, Sections and Clauses are to the Constitution. On in-line references, the notation “(III.2.12.a)” refers to Article III, Section 2, Clause 12, Sub-clause *a* of the Constitution. This often indicates a specific clause the Judiciary is appealing to in assessing the conduct of the Council. “(P)” indicates a reference to the Constitution’s Preamble.

² The previous Semester Report can be found at <http://studentgov.commonsworld.org/yale-nus.edu.sg/wp-content/uploads/sites/63/2016/11/Report-of-the-Judiciary-on-the-Conduct-of-the-Council-Sep-Nov-2016.pdf>.

5 This document will start by acknowledging the good practices that the Judiciary has observed in the Council, which are mostly in its adherence to most of the basic duties required especially under Articles III and IV of the Constitution, as well as the fulfilment of certain key initiatives. The degree of outreach effort and response time to student feedback is in keeping with the Constitution's core principles of accountability and transparency (P). It will then highlight areas that need improvement, including the conduct of members in relation to meetings. The purpose of the report not being to suggest recommendations but to comment mainly on the Council's conduct and adherence to the Constitution, the Judiciary will not offer specific recommendations.

6 There were no constitutional challenges or disciplinary and impeachment procedures held for the Council's term as of March 6, 2017 (V.7; VIII). The President has not called the Judiciary to review the conduct of any Government members in the same period (III.V.2.d).

METHODS

7 Justice Varissara Charassangsomboon '20 drafted this report, with Chief Justice Tee Zhuo '18 serving as secondary author. Justices Ann Chen '20, Patrick Wu '19, and Waihuini Njoroge '20 contributed notes on the conduct of the Council. The report was edited by the Chief Justice.³ Pursuant to Article V, Section 5, Clause 3, the Judiciary has the duty to

“Scrutinise all general meetings of the Council. When the Judiciary in its totality cannot be present at such a meeting, at least one of its members shall attend the meeting.”

8 Most of the information in this report thus comes from the Judiciary's attendance at weekly Council meetings as well as events (such as general assemblies), and during meetings of the Judiciary. Additionally, the Judiciary has also assessed the policies and conduct of Council members individually, and following the Constitution's adjuration to safeguard the public interest, to a minor extent investigated comments and observations of members of the student body. In the interest of fair assessment, the Judiciary also called for a report from the Council which summarised the body's key undertakings for the period of time assessed.

³ The Judiciary did not attend the Council meeting of January 25, 2017. We have reviewed the minutes for that meeting and spoken to attendees with regard to the meeting's proceedings. The attendance of Judiciary members is attached as Appendix I to this report. The relevant minutes of Judiciary meetings are publicly available online at <http://studentgov.commonsvale-nus.edu.sg/judiciary/>.

GOOD PRACTICES

9 The Council has held public and open weekly meetings as required by the Constitution (III.2.10), with some areas of concern (see Paragraphs 16, 17, and 21). The Council held a by-election and successfully admitted two new members in accordance with the Constitution (VI.5), although there is some concern with low participation during the election.

10 The Council has improved in areas highlighted in the Judiciary's previous report, especially with regard to the issues of attendance and punctuality. Members generally arrive on time and the Speaker has been notified of most excused absences in advance. The Judiciary notes that internal reforms to Council meeting practices (including policies with regard to the use of portable devices in meetings) have increased members' participation in discussions as compared to last semester.

11 In terms of communication, the Judiciary notes the continued existence of multiple channels of external communication and outreach, and the willingness of the Council to receive feedback. Response to feedback from the student body has been satisfactory (III.2.7), and there are consistent communication efforts to engage and update students, including a) weekly update posters in the lifts, b) office hours in the dining halls, c) surveys, d) social media, e) the official website, f) weekly update emails, and g) General Assemblies. Student response remains limited at times, but the burden of public engagement has been sufficiently met on the side of the Council, with some concerns in the initial weeks of the semester (see Paragraph 21).

12 The Council has held general assemblies of the students as required by the Constitution (III.2.12). The Judiciary notes especially the "Contemporary Issues Town Hall" held on February 8, 2017. The Judiciary recognises the Council's efforts in organising the aforementioned general assembly, which saw substantial and active participation from the student body, the attendance of senior administrators, and productive deliverables.

13 The President Saza Faradilla '18 and Vice President Avery Simmons '19 have largely carried out their duties in accordance with the Constitution (III.5-6).

14 Meeting procedures have largely been upheld by the recently elected Speaker Scott Chua '20, who replaced Glen Koh '18 (IX.5). We note improvement in the execution of his duties over the course of the period assessed, in terms of setting meeting agendas, keeping time, and ensuring the orderly conduct of members in meetings (III.7.2-4). Directors and other members of the Council mostly come prepared to report on their individual committee's progress in the weekly meetings (III.8), again, with some concerns (see Paragraphs 16 and 17).

15 Several key initiatives have been delivered. The Judiciary recognises, in particular, the Council's successful efforts in improving mental health and wellness, gymnasium opening hours, and creating channels of communication and collaboration between senior administration and students for a range of important issues.

AREAS FOR IMPROVEMENT

16 There are, nonetheless, several areas in which Council could improve, mostly with regard to members' preparedness for meetings, promptness in attending to Judicial requests, and recent resignations.

17 During meetings, it is at times apparent that some members vote on motions without fully understanding the details of the motions. The Judiciary notes for instance the meeting on February 15, 2017, where a number of members were still unfamiliar with the motion for a new finance committee when casting their votes, despite discussions having been going on for weeks. Members should inform themselves prior to meetings and ensure that they come to meetings prepared to vote on the motions scheduled.

18 Punctuality and the efficiency of weekly meetings have seen some improvement, but some members (often repeat offenders) remain unpunctual. While attendance has improved, participation during meetings is still an issue for some members. Certain members participate very little across several meetings. Members should attend meetings with the intention of contributing to debate. The Speaker can exercise his powers to call upon members of Council, including backbenchers, to do so (III.7).

19 The Council is reminded that members are to make clear if they are speaking in an official or private capacity when making statements publicly. The Judiciary refers specifically to instances of student confusion with regard to lift posters and statements made by a Council member in relation to the general assembly of February 8. Statements made on behalf of the Council need to be referred to the External Communications Director and approved by the President (VII.2.11).

20 There have been significant delays in the Council's response to requests and inquiries made by the Judiciary. The Judiciary notes in particular the failure to upload the revised Constitution onto the Government's public website following amendments, and the failure to submit a report to the Judiciary on the state of the Council's finances with special regard to its expenses for a recent retreat. In both cases, delays have taken several weeks despite repeated reminders. This is unacceptable. The Constitution empowers the Judiciary, in the pursuit of its duties, to obtain information where necessary and to issue orders to the Council (V.4). The Judiciary, in its reasonable consideration of extraordinary circumstances⁴ that have increased the workload of the Council, has thus far refrained from taking disciplinary action on this issue. Nevertheless, should there be no improvement in the timely fulfilment of Judicial requests, disciplinary action may be taken by the Judiciary. The Council should consider and respond adequately and promptly to such requests in the interests of accountability and transparency (P; III.4).

21 For the first three to four weeks of the semester, the Council's weekly meeting timings and venues were irregular and often publicised late, with at least one meeting not publicised until after it had occurred. Other publicity was also slow to start. This runs counter to the Council's mandated duty of upholding transparency and holding open and public meetings (III.4,10), which affected public

⁴ Including the "Contemporary Issues Town Hall".

participation and accountability. The regularity and consistency of meetings and their publicisation has since been improved.

22 The Judiciary was made aware by the Council of five (5) vacancies in the Council in December 2016. The Judiciary takes a serious view toward the premature departure of Council members before their full term of two (2) semesters (VI.4), and has issued a statement raising its concerns over a precedent set by irresponsible resignations.⁵

FINAL REMARKS

23 The Council has generally adhered to the principles of transparency, accountability, and effectiveness enshrined in the Constitution. The Council can do more to improve in the areas set out above for the remainder of its term. On behalf of the Judiciary, we hereby present this report to the students of Yale-NUS College on March 8, 2017.



Tee Zhuo
Chief Justice



Varissara Charassangsomboon
Justice

APPENDIX I

Attendance of Judiciary members at Council meetings

Date of Council meeting	Judiciary member(s) in attendance
January 11, 2017	Ann Chen '20
January 19, 2017	Tee Zhuo '18, Waihuini Njoroge '20
January 25, 2017	-
February 1, 2017	Patrick Wu '19
February 8, 2017 (General Assembly)	Ann Chen '20, Patrick Wu '19, Tee Zhuo '18, Varissara Charassangsomboon '20, Waihuini Njoroge '20,
February 15, 2017	Tee Zhuo '18, Varissara Charassangsomboon '20
March 1, 2017	Varissara Charassangsomboon '20

⁵ The Judiciary's Statement on the Resignation of Council Members can be found at <https://drive.google.com/file/d/0B6xVNNCxd2yrX2dLeFFwajRRWFU/view>.