

Minutes of the Open Morris Annual General Meeting
held at the
Mill End and District Social Club
Penn Road, Mill End, Herts. WD3 8QN
Saturday 12th of November 2016

Present :

Officers and Area Reps

Nicki Pickering	Chair; Individual Member and Area Rep - Wales and North West
Brian Antuar	Secretary
Lindsay McComb	Treasurer; Area Rep - South Central
Liz Scholey	Membership Secretary
Craig Simmonds	Web Officer
Jen Cox	Area Rep - Central Area and Magazine Editor
Robin James	Area Rep - East Anglia
Will Nesbitt	Area Rep - East Midlands
Wendy Bostock	Area Rep - North East & Yorkshire

MEMBER SIDES REPRESENTED :

Allington Morris	Jane Anderson, Mary McKinlay
Bedcote Morris	Sharon Dodd, Graham Dodd
Beorma	Tony Roberts
Black Pig Border	Nicki Crane
Bloodstone Border Morris	Paul Sturgess, Lindsay McComb
Borderline	Jenny Cox
Bunnies From Hell Morris	Will Nesbitt
Cadi Ha	Gregg Ashcroft
Castle Clog	Lucy Wilkins
Fenstanton Morris	Penny Lury, Robin James
Holt Ridge Morris,	Brian Antuar
Harlequin Morris,	Craig Simmonds
Madcap Morris	Norm Warren
Phoenix Morris	Michael Stimpson, A. Davis, Laurence Singer, Robert Sanders Karen Cox, Rowena Beckett-Park.
Rattlejag Morris	Jayne Rose
The Acid Morris	Tony Roberts
Theale Tattoo	Rachel Beck
Wharfedale Wayzgoose	Justin Hills, Malcolm Hills
Whitethorn Morris	Dave Cox
Wicket Brood	Kevin McIlroy, Gill Grocott, Lesley Walsh, Sheila Hill, Val Joyce, Alison Heywood
Wychwood	Steve Podger, Adrian Pitt
Yorkshire Coast Morris	Wendy Bostock

INDIVIDUAL MEMBERS :

Douglas Pickering,

HONORARY MEMBERS:

John Bacon

GUESTS:

Morris Federation: Fee Lock, Jerry West

Morris Ring: Ed Worrall

1).Welcome comments:

Made by Nicki (NP). Hoped it wouldn't be quite as exciting as the last two meetings! Welcomed Morris Fed and Ring representatives. Tellers for voting announced.

Gave brief housekeeping notices.

Thanked Phoenix for arranging venue/bar/food and staff of hall for similar.

2).Apologies:

Shinfield Shambles

Plymouth Maids

Roddy & Julie McKenzie Honorary Members

Kenninghall Morris

Young Miscellany. Lynda Swaine -

Tower Ravens Sue Connolly

White Horse Morris

Pig Dyke

Mucky Mountains

Eryri Morris

Kim Woodward Life Member

John Clifford Life Member

Chris Hall Life Member

Earl of Stamford

Restless Soles

Tony Chadwick Individual Member

Peter Luckin Individual Member

Old School Rapper

Jet Set Border Morris

John Melville Morris Ring Bagman

John Scholey South East Area Representative

Heartsease Dance Group Patti Pitt

Red Roses

Morris Mynahs

Fishbone Ash

Rumold Morris

Flash Company

Mayday Morris

Billy No Mates Eddie Carter

Ann Baines Individual Member

Cross Key Clog

Lepton Morris

3). Minutes of last meeting: (see attachment '2016 EGM AGM Minutes')

EGM and AGM in Jan. Copies were sent out. Any comments? Accurate?

4). Acceptance of minutes:

Proposed Mike Stimpson (MS) - Phoenix.
Seconded Tony Roberts (TR) - Beorma.
Accepted

5). Matters arising:

NP asked for any suggestions from the floor.
Brian (BA) Secretary went through the list of things that officers have found:

*New 'Advice to Bagmen' JMO Insurance document FAQ's

Document to be sent out to all members and posted on web site.

This has been done.

*Guidelines to Collecting Money in Public

Document to be sent out to all members and put on web site along with 'Background' document.

This has been done.

*Archivist :

Does OM need an Archivist? In the wake of current events having an archivist is a good way of making sure there is a duplicate copy of Open Morris records and a place to go when people want to do research or access to old documents, magazines photos etc. Possibility of Electronic storage within 'Member's Section' of new web site.

Decision ; Nicki & Brian to draw up terms of reference and advertise for someone to fill and develop the role.

This has been done.

*Engaging Member Sides:

A lot of sides are only members for the insurance and do not want / feel the need for any further interaction.

Decision; Put 'Engaging member Sides on the Agenda for the 2016 AGM and ask members to bring their ideas to the meeting.

Agenda item today.

*Guidelines for funding workshops.

Decision; If a Side / Team is running a workshop for their members only there would be no funding. If running a workshop for anyone to attend then they can apply for funding. The amount would be on an individual basis and used to underwrite the workshop against any reasonable loss.

Nicki provided a possible policy document. To be posted on the website.

This has been done.

Comments:

Need to publicise funding for workshops.

This was also to encourage new sides to form.

*Better Communication with Membership:

New website with 'Members' area, Facebook. Better use of emails.

Action; Put an article in the magazine asking if individuals would like direct contact via email of Open Morris correspondence. If so, please contact Committee to have email registered.

Promote use of Facebook page for exchange of information between sides.

*Absentee Vote:

This was passed at the 2014 AGM and was supposed to be ready for approval at the 2015 AGM.

Decision; Use the proposed model put forward in 2015 for this year then set up a working party to review it for 2017.

Comment: Absentee Voting was trialed this year and 14 members took advantage of it.

*Life and Honorary Membership :

There has been a lot of confusion over the last couple of years to do with this issue and there is the problem of increasing numbers of 'Life Members' if all former officers automatically become 'Life Members' when they give up office.

Decision; From 2016 onwards former Officers will be known as 'Past Officer'. Life Memberships will not be given unless well deserved.

Comments:

NP - Life Membership not given unless well deserved ie. many years of dedication to OM. Life Members now have a vote so we have to be careful that the number of individual members voting doesn't outnumber sides and skew the election results.

Tony Roberts (Beorma) – Can Life Membership be revoked?

NP - in theory, the new constitution includes a section on terminating membership. If someone overtly went against the constitution then they would no longer be members (there is a right to appeal). Eg: Phil Watson's Life Membership was revoked. (automatic decision but he also requested it). In the future (if the new constitution is adopted) it would go to a personnel panel where it would be discussed and decided subject to appeal.

*JMO NDOD 2018 :

Bloodstone Border are possibly not able to host the 2018 NDOD due to logistics.

Suggested maybe a Southern Side would be able to host the event to enable Isle of Wight sides / teams to attend.

Nicki suggested there might be a better way to choose sides which attend the JMO Days of Dance rather than the established 'First come first served' which we currently use. For future discussion.

Lindsay to review the situation with Bloodstone and discuss the matter further at the AGM.

Agenda item today

Comments : Brian read out an email he had received from Chris Hall – former Chair of OM.

Refer Item 14 - JMO National Day of Dance 2018

*Chair's JMO Meeting Report :

A meeting was held with an organisation requesting The Ring, The Fed and Open Morris ask their members to stop 'blacking up'. Nothing has been heard from the organisation since the meeting.

Michael Stimpson has provided an updated version of the JMO insurance FAQ's for distribution to all members.

Action; Put document on Web and send copy to all members.

This has been done.

*Membership Secretary's proposal for new method of storing data :

Liz Scholey (Membership Secretary) has suggested that with the new Web site all members data be held there with easy access for all Officers. This will simplify managing membership.

Decision; This to be explored and its workability assessed.

*New Safeguarding Guidelines :

The existing document is basically the same but now includes Vulnerable adults.

Action; Have the revised document checked by someone who deals with Safeguarding then distribute to all members.

This has been done.

*Requests for collaboration :

Historical Dance Society the Sword Dance Society and Dancing England have approached Open Morris suggesting some sort of collaboration between the organisations.

Action; Ask them for an article for magazine from any of them?

*OM Official's Badges :

Nicki & Lindsay to order new badges both named and generic.

This has been done.

*Constitution Review :

Agenda item today.

NP: Investigation asked for into Phil Watson from previous AGM/EGM. Results don't feature on the agenda later on. Agreed now was an appropriate time to discuss.

Strong words exchanged/allegations e.g: irregular behaviour (bullying/corruption/collusion with Phil) by officers. Offer of help from Phil Preen, an OM member known to all involved (Phil, Nicki, Kim, John) in equal measure. All were happy for him to investigate. He sent a questionnaire to all past officers/possible involved people/ recipients of bullying/monies. Collated responses. His report contained personal information/opinions and didn't feel it was appropriate to send to all membership but officers and those who made the allegations have seen the summary report.

The summary of Phil's report was read to the meeting ;

“Conclusions and recommendations

I have no reason to suspect that any other officers past or present were aware of any serious wrong-doings on the part of Phil Watson. Those who have robustly defended Phil against his accusers appear to have done so in good faith when there was no substantial evidence presented against him. Whether bullying has taken place is a matter of opinion and interpretation. There appear to have been fallings out between former friends and colleagues, misunderstandings and frustrations which

have unfortunately led to difficulties in the smooth running of the organisation.

Many people clearly held passionate views about OM which seems to have led to disruptive personal animosities developing, that OM as an organisation was unable to accommodate. Various people have been accused of aggressiveness, intimidation, unrealistic expectations, etc. I don't believe it is helpful at this time to make all the details of all these accusations public. I understand that a number of changes are being enacted to help deal with, and prevent such situations from arising in the future. This includes changes to voting procedures, a new complaints procedure, and various financial safeguards.

Phil Preen,

Squire Everards Brewery Anstey Morrismen (Morris Ring); Foreman Sergeant Musgraves Dance (Morris Federation); Member of The Hinckley Plough Bullockers (Ring) and The Bunnies From Hell (Open Morris)".

(He discovered that the flow of any bullying did appear to be in both directions and noted that actions were being taken to prevent this happening in the future).

NP asks for any comments

Sharon Dodd (Bedcote): Put right by proper procedures/policies. All open and clear (decision making/aims of OM). A lot came from lack of clear procedures/policies.

Tony (Beorma) : Vote of thanks to the conductor of survey (Agreed by all) (Applause)

NP – Lindsay will also deal with financial side of things. Also a question of an incident in 2009 when John Clifford & Kim Woodward felt prevented from attending a West Midlands funding meeting for cultural Olympiad. OM didn't apply for funding on Phil Watson's recommendation. James Gallagher (accountant) looked into this – NP contacted sides attended by Fed/Ring and passed emails on to him.

His conclusion was read to the meeting :

“Conclusion

As the events took place more than 7 years ago, in the absence of written verification or independent witnesses, it is not possible for me to form a view on the nature of the "can't go".

On the balance of evidence available, I think it very unlikely that any of the Morris organisations or sides present could have made a successful bid. It was therefore reasonable to end OM participation.

However, that is not to say that there may not have been an individual within the morris world with the ability to put together a proposal, potentially in conjunction with partners such as schools, which would have been successful. However, I believe that it should have been made clear to all members of OM that they could, and indeed would be encouraged, to make an independent bid. It is therefore regrettable that Kim and John, who were keen to be involved and had previous relevant experience, were not encouraged to participate.

I find it most unlikely the opportunity for Morris involvement was rejected because of opening up OM to financial scrutiny.

Recommendations

I do not recommend any further action on the events of 2009.

Resources mean that, as an organisation, OM can only undertake a limited number of activities directly. OM should, however, also be a facilitative organisation. If similar opportunities arise in the

future, the officers should publicise the opportunity (e.g. through Dancing On), indicate the obstacles but encourage individual participation - subject to ensuring that such participation would not bring Morris into disrepute.

James Gallagher Member, Allington Morris”

Any comments?

Norm (Madcap) – should something be added to finance section of the constitution to back recommendation up? A serious recommendation.

NP – discuss that as an organisation as to whether we put that in or not. Wasn't sure it should. (Para was re-read) Personal feeling that it is not a constitutional matter. None disagreed.

BA – already in constitution – encouraging and supporting sides to take up activities.

M Stimpson (Phoenix) Thank NP and all officers for steering OM through turbulent year and congratulate officers on bringing us back on course (Applause)

NP – thanks – appreciated support from all members. Means a lot to have backing.

(Lindsay arrived and was updated)

6. Officers reports: (See Appendix 1)

All taken as read except for Treasurer.

NP - have all had a chance to read. Does anyone have any questions?

Comments:

LS - Gave an analysis of numbers of dance genres in different regions. The biggest number of sides are Border (48) but lots of Costwold too. Analysis across whole and different regions available. Some sides feature more than once if dance more than one genre.

NP - loss of sides suffered around time of EGM. Lost around 36 sides (not all for politics). Many moved to Fed. Some folded. Some we are unsure of why/where they went. Unfortunate.

Membership down to around 112. Now taken on 5 new sides.

Malcolm Hills (Wayzgoose) - What level of membership needed in OM for OM to be viable?

There was then a general discussion on numbers required for Open Morris to remain viable.

The main points were :

- 1) The JMO insurance policy is appropriated based on number of members so the less members the lower the premium.
- 2) Under the new Constitution a minimum of three members would be needed to make decisions.

No comments on other reports

Proposed: Jen Cox - Borderline

Seconded: Steve P - Wytchwood

Carried.

Treasurer's Report: (See Appendix 2)

Lindsay gave her apologies for her late arrival, their sat nav took them to a different Mill
End!

Copies available/ handed out. Written and financial report

Report was read out by Lindsay.

Reconciliation statement (**See separate document 'Copy of ACCOUNTS 2015-2016'**)

Lindsay presented the OM bank statement (**See Appendix 3**) (not seen before!) plus confirmation of accuracy of accounts for 2016 from Malcolm Hector, Auditor

(**See separate document Open Morris Accounts Report 2016**).

Malcolm spent lots of time going through available records to ascertain situation and amount of taken money. His report enabled us to get that money back.

Malcolm's report (**See Appendix 4**) is included in copies handed out.

(NB: Amount has been included on this year's account – prior year adjustment but not within financial year)

Comments:

Lindsay pointed out this year's deficit and suggested we needed to start cutting some costs. There was then a discussion as to what benefit there might be in not producing a hard copy of Dancing On and only sending it electronically as production costs are high and we cannot afford to continue to lose money.

Points were :

No cost for printing or postage of electronic magazine.

People do read the hard copy and a good publicity tool to hand out.

-Jen Cox (Editor) Last year production costs unusually high and not her print run to blame. Will be a lot cheaper this year. No real difference to cost in reducing numbers printed.

Colour printed magazine raises profile and reflects well in terms of professionalism. Good tool for advertising and relations within Morris world.

-Ed Worrall (Squire Morris Ring), they have just moved to electronic distribution to cut costs and available to more people.

-Fee Locke (Secretary Federation) they have just decided to revamp their magazine, have invested in it. Think that it is a flagship publication and that it advertises not only the Fed but Morris as a whole.

There was then a discussion on the cost per magazine. Came to about £0.50

people felt this acceptable for a high class glossy magazine issued twice a year.

Would have to be more careful e.g. with Chair's report? This one is carefully worded. Difference between members/public knowledge?

-NP: valid point

-Lindsay: costs in treasurer's report were much higher. £600 before. Jen has done well.

-NP: we made other losses this year. Lots paid out for last Nov AGM facilities. Far higher than usual. Hopefully won't repeat. Unnecessary.

Norm Warren To what does "overpay expenses" refer?

NP: expenses paid out erroneously to an Officer and repaid.

Will Nesbitt (Bunnies) - Thanks Lindsay for what must have been a horrible job for a year. Doing a fantastic job with it. (Applause)

Lindsay - NP did a lot too to help sort things. Thanks to BA for doing legal side with solicitor. Had to ask for money back correctly.

NP - thanks to Malcolm Hector for fantastic job as auditor (Applause)

Treasurer's report/accounts:
Proposed: Malcolm Hills - Wayzgoose
Seconded Tony Roberts - Beorma

Copy signed at AGM by NP

7). Other Reports (See Appendix 5)

Editor of Dancing on report – to be taken as read as well.

Area Reps reports:

Most reports were previously sent out by email.
Apologies from John Scholey then his report from the South East was read out.

NP - Area Reps job is not arduous. There for info and help.
Any questions on any reports?

Will Nesbitt (Area Rep for East Midlands)– apologised for not getting around to submitting East Midlands Rep report. Has been quite busy with his year. Been at JMO reps meeting with Nicki and Craig – eye-opening/interesting/enjoyable. Also attended Fed AGM as East Mids Rep with NP = fantastic experience too. Quite happy to carry on as EM area rep but if anyone else wants to take it on he would be happy to stand down.
NP - Thanks

8). Election of Officers:

NP - Explained her decision to ask for votes for/against/abstain. That way we know the Officers have the members approval to do the job. As single candidates if they just stood then they could be elected without members wanting this.

A brief description of the candidates was given then voting commenced by secret ballot.

[Voting slips were collected for counting]

9). Appointments:

NP - Not elected positions but recommendations by committee for filling posts.

Editor of Dancing On

Jen has said she would like to continue again.
Nicki Recommends – Jen Cox remain as Editor Dancing On. She has done a marvelous job!
Seconded: Will Nesbitt
Jen Cox Appointed.

Auditor:

Malcolm Hector has said that he will carry on. Advantage that he lives near to Lindsay. He had expressed concern that he had done work for Lindsay in the past but has professional qualifications and has shown himself well able to audit. Would heartily recommend to continue.

Jane A (Allington) - wholeheartedly agree. Jim Gallagher from Allington = assisting. Raised point that he sent to BA – in constitution section 18D.

NP will come up in Item 10 Proposed new Constitution wording missed. Jim also said he would look over auditor's work if ever any worry.

Malcolm Hector agreed as Auditor.

Publicity:

No one has come forward from NP's email advertisement. Anyone interested?

Not had one this year. We have put out strict guidelines as to role. Work under committee guidance. With JMO in our hands in 2018 it would be good to have one.

None interested. NP will keep asking round/advertising.

Area Reps:

Craig Simmonds has stepped forward to take over West Midlands that Will Nesbitt was covering.

Wendy is happy for someone else to have the North East/Yorkshire.

Wendy - Said it would be temporary 10 years ago

Malcolm Hills – offers.

NP - Craig Simmonds as new West Midlands Rep and , Malcom as new North East Rep.

Currently don't have South West rep. NP has Wales and North West. Wales has recently been South Wales with South West / North Wales with North West but no longer any S Wales sides. Still 8/9 sides in South West without a rep. Will keep looking.

Craig Simmonds appointed as West Midlands Rep

Malcolm Hills appointed as North East Rep

Archivist:

Nicki has acquired a lot of past Chair info and Robin has given box of past OM material. Someone to collate and make sense. All secretarial past info/most of treasurers = lost.

Sharon D (Bedcote) - If we have lost some of these records would we be able to reconstruct if members hold things?

NP - has tried. Chris Hall had some but Chair orientated. Most AGM minutes. Secretarial went to Kate Waller. When she was ill she had a clear out and almost certainly got rid of it. Can't reconstruct as we do not know what was in it. Unlikely we will find any sec or treasurer info

Sheila Hill Wicket Brood: Volunteered to be archivist. Involved in archiving for girl guiding.

NP - Asked for email address and will contact.

Sheila Hill appointed as archivist.

Results from Officers Elections:

Ed offers to announce the results as teller.

36 votes in total. 22 in meeting 14 absentee

NP 33 for 2 against 1 abstain

Norm 35 for 1 against

Lindsey 35 for 1 against

Liz 35 for 1 abstain

Malcolm 35 for 1 against

Everyone elected in.

NP - mandate to carry on. Thanks. All will try and do what is needed. Thanks to BA and Craig for their work and wished them enjoyment of their retirement.

10). New constitution :

NP - a couple of typos that have come to light in last couple of days. Spares circulated. Introduce – asked to review constitution. Working party of eightish people. Officers watched over. Boiled down to battling ideas back and forth/revising. Norm largely in charge of. Wendy has proof-read. Still found a few slight typos.

- Para 7A: Members (Plural)

Concern about expenses transparency. In the treasurer's guide. Add "and /or claim forms for official expenses" (In the full guide treasurer's guide at the end in the notes to the constitution)

-BA has 3 copies of full constitution (28 pages long).

Malcolm Hills - With the exception of OM, Fed, Ring the word Morris is lower case. Life Members is lower case. Member sides should be lower case. Lots of it throughout.

There then ensued a discussion on whether Morris in the constitution should have a capital M or lower case m.

NP - if we decided to adopt constitution we could as a generality look at pernickety details of grammar and type up in final format.

Agreed.

Nicki Crane (Black Pig) - Capital letters for some things. Capitals used by lawyers for legal terms (defendant etc) this goes with these terms.

NP - thanks.

NP - in Treasurer's guidelines. Add "a member must complete a claim form....."

Last typo – para 18. Not clear that the person referred to in 18d is the Auditor. Suggests changing 18d to read "an appropriate and competent person will be appointed as Auditor". plus "elected" is changed to "appointed".

M Stimpson (Phoenix) suggests that the constitution per se should perhaps finish on page 7. Others are useful documents but should be taken separate to constitution.

NP - exactly that. Voting on constitution. not the guide but can touch on this and explain what it consists of.

Propose a show of hands for those that feel constitution should be adopted in current format and those who don't. Talk to each person who has an issue in turn, to resolve.

MS- Norm has done an amazing amount of work here to produce document. Propose we should accept with typos being replaced.

MS - Phoenix Morris: proposed pages 1-7 (Not withstanding typos) be accepted

Seconded: Norm Warren - Madcap

Voting sticks.

For - 24

Against – 0

Abstentions – 0

Carried unanimously

NP - vote of thanks for Norm for all of his hard work.

NP - remainder of the document is guides for officers etc and how things work/various admin

details. Will use them to make the constitution work.
Thanks all for voting that in.

11). Engaging Member Sides:

From last AGM / Annual Officials Meeting in May. Any ideas for improving uptake of member sides / making them feel part of Open Morris and to support them.

Comment at officials meeting – to put small article in Dancing On for any members to contact sec if they want to receive emails personally. Next edition of Dancing On.

Comments:

JC (Editor Dancing On) - aim to get most of membership represented/talked about/photos. Really really trying to do this. Would like to include regular section from each area rep showing any things from each area. Keen to do.

Interested in suggestions from area reps / any one as to how this can be made easy.

Struggled in the past to get input through sides / area reps. Feedback?

NP - Area Rep hat on. Finds it quite hard to get feedback from member sides. Emailed prior to AGM to ask if comments needed presenting etc. Had one reply. Partly that member sides are happy / cosy. Partly that probably all area reps are not good at liaising / responding. Would be good to have info from area reps.

JC - anyone is very welcome to contact her

Doug Pickering (Individual Member) - Mike Salter (Madcap) produced a book that sells for £8. All general things. Could someone look at all the various teams and make a little booklet with all teams in/a little photograph? If we could make something for a few pence – sell?

NP - could ask sides to contribute a short article / history & photo.

TR (Beorma)- strikes him that one thing he finds in Birmingham. He has members from different ethnic backgrounds in his side. They have very little understanding of Morris terminology (eg: Cotswold / Bagman). Could OM produce a little beginners' handbook which includes terms, different types of Morris a tiny bit of history. Beginners'/Idiots' Guide.

NP - likes idea. Will look into.

Anon - website

RJ (Fenstanton) - broaden – “history of Morris” pamphlet. Something to embrace that?

NP - good and could be on website.

NP - got ideas to work on. Good.

12) The Black Face Debate:

NP - Has found the debate to be largely on social media.

We put on the agenda because our Federation and Ring guests have been made to think that our AGMs are fun etc!

We will read a statement from the committee and then a legal overview from an employment judge who presented a statement at the Fed AGM and is happy for us and the Ring to use if we wish.

It explains the legal position but doesn't advise in any way.

Will explain ground rules of discussion.

Committee statement read out by NP

Open Morris statement regarding black face paint – for information only

In the light of the current heated debate on and off social media, regarding morris dancers wearing black face paint, the Open Morris Committee would like to issue the following statement:
Open Morris does not have a policy regarding the use of black face paint, nor is any policy planned in the near future. We do not have a mandate to dictate to members what they may or may not do. The legal position has been clarified and this information is available today. It will also be sent out with the AGM minutes in due course. The Open Morris Committee would urge all members to carefully consider this information. However, any decision regarding their appearance is entirely one for individual sides to make.

BA - read **A brief summary of the position in respect of Blackface Morris and the Equality Act 2010** – issued by employment judge Philip Rostant..

(See Appendix 6)

NP -Thanks. Fairly clear on just giving position.

Gives ground rules on debate. Timer – minute to start with. Would like to hear a balance of opinions.

Steve Podger (Wytchwood) - retired police officer 30 years. Police trainer with interest in diversity. Legal advice has not mentioned ECHR (human rights) article 10 – freedom of expression. ECHR designed to run over the top of all legislation and all courts should make reference to it. Article 10 – everyone has the right to freedom of expression including the right to communicate/reflect oneself in any medium, artistic/political etc. Protect both popular and unpopular expression inc speech which might shock others. Equality act = absolutely fine BUT courts must take article 10 into consideration for any decision

NP - even if equality act allowed a complaint because someone felt harassed would article 10 override?

SP - yes. Matter of law. However, ECHR must sit above everything else in law. Argument that people do have a right to expression no matter whether it shocks people or not. Thinks that by not including it at all is misleading in legal argument

NP - very useful information. Most of us are legal novices and are looking for Guidance

Gregg Ashcroft (Cadi Ha) – Should ask Phil who made statement about how ECHR stands above these laws.

Adrian Pitt (Wytchwood) - Support Steve about importance of article 10 of ECHR says we can dance with black faces if we ask. Section 6 of Human right act makes it unlawful for a public body to interfere in this human right – public body includes courts who have to uphold this human rights act.

Would also challenge what judge says in terms of employment act [Sic]– socioeconomic factors. Citizens advice say employment act 2010 [sic] protects from discrimination in many means – makes no mention of Morris sides. In terms of harassment = prohibited conduct – under key concepts which apply to socioeconomic factors

NP - another letter which went to a complaining organisation in the Shrewsbury festival episode which also only talks about equality act + another letter with some legal statements. Does not know how human rights act would come in. Equality Act – providers of a service – Morris dancers = entertainment

Malcolm Hills - comment. No mention in report of Employment Act. Always talks of Equality act.

SP- slip of tongue. Equality act.

JC - Completely independent hat on unrelated to any team. Festival organiser = booking blackface teams for 15 years and has no issues. Continue to book black face teams because she believes that booked teams will behave appropriately.

Sharon Dodd (Bedcote) - only contested if complaints are made

NP - have been a number

SD - only clarified if it does go to court. If anyone is willing to test it. Certain interest groups who have grabbed hold of this. Have to take seriously why you actually black up and why it has been decided to do that – ancient tradition or not. Father = member of minstrelsy group – blacked up because of this tradition and wouldn't choose to do that now.

TR (Beorma) - 1) just about blacking up – NO. Moseley Folk Festival have banned all border Morris. Booked Beorma 5 years in a row on main stage + publicity material/videos all totally blacked up. Bloke who organises Moseley asked to join Beorma. 2) EFDSS – supposed to be the guardians of the tradition, they have now now decided that they decide the tradition. Publicity officer for Shrewsbury/EFDSS is married to chairman of FRESH (organisation who made the claim initially). Their publicity officer is married to the chairman of Fresh. Beorma approached by “academic” at Lunar – haranguing one of their members about history. Member is a professor of history at Birmingham University. This woman was not an academic – gave a pseudonym – took photos of members (including some 13/14 year olds). Been told that Cotswold is next – Moorish dancing. Black face disguise – minstrelsy. PHD written on the effect of minstrelsy in rap music. Minstrelsy effected many things – not to say that is what we are doing (Dr Dre/Shakespeare).

Paul (Bloodstone) - Issue is use of “blacking faces” as words – “blacking up”. Painting faces as a disguise – back as far as 15th century.

Mike Stimpson - wonder if something else is behind this. Other organisations do cover their faces with blacking. British army still black up on manouevres. Good reason. Why don't FRESH attack them.

Liz Scholey - in papers the other week. Critique of soldiers blacking.

Jerry West (Fed) - in Mail and in Telegraph. Same article also includes a black face dancer. Now linking issues of political correctness specifically to Blackface Morris. Follows Telegraph story on Shrewsbury when it first broke. Telegraph report – made a minstrel related joke and tweeted to whole world – point for us is that this is now associated with Morris world – dangerous link – as soon as this is in public mind we lose the argument.

RJ (Fenstanton) - Distinguish between Morris and Molly? Origins are likely to be different.

NP - who knows. All came into the country somehow

Steve P - molly specifically. Costwold next said Tony. Molly is obvious next. Sides who do wear black face paint now are very much in the minority. BUT argument that we all need to engage in. If these people do stop us wearing black face paint then where do we go next? Molly – arguments that term is derogatory to male prostitutes etc. Could this be the next issue.

We need to fight for freedom of expression for everyone (Applause)

Malcolm Hills - Bring this back round. Lots of things in our traditions that if we still carried on and did today would be considered offensive (eg: minstrelsy). One team he dances with do black. Not sure that they as a team are currently prepared to be taken to court and have the costs of dealing with that. Different for a folk festival – booking acts – easy decision for them to make – save court/problems then don't do this. They are entitled to that decision.

We have to live with that decision – this is the reality.

AP (Wytchwood) - traditions change and aren't static. Blacks up because it is artistically the best colour. No other colour that dampens the features as good as black. Happy that ECHR gives him that right to do it – comfortable and not scared of being taken to court. Won't go to Shrewsbury if they don't want him there.

Went last year with full black. Public support was great/passionate inside and outside festival. Black is best colour for his art. ECHR protects that. Will continue as long as his Squire says (Applause)

NW (Madcap) - argument – disguise may be compelling but linking tradition to minstrelsy – we can't ignore this. Equality act – would not be reasonable to deny it could be offensive. OM problem – we can't impose a ruling on sides (no problem with this – personally doesn't mind). In our new constitution – ruling that we can't say anything about what sides do.

NP has put forward a recommendation.

All very well if dancing out at own events. BUT Ring, Fed plus OM is the JMO. Problem – what if we have black face at our JMO DOD? Problem – whatever the ECHR (European Human Rights Act (2000)) says. Equality act 2010 – bodies performing public functions - must eliminate harassment and foster good relations between people with protected characteristics (eg black people). Not a lawyer BUT any organisation that carries out a public function is subject to this duty. JMO would not be complying with Equality Act if it allows blacked up sides to perform at a JMO event.

Propose we spend some money asking if under the equality act we are a body exercising public functions

NP - this is currently under review and being discussed.

SD (Bedcote) - member's club. Not a public thing

NP - providers of entertainment. Could cover us. Legal minefield – lots of opinions. We need to take further advice as OM. Individual sides – take advice and look into it further. Make own decisions/form own opinions within side. Afraid that within remit of OM (despite urging by various people/against this – arguments from either side) – NOT OM's job to stand up as a union on behalf of member sides. Can only give information.

Ed Worrall (Ring Squire) - JMO point. Ring is debating this as well. JMO DOD particularly – all 3 organisations together. Morris ring turn in 2017. Are we service providers? Trigger point. Very difficult to know for sure but risk is there. Has read a lot about equality act recently and clearly sees risk. Personally not uncomfortable in organising a national day of dance. OM have to make own decision. But personally not uncomfortable. BUT recognises also that if a side gets caught up in this issue and faces claims like Shrewsbury (side caught up in that issue) then side will have to defend self. Need to objectively justify what you are doing – harassment or not. Clearly, the more you put yourself in that situation, the greater the exposure. If your story isn't robust then you will lose. Be prepared/get your story straight.

JMO Leicester = very multicultural city. Defend selves.

Relaxed about the issue of service provider though. If law shifts we will become liable. Would have to propose to organisation.

Lawrence (Phoenix) - Lawyer – must not underestimate common sense views. Costs against someone who puts forward a claim of harassment.

Kevin (Wicket Brood) - Does our insurance cover any claims against us?

EW - question was put to Mike in context of JMO. NO. liability would not cover. Public liability is not the same as legal cover

MS - equality act only applies to groups with over 25 members. Less than 25 members then they can carry on.

SP - a lot more to the equality act than has been made clear. Explanatory notes talk a lot about organisations etc. Seems to be geared towards employment and large organisations rather than

individuals.

EW(Ring) - 25 members or more = right. Not subject if less than this. Large side = large side. OM etc have more than 25 members. Equality act = becoming so important to us. Effect of 2010 equality act was to extend coverage to small groups/social groups previously excluded – inc morris/am dram. Main drive = how you treat own members. Interpreted also as how you provide a service to your audiences.

NP - thanks. Draw discussion to a close. No real conclusions except go out and do research. If you want to wear black face paint then have a watertight case to explain why. Good luck.

13) Motions.

NP - reminded that now we are working to a new Constitution we have to agree annexes.

Proposal from Madcap

NW (Madcap) -Admin arrangements. Modifying procedures etc. Part and parcel of new Constitution. Personally think very important. Spent lots of time putting these together. Need agreeing and seconding.

Proposal that we adopt the 5 annexes that gives guidelines for the Officers roles as well.

Proposed Norm Warren - Madcap

Seconded Wendy Bostock -Yorkshire Coast Morris

Vote – For: 24

Against: 0

Abstain: 0

Carried unanimously

14) JMO National Day of Dance

JMO National Day of Dance 2017 :

The next JMO national Day of Dance will be held on May 13 2017 in Leicester hosted by the Morris Ring. Info hasn't arrived yet but official info is on the point of coming out. It will include our allocation – likely to be 9 or 10 sides. Our numbers are less, so we are allocated less sides.

NP - Has felt uncomfortable that it is first come first served – sides that are in the know get in quickly. Some always attend and some never can.

Once the information has been sent, member sides will be given up to 28 days to apply. If more than 9 or 10 then all applicants will go into a hat (with some consideration of side genre e.g: if lots of Cotswold sides come out then it will change a bit) may even include a points system for sides who always try but have never been chosen.

MH - asks that list of accepted sides is put out promptly.

NP - big delay last year as some committee members out of the country. Phil Watson didn't compile the list properly and the EGM delayed things. Hopes that as soon as decision is made then all sides will know whether they are on the list, certainly by late December or early January.

JMO National Day of Dance 2018 :-

2018 will be Open Morris' turn to host the JMO National Day of Dance. Originally was going to be on the Isle of Wight hosted by Bloodstone but at their recent AGM they decided that they could not continue with that offer. We are now looking for an alternative. No offers have yet been made.

Have had a suggestion this week from Chris Hall (previous chair) for discussion. "Newcastle-Gateshead have been chosen to host the Great Exhibition of the North which will showcase creative, cultural and design across the whole of the North of England. The event runs for two months from, I think 21 June. I know it would mean running JMO'S at a different time of year but I would like the meeting to discuss the suggestion that we hold JMO'S 2018 in Newcastle-Gateshead. Rapper tour could be run alongside. Taking rapper back to its roots. It's a long time since we did JMO'S in Newcastle so perhaps the time us right."

Show of hands – idea to explore? Everyone thought this would be an idea to explore.

Would depend on sides in that area being willing to host.

Any other sides willing to host as alternative?

NP to explore option with sides in the north east. If the 1 side in Newcastle are not in a position then please run by sides and see if there are any other options.

15) AOB:

BA (Secretary) read out messages that have been received by members unable to attend the AGM.

Correspondence:

Hi Brian,

Being nowhere on the Agenda for Correspondence, can I through you, and including you, thank everyone on the retiring committee (and those re standing) for all their hard work in sorting out the time consuming mess that was OM, and for keeping us all informed as things proceeded. The future of OM can only get better.

Cheers, Tony Chadwick

Dear Brian,

I have already sent our apologies for the AGM but I would like to add a 'thank you' to the committee for their hard work particularly following the financial issues that must have provided a substantial headache for you all.

I hope all goes well at the AGM and throughout 2017.

One suggestion – convert all documents to PDF which will mean that only one copy of each needs to be sent out (your Web Officer will be able to help).

Kind regards, Peter

Squire – Kenninghall Morris

Hi Brian,

I am writing to thank you and fellow officers for your hard work over the past year – it has not been easy.

I have read all the documents sent and feel enlightened!

Once again I am sorry not to be able to attend the AGM but do not have any questions about the constitutional proposals etc.

Best wishes – Patti Pitt – leader Heartsease dance group.

Hi Nicki,

We are not able to send anyone this year. Personally I would like to say that I am delighted with the flow of info coming into us. Just one suggestion – the plethora of emails re the AGM is great in

terms of transparency but it would be useful to collate them before sending everything out to minimise the number of emails and make it easier to find everything.

All the best and thanks VERY much for all your efforts.

Sally (Mucky Mountains)

Comments:

BA - Jokingly says he is not standing again due to number of emails complaining about how he sends out information to members.!!

NP delighted to receive emails like that – fantastic to have level of support.

CS - back to idea of handbook. Scope for OM to create a starter kit for new sides as forming a new side can be very daunting. What do you do? Most sides these days don't even have a constitution– could include a draft Constitution.

TR - excellent idea

SP – rewrote their constitution 3 years ago, a nightmare so stole other sides'. Agrees very difficult

NP – JMOS could look at putting a draft Constitution together for new sides or anyone wanting one.

Jerry West (Fed) - Roy Dommett series of articles that are in public domain about stuff to do with forming sides. Federation hosts a site of Roy's material and if anyone wants to contact then he would be happy to provide any materials for handbooks

JC - all need to pick up copies of Dancing On!

NP - flyers available for Dancing England sent by Edward Dyson. Can we leave some about to promote the event?

NP - once again thanks tellers (Applause) fantastic job. Thanks to Phoenix for providing venue and sorting everything out (Applause). Pass on thanks to sandwich makers. Thanks to Lucy for minutes.

16) Date and time of next AGM:

NP asks for anyone who would like to host. No offers. Will send out an email to ask for a host for the AGM next November . Asks all to go back to side and see if you would like to host. Let NP know ASAP.

Meeting closed at 15:20

APPENDIX 1

Chairs Report for November 2016 Open Morris AGM

At the end of my 2016 term of office as Open Morris Chair for the first time, I have been reflecting on what has been an eventful 12 months. I'm afraid it makes for a rather long report!

You are all aware of the turmoil and acrimony that followed the attempted AGM last November and indeed the EGM in January. I am pleased to report that, with the help of independent investigators and the Committee, we have managed to engage with those issues and bring matters to a close.

Among other things, there were suspicions of corruption, systemic bullying and collusion in financial malpractice. I am pleased to report that those allegations were found to be completely unsubstantiated, as those of us who stood accused already knew.

On the matter of financial irregularities by the former Treasurer Phil Watson, these certainly had occurred and a thorough audit demonstrated the extent of outstanding losses incurred. These were successfully recovered from Phil Watson immediately upon demand and you will hear more detail from our Treasurer regarding this. I doubt that any more losses will be discovered but if that is the case, we have left the door open to demand further repayment. The police were approached twice but were not interested in pursuing the matter. I would like to apologise to OM members for the failure by previous Committees to follow up on concerns in 2009 regarding poor accounting. I thank John Clifford for raising the matter again in November last year, precipitating the recent investigation into the past Treasurer which has revealed more serious matters than mere poor accounting

Unfortunately, the political turmoil at the turn of the year resulted in a substantial number of sides leaving Open Morris, many to join the Morris Federation. Some were inherently unhappy with alleged behaviour by the Officers and others simply felt the unpleasantness was not for them. I can't blame them for that attitude and can only hope that they decide to return now that things have settled down. I'm sure all the Officers join me in thanking you all for your continued support through troubled times. I have received some encouraging personal messages which certainly made a difficult time much more bearable. Many thanks for those.

In March, along with Brian Antuar, I attended my first Morris Ring function which was the ARM and evening feast. We were made very welcome, joining in both interesting discussions and Cotswold dancing. As the only woman at the feast, I appreciated the queue-free loos!

Later in March, along with Craig and Will Nesbitt (E Midlands Area Rep) I attended the JMOs AGM hosted by the Morris Federation. This included presentations by representatives of the SDU and the Historical Dance Society and touched on a wide variety of subjects during a very inclusive meeting.

Hot on the heels of the JMOs meeting came a trip to Birmingham for the Fed President, Mel Barber, and myself to meet with two representatives of the organisation which is taking up the fight against black face paint in morris dancing. Along with two directors of Shrewsbury Folk Festival, we came away dissatisfied and with the feeling of a hidden political agenda. Of course, this issue has rumbled on inconclusively and has been hotly debated since then. The subject will be on the agenda in some format at our AGM.

April saw the fantastic JMO National Day of Dance in York, organised by Minster Strays on behalf of the Morris Federation. A well-attended day with some excellent dancing and an opportunity to distribute copies of our brand new Dancing On! Magazine, the first under the editorial management of Jen Cox. I'm sure you'll agree that it was a marvellous magazine.

In May, nine Officers and Area Reps convened for a marathon Annual Officials' meeting. It was the first time some had met and, despite the length of the meeting, we had a very cordial and constructive session covering a wide range of topics.

In early September I attended the East Suffolk Ring meeting as a guest of the outgoing Ring Squire, Adam Garland. Fee Lock, the Federation Secretary, and I had a very enjoyable weekend with plenty of networking and discussions and the opportunity to join in all the massed dances and form our

own mixed side with the Ring Officers and local side's Squire. The comments were mostly favourable and I was struck by the friendly welcoming attitude of most of the other participants and the real wish for a good relationship between all sides and all three organisations. This is something I wholeheartedly support. My feeling is very much that we should all be able to dance together in the type of side that suits us, without single gender sides being seen as superior to mixed sides or vice versa. The Morris Ring is largely embracing that concept so let's make sure we don't get left behind.

The Federation AGM was my last official engagement of the year. Another well organised Day of Dance and very slick AGM. I can't see the OM AGM finishing in an hour!

And so to the future. We are losing two Officers who have served 2 and 4 years and their experience will be sorely missed. However, I'm sure their nominated replacements will be well up to the task and look forward to seeing them on the Committee. The new constitution needs to be tidied and finalised, the website completed, black face paint issues resolved etc. A recruitment drive for volunteers and new members is under way and I'm sure many more issues will raise their heads. I heartily thank the 2016 Committee for all their help and hard work. I hope to be in post again in 2017 and would look forward to working with the new Committee. I promise to keep them just as busy!

Nicki Pickering

Secretary's Report 2016

In 2012 I was asked if I would be willing to stand as Secretary of Open Morris as the person Standing in for Kate Waller was not wanting to continue in the position. I said 'yes' and so began my roller-coaster ride that has been Secretary of Open Morris.

Most of what has happened this year in Open Morris and what has been accomplished will have been covered in the Chair' and Treasurer's reports so there is no need for me to into further detail.

I have been on the Committee as Secretary for four years and after the last 12 months it feels like 40. Consequently I am exhausted and for this reason I would like to declare that I am out.

I am not standing for re-election as Secretary of Open Morris for the year 2017.

I wish the 2017 Committee all the very best.

I thank all those of you who have given me support over the last 4 years, especially over the January AGM and the last 12 months. I could not have survived without your moral support. Thank you.

Kindly,

Brian Antuar

Secretary Open Morris, November 2012 – December 31st 2016

MEMBERSHIP SECRETARY'S REPORT 2016

This year our total membership is **117 sides** including **5 Junior** sides and **4 new sides**, in addition there are **13 individual members**. This is a reduction of **33 sides** and **5 individual members** from the Membership Secretary's Report 2015.

Of the 33 leaving sides it seems that at least 10 sides had previously notified the intention of discontinuing membership, most because the side had ceased to exist, the remainder left early in the year many because of the difficulties experienced by members and the Committee resulting directly or indirectly from the actions of Phil Watson.

Of the new sides, one is junior and the others are essentially ad hoc with no regular practice times.

By comparison **The Morris Ring claims 150 sides** in membership on its website and the **Morris Federation 494**.

It has clearly been a difficult year for OM and a number of sides and individuals decided that they no longer wished to belong, most transferring to the Federation.

Many of the contentious issues seem to have been resolved and there have been no indications that further sides intend to leave because of these issues.

I have not been in post for a full year and have not yet experienced annual membership renewal. It is not possible to have internet bank access for officers other than the Treasurer so there will be the same difficulties this year as before in communications about payment of subscriptions.

We have been exploring the use of an off the shelf software package for clubs which could make communications and renewal notifications easier and allow sides access to view and change their own records. No decision has been made to date about the purchase of such a package but it is hoped that we may make more progress on this during the coming year.

Web Officer's Report 2016

This past year has gone incredibly quickly. I would like to thank the other officers and

Volunteers of Open Morris for all of their hard work, and to all of our members for being so patient with us during a turbulent time.

This time last year I set out with the aim of creating a completely new website running a CMS system to allow committee members to easily edit web content for themselves, an important consideration which is currently not possible on our website. This would also have made the role of web officer much more straightforward in the future, and would have allowed anyone to do the role without really needing to be too IT literate. Whilst I have been maintaining the current website and have been active in developing a new website which is not yet publicly accessible, I would like to apologise to everyone, as due to time restraints I have been unable to finish the new site in time for this AGM. I have also found juggling two websites difficult, keeping content on the old one up to date whilst also working on the new site. Due to time constraints I have decided that I can no longer give the role the time it needs and that it is time for me to step down as web officer, and let someone else with fresh ideas takeover.

I am, however, happy to report that, even though I have spent most of my time dancing at various festivals and weekends throughout the year - I was home for 3 days in the whole of

August, the new Open Morris website is at a point where it should be launched by Christmas. I would like the new web officer to be able to have an opinion and help form how the content is managed on the new site - they will after all be managing it, so I intend to work closely with them over the new few months to ensure a smooth change over. Finally, I would like to thank you all very much for the opportunity to contribute to Open Morris as Web Officer and wish my replacement a fruitful and effective time in office

APPENDIX 2

Treasurers Report 2016.

After taking over the post of Treasurer in February 2016, it was clear that the task was not going to be a straightforward as it should be. We are all aware of the circumstances surrounding the resignation of the previous acting Treasurer, leading to a quagmire of mystery regarding the account.

It became apparent fairly early on that no records had been maintained regarding the Open Morris (OM) account, or if there had been, they were not passed on to me, save some cheque books, one with several stubs cut out and a batch of incomplete bank statements. Many requests were made to Phil Watson to forward records, but none arrived.

At this stage Barclays were contacted and a request made to be given as much back information as possible. We received statements (eventually, this was a long and laborious process) back to 2007. Malcolm Hector, a retired accountant well acquainted with myself and a dancer with the Men of Wight and Bakers Dozen on the Isle of Wight, agreed to carry out an in depth investigation (audit) of the records that we now had. This amounted to cross referencing payments with payees to ensure their validity. This process has taken the best part of 6 months to complete. A note should be made that the account running now was opened in November 2007 from a zero balance, no money from a previous account was paid into it. The account was run for many years at a low balance and sometimes it was overdrawn. The Treasurers report did not tally with the account until August 2015, which was managed by manipulation of the figures over the years.

The result of the audit showed that an amount of £4695.87 was unaccounted for. This did not include the £4254.00 which Phil Watson had already paid back into the account (he stated that he had taken around £3200.00; untrue, as he had already paid back more than that).

The total amount taken over the years has been calculated at £9219.87, although this does not take into account previous to 2007 as we will never have access to records that far back. (Barclays have been requested on several occasions to look into getting older records, but they do not keep records further back than that.)

Brian consulted a solicitor to find out the legalities of how to recover the money still owed. The result was that Phil Watson was contacted by letter and asked to pay back the amount of ££4697.87 (OM money) plus the solicitors fee and interest so a total of £5227.87. Phil Watson sent a cheque for this amount which was banked and has cleared into the account. The matter is now concluded, but I would like to add that it was very clear from the audit that Phil Watson took this money for his own ends and no other person or organisation benefited from the theft - he was not sharing the money with anyone!

The amount was paid in after year end and will be shown on next year's accounts.

APPENDIX 3

00014 XUB1537A 1719 1269099011



MS LYNSAY MCCOMB
OPEN MORRIS
TYR MYNYDD
TAN Y BWLCH FARM
LLANILLECHID
BANGOR
LL57 3HT



OPEN MORRIS

Sort Code 20-17-19
Account No 23963586 DUPLICATE
SWIFTBIC BARCGB22
IBAN GB81 6082 1010 1923 9635 86
Issued on 31 August 2016

No transactions within the period	
30 Aug Start Balance	6,866.44

If you notice any incorrect or unusual transactions, see the next page for how to get in touch with us.

Start balance	£6,866.44
Money out	£0.00
Commission charges	£0.00
Tax paid	£0.00
Money in	£0.00
Gross interest received	£0.00
Net interest received	£0.00
End balance	£6,866.44

Your deposit is eligible for protection by the Financial Services Compensation Scheme.

000014 27 XUB1537A 1269099011 1 of 2

APPENDIX 4

Report to the Members of Open Morris on the organisation's accounts

Background :

In recent years there have been concerns from members over the Open Morris Accounts.

Mr Watson, Open Morris Treasurer, since 1998, has issued a statement admitting that he stole money from the Open Morris Bank account, which he claims is around £3,200. He has in fact repaid £4,254. His statement does not state when he started stealing the organisation's funds nor does it mention the repayments.

He also states that the Income and expenditure shown in the accounts is correct and that it is only the bank balance that has been misstated.

Investigation

Mr Watson has passed very little information back to the organisation. I can only conjecture as to why this is but it certainly makes it very much more difficult to verify payments made.

The information available is as follows: -

- Bank statements back to 30th November 2007
- Cheque stubs back to 22 October 2011 (in the earliest cheque book stubs 000121 to 000136 have been removed), and one book of cheque stubs covering 2007 and 2008.
- The accounts as prepared by Mr Watson.

Using the information on the bank statements I have prepared accounts for the eight years from 2007/2008 to 2014/2015. These are prepared on the cash basis (that is money into the bank account and money out of the bank account during the accounting period). In later years I have identified payments using the cheque stubs and accounts as presented to the members. I have found very little correlation in the earlier years between the accounts and the bank statements. For example the payment to performing rights in the 2009/2010 accounts was stated as £22. However no cheque for this amount was issued in that year.

In later years the most difficult expense to verify is officers' expenses. I requested all the officers to analyse their bank statements for the last three years to let me have details of payments received.

This exercise has been completed and all was in order.

I also requested that ten cheques are retrieved from the Bank in order to ascertain who the payee is. This exercise was completed and all was in order.

The current bank account was opened in November 2007. Should it be possible to retrieve statements from the previous account I can attempt to reconstruct the accounts back as far as the statements allow or until 1988 when Mr Watson was appointed. However this report is issued without this information being available so that the organisation can move forward in a timely manner.

Conclusions

- 2) The current bank account was opened in November 2007. There was no money transferred from the previous account. The opening balance in the 2007/8 accounts is shown as £3,215.47. This amount has not been paid into the current account and I conclude that it was retained by Mr Watson.
- 3) The 2007/8 accounts show the income as £3,426.60, whereas the bank analysis shows this was actually £4,281.73. In addition the total expenses were £4,161.35 whereas reported in the accounts was only £2,827.74. Therefore the surplus should have been £4,581.73 less £2,827.74 = £1,453.99. The closing bank balance was actually £120.38. The large number of blank cheque stubs could indicate that the difference was withdrawn for personal use.
- 4) The 2008/9 accounts show income of £3,363.18, but in fact £4,572.56 was banked. Likewise the expenses were shown as £2,704.14 whereas the amount paid out of the bank was £4,511.12. So the surplus was understated by £1,868.42. The closing bank balance was £181.82. There are also blank cheque stubs in this period.
- 5) The 2009 accounts show income as £3,807.09 whereas £5,642.33 was banked, and

accepting the expenses shown of £3,385.19 would give a surplus of £2,257.14. The closing bank balance was £57.60.

- 6) In 2010 an Arts Council grant was received and paid out. This should have been disclosed in the accounts but the circumstances appear to be in order. When this payment was first made the cheque was referred to drawer and this first alerted the officers to possible issues with the accounts. Mr Watson claimed at the time that he had opened a deposit account in the name of Open Morris and he had failed to keep an adequate balance in the current account. This statement was untrue.
- 7) The 2010/11 accounts understate income by £214.01. Amount banked was £4,109.12. The expenses disclosed in the accounts were £3,185.29. The surplus was therefore £923.83. The actual bank balance at the end of the year was £660.37
- 8) In 2012 it appears that the published accounts were somewhat fanciful but there is no conclusive evidence of funds being embezzled from the comparison of the bank statements to the published accounts.
- 9) The accounts presented for 2013/14 only vary to a small degree from the bank statements , except for the repayments in item 9 below
- 10) In 2014 and 2015 Mr Watson repaid £2,700.00 and £1,534.80 respectively. And by 3^{1st} August 2015 had managed to get the cash in hand on the accounts to agree with the bank statement .
- 11) In Summary the amounts embezzled are at least as follows: -

	£
Balance on old account	3,217.47
2007/8 Accounts (1,453.99 – 120.38)	1,203.80
2008/9 Accounts (1,868.42-(181.82-120.38)	1,806.98
2009/10 Accounts (2,257.14 – (57.60-181.82)	2,381.36
2010/11 Accounts (923.83 – (660.37-57.60)	321.06
2013/14 Accounts (monies repaid)	-2,700.00
2014/15 Accounts (monies repaid)	-1,534.80
TOTAL (without Interest)	4,695.87

The actual amount taken could exceed this but without documents it's not possible to substantiate a higher figure.

Recommendations

1. All officers complete expense claims and these are made available for inspection by members at the AGM.
2. The accounts presented include a copy of the closing bank statement and if necessary a bank reconciliation.
3. You consider an independent inspection of the accounts, in fact as they are relatively straightforward this could be completed, at or just prior, to the AGM.
4. Mr Watson is required to repay the balance identified above, plus any further amounts identified from recalling cheques plus compound interest at 8.5% on the amounts outstanding at each year end.
5. Consideration is given to asking the bank for copies of all the cheques issued with blank stubs in 2007/8. These may not be available but if they are retrieved they will show exactly where the organisation's funds were spent that has not been recorded in the accounts.

Malcolm Hector

Fellow of the Chartered Institute of Certified Accountants
20th July 2016

APPENDIX 5

DANCING ON MAGAZINE

I'll be quite brief as you can see what I've been up to in the pages of Dancing On! The Autumn 2016 edition is published here at the 2016 AGM.

The last edition, published at JMO in the spring, was very well received, and I thank everyone for their lovely feedback. More of this is always welcome, so please tell me what you'd like to read, and offer suggestions – I'm always up for a bit of hard hitting journalism. It's been a very interesting year in the Morris world and I hope the latest edition reflects that – some aspect of Morris politics make editing the magazine a challenge. I try, as ever, to balance the content between serious and lighthearted articles, whilst fostering a feeling of community within Open Morris.

Final costings on the Autumn 2016 edition will come after the AGM, but I expect the total for printing, postage and packaging etc to come in a little over £400, a great deal cheaper than has been achieved in the past, thanks largely to my excellent local printer, Higgs.

Don't forget, it's your magazine and is only as good as the contributions received from members. I've been pleased to include some great submissions this time around, so please keep them coming – people really do want to hear from you!

Many, many thanks to the brilliant officers of OM for their support and camaraderie, which make the job a delight. Thanks also to our super proof reader Hilary.

I hope everyone enjoys the latest edition, and if you're happy to have me, you'll see me again in the spring!

Jen Cox, Editor

AREA REPRESENTATIVES REPORTS

East Anglian Representative

Following the OM EGM on 30th January there was quite a bit of discussion regarding finances and reassuring people that a rigorous investigation was taking place. Latterly the talk has been about the blacking-up issue and the attitude of EFDSS in this matter.

In mid-October I sent an e-mail to 16 sides in East Anglia with details reminding them of the AGM with encouragement to send a representative to the meeting and offering to raise any questions on their behalf if they were unable to attend. 1 reply so far!

Robin James

Central Area Rep's Report

It's been a busy year in our neck of the woods. We've had a great deal of Days of Dance, which I hope is a trend which will continue as our area used to be very keen on organising events, including workshops and ales. Our festivals have been booming, Folk Weekend Oxford, White Horse Folk Festival (clogging up a hill – yes please!) and Wallingford BunkFest have all had fabulous years. I know there are a lot of great things in the pipeline for the winter and next year, too, so have a good practice season everyone and keep the brilliant stuff coming!

Jen

WALES & NW AREA REP REPORT

I see my Area Rep role as being a liaison between Officers and members in my area, a point of contact for queries and to disseminate information about/ generate interest in events, vacancies etc. I've had very little in the way of queries other than from my own sides but have emailed out reminders and requests for input from time to time. It's always a pleasure to meet up with member sides and particularly those from one's own area. There are some I seem to come across frequently and others I have yet to meet so I may indulge myself with a tour of practice nights or dance outs in the North West next year and get to know a few more of you. It was sad to lose a couple of "my" sides at the start of the year. I hope we can tempt them back!

Nicki Pickering

North East

I was fully engaged with organising the JMO Day of Dance in York earlier this year with the Federation side I belong to. I have emailed all sides in my area in January urging them to attend the EGM/AGM, again in March asking them for contributions to Dancing On and again just now encouraging them to attend the AGM.

Wendy

South East Area

Although my patch contains over 20% of the UK's populace, its OM headcount is below 10% of the sides. That is probably a good thing as I have had little time to devote to OM activities; I have yet to visit a single practice, so 'sorry', SE sides. I have however provided remote support, mostly to one side that dances to recorded music. I advised them on PAT testing of equipment and recorded 'Weasel's Revenge' for them.

John Scholey

APPENDIX 6

A brief summary of the position in respect of Blackface Morris and the Equality Act 2010

By way of introduction let me explain that I have been a dancer, mainly in mixed Cotswold Morris sides for much of my adult life. In my professional life I am an Employment Judge whose work entails dealing with the Equality Act 2010. As far as the possibility of a civil law action against an individual side or against Open Morris that is the likely relevant law. I can say nothing at all about the possibility of a prosecution for a public order offence such as incitement to racial hatred as that is not my area of expertise.

I was asked to address the AGM of the Morris Federation earlier this year to provide the legal context for a discussion about Blackface Morris in the light of the decision of Shrewsbury Festival, in the face of threatened legal action, not to book blackface sides. There follows a summary of my presentation.

Although I have done a great deal of research into the origins and current state of the debate in relation to sides dancing with black faces, I have done so not in order to give my own view of what Morris sides or the Fed or OM ought to do but rather to make sure that any information I give about the law is relevant.

I now understand that the debate about “blacking up” had been running for some. However the Equality Act 2010 may have had the effect of shifting the focus rather.

I wish to stress again that the Equality Act does not create any criminal offences. It gives rise to the possibility of a side, or an umbrella organisation, as providers of the service of entertainment, being sued for the civil wrong of harassment related to race, in the County Court. A successful action would be likely to result in the award of damages.

The Equality Act 2010 (The Act) is structured so as to first of all provide for a number of “protected characteristics of which race (along with sex, sexual orientation and others) is one. The Act also sets out categories of conduct which are prohibited under the Act when directed at, or related to, protected characteristics. These include harassment. A swift use of Google will provide you with the text of S26 of the Act which defines harassment. Essentially, it is about conduct which “relates” to the protected characteristic and which is humiliating or offensive, although that is a paraphrase. The Act covers the providers of goods and services.

So far there is no case law but a likely interpretation of the Act would include both OM (when it organises events) and individual sides as providers of services.

Let me break down the definition of harassment. It requires unwanted conduct- this would be for the claimant in any case to show but it would be difficult to disprove that being confronted by a blackfaced side in a street was unwanted.

The conduct must be related to the protected characteristic (in this case race). That does not mean “because of” race. In other words, it does not require motivation on the part of the alleged harasser to cause racial offense.

The conduct must either have the purpose (i.e. be deliberately offensive) *or* effect (i.e. actually be offensive) of undermining a person’s dignity or causing a hostile, offensive or degrading

environment.

The Act requires that if a person complained that the conduct had the “effect” of violating their dignity or creating a humiliating or offensive environment it has to be reasonable for them to feel that effect.

It is absolutely not my purpose to express a view on the prospects of success for any action and I am not doing so here. However, I think that it is likely that the following factor would be relevant.

Most of the population has little or no understanding of the origins of blackface disguise in Morris, and in any event the scholarly research shows that even those origins are not the subject of universal consensus. Furthermore, the impracticality of attempting to “educate” a typical audience for Morris means that even the research that points away from an influence of minstrelsy would be difficult to convey to every passing onlooker.

Most of the population’s only connection with the practice of “blacking up” will have been from minstrelsy and specifically from the 1970s Black and White Minstrels. That creates the possibility of a perception that the blacking up in Morris comes from the same source, which was of course specifically a reference to race and one moreover which was aimed at the mocking by white people of black people. That alone might be enough to satisfy a court that the conduct of dancing blacked up is “related to race” and that it was reasonable for the complainant to say that they found the conduct humiliating or offensive.

Furthermore a complainant need not themselves be black or from a minority ethnic group. A white person could plausibly make a complaint.

Some may harbour suspicions about the true motives and feelings of the potential complainants and I have heard such comments in the context of the Shrewsbury Festival issue. However, without clear evidence that a case is being pursued for motives which are not really connected with genuine offence, those suspicions are, legally speaking, unhelpful.

Quite apart from the prospects of a successful defence to a claim, are the reputational issues and stress of being involved in litigation. As a Judge the only bit of advice I feel happy to offer is to seek to avoid litigation wherever possible.

In this regard, all Morris sides all occupy a place on a spectrum of risk which is defined at one end by sides using black colour make up and at the other by sides who do not disguise themselves at all. It seems logical to assume that the further sides get away from black make up, the further they will get away from the suggestion that what they are doing when adopting a disguise is related to race.

Phil Rostant

Employment Judge
William Morris