

26th July 2020

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Special General Meeting Minutes

26/07/2020

Time: 11am - 12.05pm

Heartland Hotel, Auckland

Present:

Cameron McIver (IHNZ Chair)
Alethea Stove (IHNZ Vice Chair)
Michelle Wood (Treasurer)
Tara Fox
Gary Toa
Jendi Paterson
Paul Franklin
Colin Brown (Mt Wellington Panthers)
Clyde Jackson
Kath Eastwood (Vipers)
Alan Eastwood
Sue Gillespie (Northern Stingrays)
Carl Cooper
Krys Beardman (New Plymouth Ravens)
Matt Lind
Sandy Nimmo (Rimutaka Renegades)
Jessie Parker (Hutt City)
Sally Williams (Waihi Miners)
Aaron Coxon
Jef Hirst (Levin Thunder)

Leticia Murray (Hamilton Devils)
 Russell Brunton
 Nathan Sergent (Wanganui Lightning)
 Jarred Scarlett (Capital Penguins)
 Matt O'Connor
 Robbie McIntyre
 Shannon Martin (Mount Mustangs)
 Diana McIver (Napier Sharks)
 Sheree Anderson (Administration)
 Ivan Wood
 Arden Phillips
 Rhiannon Anderson
 Julia Craig
 Eraina Harbour
 Tania Redden
 Bonnie Milne
 Richard Rushton

Apologies:

Scott Collins (Sabres)
 Kyle Kylaniak (Orcas)
 Shane Clark (Christchurch Lions)

Agenda Item	Responsibility	Timeframe
<p>The Meeting Chair welcomed all to the meeting and introduced the current board members seated at the front of the room and their positions.</p> <p>Mr Phillips reminded all he was technically still a serving board member.</p> <p>The Meeting Chair apologised for the accidental omission.</p> <p>All registrants were confirmed as present.</p>		

Rules of the meeting were reviewed including the behaviour expected of all delegates and those members present.

The motion/ resolution was then read to the room:

To remove Arden Phillips as a Board Member of the New Zealand Inline Hockey Association (NZIHA) for acting in a manner unbecoming of an officer of the Board or prejudicial to the objects and interests of the NZIHA and that he has brought the NZIHA into disrepute pursuant to Rule 9.5.1 (b) and Rule 9.5.1 (c) of the NZIHA Constitution (2018) in that he has released confidential NZIHA information without authorisation from the Board and that has caused irreparable harm to the reputation of the NZIHA.

It was confirmed that all members had received a copy of the documentation and all understood the information provided.

The main points were then reviewed by the Meeting chair as follows:

- 12 October 2019, Arden Phillips (Mr Phillips) signed the NZIHA Confidentiality Policy document confirming his understanding of his requirements around the security and protection of NZIHA information as a NZIHA Board member. (appendix 1)
- 28 January 2020, Mr Phillips sent via email a letter to the sitting IHNZ Board members requesting the resignation of the incumbent Chairperson, Cameron McIver, seeking a response by 11 February 2020. (appendix 2)
- 29 January 2020, the matter Mr Phillips raised was added to the agenda for discussion at the Board meeting scheduled for 15 February 2020 with Board members being notified of this via email
- 29 January 2020, Mr Phillips responded to this email disputing that the matter be heard at the formal Board meeting and that it be something that is addressed as soon as possible and in the time frame he submitted. Mr Phillips stated that the “constitution had been breached”. Mr Phillips did not describe how the NZIHA constitution had been breached or by whom it had been breached

- 12 February 2020, Mr Phillips released a statement via Facebook with a number of assertions against the incumbent chairperson alleging breaches of the NZIHA Constitution, impropriety and what amounted to unlawful conduct. Mr Phillips did not explain how any breaches of the NZIHA Constitution or how any impropriety was implemented by the Chairperson. Aspects of the content of the Facebook statement had not been brought to the Board's attention prior and had not been identified in the initial letter sent on 28 January 2020. (appendix 3)
- The Facebook statement was posted to a variety of different pages including: Inline Hockey Nationals 2019, Inline Hockey Central Region, Northern Region Inline Hockey and LNI Inline Hockey New Zealand. A large number of people were also tagged into these posts, and a number of people acknowledged and/or commented on these posts. Content of this statement included information confidential to the Board and that which had not been authorised for release.
- 15 February 2020, a scheduled IHNZ Board meeting was held where Mr Phillips along with all remaining Board members, Mr Paul Franklin, and the IHNZ Sport Administrator were in attendance. The matter relating to Mr Phillips' Facebook statement was addressed. Mr Phillips acknowledged his actions were inappropriate and that his actions would likely affect his position on the Board, but continued to justify his decision by re-stating his assertions that the Chairperson had breached the NZIHA Constitution. Mr Phillips did not explain further how the Chairperson breached the NZIHA Constitution or why he did not give the Board the opportunity to address his queries.
- Mr Phillips' initial concern that he had raised in his letter sent 28 January 2020 was resolved.
- 15 February 2020 after leaving the Board meeting, Mr Phillips posted a further statement via Facebook acknowledging his culpability for his behaviour, but continuing to insinuate that the Chairperson had intentionally failed to comply with the NZIHA Constitution despite the matter having been resolved. Mr Phillips also made comment on statements made by others in attendance that were not accurate. A number of people acknowledged and/or commented on this post. (appendix 4)
- 17 February 2020, correspondence was sent to Mr Phillips' solicitor outlining the concerns of the Board as a result of Mr Phillips' behaviour. No response has been received from Mr Phillips or his solicitor regarding this matter. (appendix 5)

- 24 February 2020, a Board meeting was held via telephone conference where Mr Phillips attended and confirmed he had not offered his resignation and was not going to. The decision was made by the Board that the matter be put before the Member Clubs at a Special General Meeting for the formal removal of an officer from the NZIHA Board. Mr Phillips did not dispute this and left the meeting shortly after and before the completion of the Board meeting.
- 29 February 2020, the Board released a statement to Member Clubs with an update on the matters pertaining to Mr Phillips' situation. (appendix 6)
- 4 March 2020, Mr Phillips released another statement via Facebook openly criticising and disputing the credibility of the Board statement. (appendix 7)
- 17 March 2020, Mr Phillips released emails via Facebook that contained confidential NZIHA information that Mr Phillips was not authorised to release. (appendix 8)

Mr Phillips asked what has the board done since that meeting to now?

The Meeting chair confirmed that at the 15 February meeting the Chairperson's role was ratified

Mr Phillips further asked what has been done to rectify this?

Mr Franklin replied that at the meeting of 15 February it was discussed that as per the current IHNZ Constitution that the Board appoints the Chair, the Appointment panel, specifically Paul Cameron, had misunderstood his role in the appointments process in regards to the appointment of the chair..

Mr Phillips stated that nothing has been done to sort this in 6 months. He further raised that that the previous chair was voted in in the same manner, to which the previous chair responded and clarified.

Further clarification around this was provided by the Ravens delegate

At the 25 August 2019 meeting, all positions were ratified, and whilst this wasn't an intentional misleading, the board have acknowledged an error was made and the

positions were confirmed appropriately at the February 2020 meeting.

The Meeting Chair further stated whilst that things may go wrong, the Board are open to fixing any issues to resolve please raise them. They are happy to admit their errors and to try and remedy these as need be.

Mr Phillips was invited to take the floor and to address the room.

Mr Phillips presented a letter received on 17 February from the Board and a letter from the Chair to him, stating he involved the independent member of the board Jendi Patterson. The issue that was brought up was still not fixed in regards to the risk and audit committee and asked if this had been fixed to date?

The Meeting Chair asked to keep the meeting on track as Mr Phillips attempted to present new information that was not relevant to the matter at hand.

Mrs Fox asked could these issues not have been brought up at the original meeting?

The Hamilton Devils delegate asked for confirmation of the events of the 15 February meeting.

The Northland Stingrays asked if some of this information should be given at the AGM?

The Ravens delegate asked if Mr Phillips had been invited to the Board meetings?

Mr Phillips responded that he had his Board email stopped.

All Board meeting invites were subsequently sent to his personal email.

The Penguins delegate asked what is the confidential information that has been breached?

Mr Mclver clarified there was a lot of information that the board needs to be dealing with in confidence to maintain the reputation of the sport. This is not the behavior

expected of a sitting board member as it is a breach of confidence. There are principles of maintaining integrity and it is difficult to manage this when statements are going out to our organisation and this narrative is put out to the community.

Mr Phillips asked if the information he posted was inaccurate?

The Napier Sharks delegate stated the posts looked emotional and once information is put onto a public platform, it looks very poor and the expectation is that a board member would not use this forum to put out his personal opinion..

Mr Phillips responded he had taken responsibility for this.

The Meeting chair further reiterated he had signed a confidentiality agreement.

Mr Phillips couldn't remember.

The Meeting chair had a signed copy of this document and asked to move on with the vote.

The Meeting Chair then read Section 11.3 of the Constitution in terms of voting and speaking rights for the clubs.

The Panthers delegate asked about for clarification around the voting numbers

The Meeting Chair further clarified the voting process

The Ravens delegate asked for the vote to be by secret ballot.
This was further seconded by Levin meeting the requirement for one tenth of clubs to request this as per the Constitution.

Mr Mclver proposed that each club be handed a voting slip with the vote being
Yes to remove, No to not remove

The Ravens representative asked to have a 5 minute break to confer with their fellow delegate.

The meeting moved into a recess at 11.55am.

The meeting resumed at 12.00pm.

Votes were cast by secret ballot with Paul Franklin and Jendi Patterson appointed as scrutineers.

The Meeting Chair announced the motion was passed by a clear majority.

Meeting ended 12.05pm