

Scotland Against Criminalising Communities Constitution

*Adopted at the SACC AGM, 1st October 2005
Amended at the SACC AGM, 21 April 2007
Amended at the SACC AGM, 3 March 2009*

(1) The organisation shall be called **Scotland Against Criminalising Communities**. The name may be abbreviated as **SACC**

(1.1) SACC shall operate in an open way that facilitates the involvement of all who support its aims, whether or not they are members of SACC.

(1.2) SACC shall operate with a minimum of formality in a way that facilitates effective decision-making by a dispersed, Scotland-wide, membership.

(1.3) SACC shall operate in a way that recognises and respects the diverse views on political, social and religious matters that may be held by those who support its aims.

(2) SACC's **Aims** are:-

(2.1) To campaign against the use of excessive state powers to criminalise political activity which are contained within the Terrorism act 2000, the Anti-Terrorism, Crime and Security Act 2001, the Prevention of Terrorism Act 2005, the Terrorism Act 2006 and the Counter-Terrorism Act 2008; to campaign for the repeal of these acts; to campaign against any other legislation that has a similar effect; to monitor the use of such legislation and to work in close association with the communities most affected by these acts in order to highlight their discriminatory nature.

(2.2) To demand that everyone must be treated as innocent until proven guilty; that habeas corpus (the right of a person to be brought before a judge to determine if their detention is lawful) be fully respected and to demand those imprisoned without trial are released or granted a fair trial.

(3) **SACC membership** is open to all individuals and organisations who support its aims and objectives, unless refused or revoked by a resolution or amendment duly carried at a General Meeting. Membership fees shall be decided by a General Meeting or by a Planning Meeting.

(4) SACC shall be run by **General Meetings** and **Planning Meetings**

(5) **General Meetings (GM)**

All individual members of SACC shall be entitled to vote at General meetings, either in person or by post. Member organisations shall be entitled to send a maximum of two voting delegates to General Meetings, or to vote by post. Postal votes by member organisations shall be given the same weight as two votes by individual members. Every individual member present at the meeting or voting by post, and every member organisation represented at the meeting or voting by post, shall be deemed to be a

“participating member”. General Meetings shall be considered quorate if the number of participating members is at least 6, or 20% of the SACC membership, whichever is the higher.

(5.1) **Annual General Meetings (AGMs)** shall be held at intervals of approximately one year. The purpose of the AGM shall be to:

(5.1.1) Receive and, if approved, to adopt, a statement of SACC’s account for the period since the last AGM.

(5.1.2) Receive the reports of Key Officers and other members.

(5.1.3) Elect Key Officers.

(5.1.4) Consider Constitutional amendments, policy resolutions and other resolutions.

(5.2) A **Special General Meeting (SGM)** shall be convened at any time at the request of a Planning Meeting, or at the request of either 10 members, or 10% of the membership , whichever is the higher. The purpose of the SGM shall be to consider any matter brought before it by those requesting it.

(5.3) The procedure for **calling and running General Meetings** shall be as follows:

(5.3.1) An invitation to submit resolutions and constitutional amendments to an AGM shall be sent to all members at least 42 days before the meeting. This is not required for a SGM

(5.3.2) Notice of the GM, and of all duly submitted resolutions or constitutional amendments, shall be sent to all members at least 28 days before the meeting.

(5.3.3) If the purpose of the GM includes the election of Key Officers, a request for nominations shall be sent to all members at least 28 days before the meeting.

(5.3.4) Nominations for Key Officers must have a seconder.

(5.3.5) Amendments to duly submitted and circulated resolutions shall be sent to all members at least 14 days before the meeting.

(5.3.6) The name of anyone standing for election as a Key Officer shall be sent to all members at least 14 days before the meeting.

(5.3.7) Resolutions, amendments or constitutional amendments may be submitted by a Planning Meeting, by individual members or by member organisations.

(5.3.8) Resolutions, amendments or constitutional amendments submitted by individual members must have a seconder.

- (5.3.9) Provision shall be made for members to vote by post or email if they wish to do so.
- (5.3.10) The GM shall be chaired by a member appointed by a PM
- (5.3.11) Any duly submitted resolution or amendment to a resolution requires a simple majority in order to be carried, unless otherwise specified by this Constitution
- (5.3.12) Any duly submitted amendment of the constitution requires a two thirds majority of participating members in order to be carried.
- (5.3.13) Resolutions or amendments to expel or bar a member shall only do so on the grounds that the member has engaged in activity seriously incompatible with SACC's aims. Such resolutions or amendments require a two thirds majority of participating members to be carried.
- (5.3.14) If the GM is inquorate, the chair of the GM may, at his or her discretion, either close the GM or continue with it. Any resolution carried while the GM is inquorate shall be recorded but shall have no authority.
- (5.3.15) The chair of the GM may, at her or his discretion, put a resolution before the members and voting delegates attending the GM to decide how the GM should proceed.
- (5.3.16) The chair of the GM shall be responsible for ensuring that the GM is called and run in accordance with the Constitution. If the chair of the GM rules the GM to be in breach of the constitution and is unable to set the matter right, he or she shall determine which parts of the proceedings have been affected by the irregularity and shall then either:-
- (5.3.16.1) Deem those parts of the proceedings invalid **or**
- (5.3.16.2) If the chair of the GM judges the irregularity to be minor, she or he shall put a resolution before the members and voting delegates attending the GM that the affected proceedings shall be deemed valid. Such a resolution requires a two thirds majority to be carried; the affected proceedings will otherwise be deemed invalid. The lack of a quorum shall not be judged to be a minor irregularity.
- (5.3.17) Emergency Resolutions: Emergency Resolutions and amendments to Emergency Resolutions may be submitted by in advance of or during a GM in response to major developments outside SACC's control that occurred too late for a resolution to be submitted in the normal way. If the Emergency Resolution or an amendment to it is accepted for debate and voting by the Chair of the GM, all individual members and delegates attending the GM shall be allowed to vote on it; the voting shall be by a simple majority. There shall not be a postal ballot. Emergency Resolutions and amendments to them may only be accepted if:
- (5.3.17.1) They are consistent with the constitution;
- (5.3.17.2) They have been duly seconded;

(5.3.17.3) They deal with matters of great importance;

(5.3.17.4) They have been submitted at the earliest date practicable;

(5.3.17.5) Where the resolution has been submitted in advance of the GM, all practicable efforts have been made made to notify members about it.

(5.3.18) The result of every vote shall be announced before the close of the meeting.

(5.3.19) A report on the GM shall be circulated to all members.

(6) Planning Meetings (PMs)

Anyone who supports SACC's aims may attend a Planning Meeting and participate in its discussions. Any individual member, and a maximum of two delegates from each member organisation, may vote on matters coming before the meeting. The meeting shall be considered quorate if a total of least 3 individual members and member organisations are present, including at least 1 Key Officer as defined in part 8 below.

(6.1) PMs shall be convened at any time as a result of a decision by a previous PM, or by agreement amongst Key Officers. PMs must be publicised (e.g. on the SACC website or by email or telephone) at least 48 hours in advance.

(6.2) PMs shall not carry out any activity that is incompatible with SACC's aims or with resolutions or amendments carried by a GM.

(6.3) If a member who cannot attend a PM instructs a Key Officer (as defined in Part 8) to raise a matter on their behalf at a PM, the Key Officer shall be obliged to do so. If the PM chooses to place the matter on the agenda, the Key Officer shall endeavour to ensure that the views of the absent member are represented fairly.

(6.4) The proceedings of every PM shall be minuted.

(6.5) PMs shall be responsible for:

(6.5.1) initiating and managing activities that advance SACC's aims;

(6.5.2) endeavouring to implement decisions taken by GMs;

(6.5.3) encouraging the growth of SACC;

(6.5.4) overseeing the financial regulation of SACC in accordance with part 9;

(6.5.5) initiating and managing activities to raise funds;

(6.5.6) organising GMs

(6.5.7) endeavouring to ensure that Key Officer posts are filled in accordance with parts 6 and 7

(6.5.8) overseeing the work of Key Officers

(6.5.9) delegating responsibility and authority to members and collectives of members besides the Key Officers, and revoking such responsibility and authority

(6.6) Until the first quorate AGM is held, the PM shall have **interim powers** to amend part 5 of the constitution if it considers that it would otherwise be impracticable to hold a GM. Such an amendment requires a simple majority to be carried.

(7) **Key Officers** shall be appointed as follows:

(7.1) Each Key Officer post may be held by an individual member or by a collective of two or more members.

(7.2) Each Key Officer post shall be open for election at each AGM.

(7.3) If a Key Officer post is vacant, one or more individual members may be elected to it by any GM or PM or the responsibilities of the post may be met collectively by the PM.

(7.4) Key Officers shall leave their posts before the end of their term if required to do so by a resolution carried at a GM.

(7.5) Additional appointments to a Key Officer post already held by at least one member may be made by a PM provided that all existing holders of that post accept the appointment.

(8) The **Key Officer posts** shall be as follows:

(8.1) **Chair**; responsible for ensuring that SACC operates in accordance with the Constitution; responsible for bringing any irregularities in SACC's operation to the attention of a PM or GM; and for other related tasks agreed with the PM;

(8.2) **Secretary**: responsible for holding proper records of the proceedings of GMs and PMs; holding records of significant correspondence; and for other related tasks agreed with the PM;

(8.3) **Membership Secretary**: responsible for maintaining proper membership records; for issuing renewal reminders; and for other related tasks agreed with the PM;

(8.4) **Treasurer**: responsible for maintaining proper records of SACC finances; for providing financial reports to PMs and GMs; for providing advice on financial decisions to GMs and PMs; and for other related tasks agreed with the PM;

(8.5) In addition to the responsibilities defined above, every Key Officer shall be responsible for ensuring that the views of members who cannot attend a PM are represented as fairly as is practicable.

(9) **Finance**.

- (9.1) SACC funds may be used for any purpose that is not incompatible with SACC's aims
- (9.2) Payments from SACC funds may be authorised by a GM or a PM, or by a member or collective of members to whom authority has been delegated by a GM or PM
- (9.3) SACC may maintain one or more bank accounts. Withdrawals from, or changes to, each bank account shall require the signatures of at least two members (signatories) appointed by a PM or GM. Signatories shall be responsible for ensuring, to their satisfaction, that such changes and withdrawals have been duly authorised.

(10) Collective Responsibility, Intellectual Property and Confidentiality

- (10.1) Any member who acts in a representative capacity for SACC must do so in a way that is compatible with SACC's aims and with decisions taken by PMs and GMs. Where serious doubt exists, guidance must be sought from a PM or GM.

Information that is obtained or created by SACC as an organisation, or by members acting in a representative capacity for SACC, shall not be used or disclosed by any member in a way that is incompatible with SACC's aims or with decisions taken by PMs and GMs. Where serious doubt exists, guidance must be sought from a PM or GM.

(11) Affiliations:

SACC shall be affiliated to the Campaign Against Criminalising Communities (CAMPACC). Affiliations to other organisations or membership of other organisations shall be decided by a PM or a GM. The aims and activities of such organisations must not be incompatible with SACC's aims.

(12) Local Groups:

Members shall be empowered to form groups based around a particular domain (e.g. a locality, a workplace etc); such groups are referred to as local groups.

- (12.1) Local groups shall not engage in activities that are incompatible with the SACC Constitution or with decisions taken by a SACC GM
- (12.2) Local groups shall be responsible for their own organisational arrangements
- (12.3) Local groups shall act to advance SACC's aims and to implement the decisions of SACC GMs within their domains
- (12.4) Local groups may maintain their own funds. Such funds may be used for any purpose that is not incompatible with SACC's aims.
- (12.5) A copy of the minutes of any decision-making meeting of a Local Group shall be provided to the SACC Secretary