

**Members will have recently received an extremely disquieting communication from the Chairman** about the issue of Christopher Daniel's books which, in 2000-01 he placed on loan to the Society as a simple means to start a library for the membership. In that communication Members will simply not have recognised their President from the intemperante language used by the Council.

This latest notification from the Council represents a disgraceful attempt to portray Christopher as unreasonable in this affair when in fact the opposite is actually the case. As we have seen in other communications from this Council, at **no time** have they summarised anything other than **their** argument.

Many feel that Christopher's argument has been omitted or distorted and of course no copies of the actual correspondence between Christopher and the Council have yet been published. This summary seeks to correct that and provide details of how even more information may be obtained.

Members who are astonished and embarrassed by the actions of their Council and who wish to understand the situation can see the arguments and increasingly will be able to see more of the actual correspondence either by visiting the web site [www.bit.ly/suninfo](http://www.bit.ly/suninfo) and using a link there to the page concerning this very long standing saga or, alternatively, they might prefer to go directly to the Library Books Issue Page at <http://bit.ly/danielbooks>

A rebuttal of this latest and quite inaccurate communication from the Chairman is given below. The Chairman's text is in the left hand column.

<p>Dear Member,</p> <p><b><u>Chris Daniel's request for the return of books</u></b></p> <p>I am writing to update you on developments since the September Newsletter (copy deadline 15 August).</p> <p>Most regrettably, I have to report that Chris Daniel has not constructively engaged with the trustees' efforts to arrive at an amicable solution.</p>	<p>This is an astonishingly incorrect statement.</p> <p>Christopher first made his quite reasonable request on 18 Oct 2013. The Council never even replied until Christopher sent something like his fourth reminder and then they refused his request on the grounds that the Trustees cannot dispose of assets which they believe are owned by the Society, something which of course is quite untrue. Trustees are empowered to dispose of any assets if it is in the interests of the charity to do so.</p> <p>Members will note that the Council's stance was then completely contradicted when they <u>did</u> propose to 'dispose' of a few books in an exchange for full title to the BSS Logo. Christopher holds the title to this logo, having registered it in 2000 at his own expense and even renewed it for the Society in 2010. Graham Aldred was the librarian who first accepted the disputed books and he has written several times to inform the Trustees that they were indeed considered to be a loan and are Christopher's property – yet at no time has the Council told the membership of this.</p> <p>Christopher offered twice to meet the chairman to discuss this matter at his home – the Council refused – insisting that any meeting cannot be one to one and must be in Cambridge - even though Christopher no longer drives and at the age of 81 now finds public transport to Cambridge difficult.</p> <p>Christopher has subsequently suggested leaving his books in the library under a fifty year term – something rejected without consideration by this Council on the basis that they would only accept a deal on the basis of their one and only proposal; namely to do a swap of a few books in return for the title to the Society logo for which Christopher has paid over £2000.</p> <p>That proposal does not consider the remaining books let alone the massive financial disadvantage of such a deal to Christopher.</p> <p>Who, one might ask, is the party that has not constructively engaged over this argument? More information at <a href="http://bit.ly/danielbooks">http://bit.ly/danielbooks</a></p>
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<p>On 25 August the trustees made a formal offer to meet Chris Daniel's original request in exchange for the Society's logo and other related trade marks, currently all registered in his name with the Intellectual Property Office. He has chosen, despite repeated urgings, not to accept.</p>	<p>The Trustees' proposal was a 'take it or leave it' one. Indeed it also contained a time expiry clause -- agree to our terms by 9 September 2014 or we will close the matter-- and this from a Council which had prevaricated for months over even a first response.</p> <p>Members should know that at no time have the Council engaged in any meaningful negotiation. Their repeated 'urgings' have been bullying and dictatorial, aggressively defining a closure of discussion unless Christopher was prepared to accede to their proposal by 9 September 2014.</p> <p>More information at <a href="http://bit.ly/danielbooks">http://bit.ly/danielbooks</a></p>
<p>Despite all evidence to the contrary (see material circulated with the June Bulletin and in the September Newsletter) Chris Daniel continues to assert that the books were a loan and demands they be returned on that basis.</p> <p>As the books were donated, both the Society's constitution and charity law prohibit this as a legitimate course of action available to the trustees.</p>	<p>Neither the June nor the September Council circulations disclosed all of the evidence; Graham Aldred's letters being just one omission. The Membership is once again being kept in the dark by its Council just as it was in the matter of the 2011 Membership Survey and just as it has been in this matter by the lack of information about the responses of members to the Council's earlier request for members' opinions about Chris's claim.</p> <p>Not only this but the Council have now <u>twice</u> been formally asked for real evidence that the Books placed in the BSS Library were a gift . They have never replied. In fact there is no deed of gift at all.</p> <p>Over the months Christopher has suggested a number of options that would be acceptable to him but none has even been accepted by the Council as the basis for discussions. They have sought at all times only to impose their terms.</p> <p>See more at <a href="http://bit.ly/danielbooks">http://bit.ly/danielbooks</a></p>
<p>We have received a further communication from Chris Daniel's solicitors despite both he and they having informed the Secretary they were 'in abeyance'. An amicable solution neither requires nor involves solicitors!</p> <p>The trustees have therefore concluded that not only has an amicable resolution been refused, but that the very basis of an amicable solution within the Society (the express wish of the membership) has been undermined.</p>	<p>Neither party wants this to go to court. It has therefore been sensible to try and reach an out of court settlement. The Council refused to meet one to one with Chris at his home, they say they cannot return any books yet in their one proposal they suggest just that. They set an arbitrary deadline for agreement to their proposal without negotiation and then, when Chris suggests a comprehensive solution, they argue that the time for discussion has expired.</p> <p>There has been never been ANY refusal by Christopher to reach an amicable resolution without solicitors. See more at <a href="http://bit.ly/danielbooks">http://bit.ly/danielbooks</a></p> <p>There is no evidence of an 'express wish of the membership'. The results of the dubious and impossibly brief, survey have never been published let alone analysed independently. In any case, if you ask anybody if they want an amicable outcome about any thing 100% will obviously say 'yes' !!</p>
<p>The trustees have always wished to reach an amicable resolution with Chris Daniel — a founder member, major benefactor, and former Chairman.</p>	<p>There is no evidence that the trustees have ever approached this in an amicable spirit. It takes two to be amicable. They have refused to negotiate, ignored letters and emails, refused to meet one to one, prevaricated, imposed dictatorial deadlines and ignored members opinions. No, the trustees have not treated Christopher with the consideration and respect he deserves even as an ordinary member never mind his exceptional commitment as founder member, major benefactor and former Chairman for 22 years.</p>

<p>We have indulged extraordinary behaviour and conduct (including requests/demands not based on fact, repeated dismissal of trustee comment, legal threats and threatening solicitors' letters to individual trustees) that would not be tolerated from any other member. The trustees have been both flexible and accommodating in their efforts to facilitate an amicable solution.</p>	<p>The indulgence of the trustees has never been required to cope with any 'extraordinary behaviour' by Christopher. In fact it is quite the reverse as indicated in the previous paragraph. It is not extraordinary behaviour to reject an unacceptable demand or challenge an erroneous claim made by the other party. By consistently refusing to negotiate and insisting on no compromises the Trustees brought upon themselves the only recourse left to Christopher, or anybody in a similar situation, that of seeking legal advice. It is astounding that the trustees are so blind that they never realised that they could unilaterally dictate 'no legal involvement' at the same time as demanding a completely self serving non-negotiated outcome.</p> <p>There have been no legal threats to individual trustees by Christopher. The trustees have only been reminded that court action may be necessary if an amicable agreement cannot be reached and in view of the change to a CIO they have been reminded of their responsibilities should that occur. That is all a part of any normal negotiation. In addition in the vain belief that the Trustees really did want to negotiate, Christopher actually held his solicitors in abeyance to give time for a possible resolution. Despite this opportunity, the trustees have simply hardened their demands to now include title to the Logo in exchange for only a few books. More at <a href="http://bit.ly/danielbooks">http://bit.ly/danielbooks</a></p>
<p>The opportunity was there for Chris Daniel to accept an amicable resolution within the Society of his original request and to draw a line under his dispute with the trustees and the Society. That he chose not to do so is a matter of deeper disappointment to the trustees than it will be to the membership.</p>	<p>The only opportunity offered was to accept a unilateral, un-negotiated demand <u>on a take it or leave it basis</u>, a proposal apparently formulated without understanding or experience of negotiation. Any disappointment, however deep (!), experienced by the trustees could hardly have come as a surprise given that the trustees are demanding that Christopher should hand over his Logo (£2000) and all his valuable books (with the exception of an unspecified few) for nothing in return. It is also evident now that many members do not share the disappointment experienced by the Trustees, their number might have been exposed if the opinion survey had been held open for longer, analysed independently and published to all members.</p>
<p>It is now over four months since Chris Daniel informed the membership of his dispute. The time has come to put this sad and sorry saga behind us and move on. The Society is far bigger than any internal dispute. The matter will now be considered closed.</p> <p>With my best wishes to Fellow Diallysts,</p> <p>Frank King</p>	<p>Yet it is actually 11 months since this matter was first raised by Christopher.</p> <p>It is certainly time that this saga should be settled but whilst the trustees fail to negotiate, impose their own terms at every stage and then attempt to argue that there is closure when there is not will simply precipitate the society into further and more serious action.</p> <p>It is rash to confidently claim that the Society is bigger than any internal dispute as if there was not a dispute big enough to split the Society but it is quite ridiculous to unilaterally assert that the matter is closed, that is exactly why Christopher has reluctantly sought legal advice. The trustees must understand that they are not able to 'close' any issue unilaterally between two parties with out inviting legal involvement.</p>