

JUDICIAL AFFAIRS OFFICE

A Policy Summary for AMS Clubs and Members

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Clubs Policy* & *Judicial Policy

Fiat justitia, ruat caelum.

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Land Acknowledgement

We acknowledge that we are on the traditional lands of the Anishinaabe and Haudenosaunee peoples, known as Katarokwi, or colonially as "Kingston." The Judicial Affairs Office and the Commission of Clubs of the Alma Mater Society at Queen's University recognize the importance of these lands to the Indigenous peoples who have existed since time immemorial. The unjust acquisition of these lands occurred through the Crawford Purchase of 1783, a treaty upheld by the First Peoples but later undermined by the British Crown and the "Canadian" government; a history of broken promises that continues to impact Indigenous communities today. As settlers on this land, we acknowledge our continued benefit from systemic structures that marginalize Indigenous peoples, and we commit to actively listening to and amplifying Indigenous voices. As offices that facilitate governance and student community on Turtle Island, we recognize that words alone are not enough. Our actions must reflect our commitment to justice, reconciliation, and the decolonization of our governance and campus structures. We encourage all those who engage with our offices to reflect on the privileges afforded to them on this land and to use them in service of a safer, more equitable community for all students.

Key Message

The Clubs Commission cannot hear, adjudicate, or decide on any appeal. All formal appeals arising from club-related decisions, including ratification, membership removal (if there is a violation of Clubs Constitution), impeachment, and sanctions, are the exclusive jurisdiction of the Judicial Affairs Office and Judicial Council.

SECTION 1: Key Definitions

The following terms are defined in the Judicial Policy and are essential for understanding how appeals and cases work:

Respondent	An individual or group alleged to have violated Society Policy or the Student Code of Conduct. *(Judicial Policy, Terminology, sec 27)*.
Complainant	A student, Queen's University, or member of the Queen's community who has been harmed by an alleged violation. *(Judicial Policy, Terminology, sec 7)*.
Case Officer	Judicial Affairs Manager who investigates violations, meets with parties, and presents the case to the Judicial Council. *(Judicial Policy, Terminology, sec 4)*.
Sanction	Tasks, duties, or requirements that must be completed by a Respondent found responsible for a violation. *(Judicial Policy, Terminology, sec 28)*.
SPI	Cases involving violations of AMS policy, the Constitution, a Member Society policy, or other published non-academic rules. The primary category for club-related cases. *(Judicial Policy, Terminology, sec 29)*.
NAM	Cases involving violations of the Queen's University Student Code of Conduct, delegated to the JAO by NAMIO. *(Judicial Policy, Terminology, sec 22)*.
Judicial Appeals Board	The entity to which appeals of SPI decisions where Judicial Council infractions have occurred may be made. Final and binding. *(Judicial Policy, Terminology, sec 13)*.

Alternate Judicial Council (AJC)	The specific composition of the Judicial Council used when the case involves a ratified club or group affiliated with a Member Society. *(Judicial Policy, Part C, sec 3).*

Designated Representative(s)	In group cases, the individual(s) with constitutional authority to represent the group in hearings and JAO interactions. *(Judicial Policy, Terminology, sec 8).*

Important Acronyms

- Judicial Affairs Office = JAO
- Non-Academic Misconduct = NAM
- Non-Academic Misconduct Intake Office = NAMIO
- Judicial Affairs Managers = Judicial Affairs Officers
- Suspected Policy Infringement = SPI
- Policy Infringement Protocol = PIP
- Judicial Council = Judicial Committee = JCOMM
- Judicial Appeals Board = JAB
- Judicial Disputes Manager = Judicial Policy Manager
- Student Conduct Office = SCO
- Alternate Judicial Council = AJC

Category 1 Violations

- Minor infractions referred to a NAM unit (ARC, Residences, JAO)
- NAMIO will make distinctions and refer cases wherever deemed appropriate

Category 2 Violations

- Major infractions of Student Code of Conduct and are never handled by JAO, always the SCO.
- Includes, but not limited to sexual violence, harassment, discrimination, and assault.
- Any cases that are category 2 that may be reported to the JAO are sent to the SCO and may be referred from NAMIO where appropriate.

SECTION 2: What Is the Judicial Affairs Office?

The Judicial Affairs Office (JAO) is one of the oldest governance bodies at Queen's University, first established in 1898. It is an independent investigatory and adjudicative branch of the AMS Judicial System that exists specifically to protect the rights of AMS members, this includes all club members through fair, structured, and peer-administered proceedings.

Cases the JAO Handles

- ***NAM Cases*** - Non-Academic Misconduct referred to the JAO by Queen's University's intake Office (NAMIO); only category 1 violations of the Student Code of Conduct are referred to the JAO where the JAO acts as an authorized agent of the University.
- ***SPI Cases*** - Suspected Policy Infractions involving violations of AMS policies and procedures.
- JAO investigates allegations, meets with respondents, complainants, witnesses, attempts informal resolution by agreement.
- If no agreement is made, this matter is referred to the Judicial Council for a formal hearing.

JAO Managers & Deputies

- ***Judicial Case Manager*** - handles NAM category 1 cases referred by the NAMIO to the JAO and is responsible for educational and peer-to-peer support for students going through the system.
- ***Judicial Disputes (Policy) Manager*** - *handles SPI cases and their investigations via PIP (policy infringement protocol);* and supporting any policy review or development.
- ***Judicial Deputies -*** support judicial managers who work in the direction of the managers to support the office by research and other projects to advocate for and/or improve equitable access to the system.

The Judicial System: Two Branches

The Judicial System is comprised of two distinct but complementary bodies (Judicial Policy, Purpose):

Judicial Affairs Office (JAO)	The investigatory branch. Case Officers investigate alleged violations, meet with parties, gather evidence, and present cases. The JAO is operationally independent from the AMS Executive, Board of Directors, and the Internal Affairs Office.

Judicial Council	The adjudicative branch. An appointed student body represented by each Faculty designated seats that hears cases referred by the JAO. They render the final decision on responsibility and sanctions.

Core Pillars Guiding the JAO

Every action of the Judicial System is anchored in five pillars (*Judicial Policy, Judicial System Pillars*):

1. ***Restorative Justice*** - Prioritizing healing for victims and communities by holding students accountable to those they have harmed, through dialogue and collaborative problem solving.
2. ***Peer-Administered*** - Students holding fellow students accountable, fostering growth and community in a non-adversarial environment.
3. ***Complaint-Driven*** - Formal proceedings only begin upon receipt of a written complaint, keeping the process responsive rather than prosecutorial.
4. ***Non-Adversarial*** Cases - are approached collaboratively, with resolutions that balance the interests of all involved Parties.
5. ***Procedural Fairness*** - *All Parties are* afforded their natural rights and due process throughout every stage of a proceeding.

SECTION 3: Why the Clubs Commission Cannot Handle Appeals

There is a common misunderstanding among club members and executives that the Clubs Commission is an appropriate body to bring appeals. This is incorrect. The Clubs Commission's role is administrative; it manages ratification, re-ratification, space allocation, finances, communications and clubs' operations compliance. It is not a judicial or quasi-judicial body and therefore has no authority to investigate.

The Clubs Commission's Limited Sanctioning Authority

The Clubs Policy grants the Commissioner of Clubs and the VPUA the authority to apply 'Commission Sanctions' *(Clubs Policy, Part A, sec 6.10)*. However:

- These are administrative sanctions related to compliance, not appeal decisions
- Sanctions are subject to review by AMS Assembly *(Clubs Policy, Part A, sec 6.12)*
- The Clubs Commission has no authority to adjudicate disputes between members or reverse decisions made under judicial proceedings.
- Any appeal of a Commission Sanction through the judicial process goes exclusively to the JAO.

> ***Clubs Policy Part A, Section 6.5***
>
> "Clubs may be subject to Sanctions without warning in extreme circumstances at the discretion of the Vice President of University Affairs."

> ***Clubs Policy Part A, Section 6.11***
>
> "'Assembly Sanctions' are administered via a majority vote at AMS Assembly."

Sanctions Do Not Substitute for Judicial Proceedings

Sanctions applied by the Clubs Commission address operational non-compliance. They do not resolve disputes involving:

- Member removal or impeachment challenges
- Allegations of policy violations by a club executive or the club as a group
- Ratification or de-ratification disputes
- Any matter requiring an investigation, hearing, or formal finding of responsibility

For all the above, the JAO is the correct and sole authority.

SECTION 4: Where Appeals Go: A Policy Mapping

The following outlines every formal appeal pathway available to clubs and their members, as specified across both policies.

Ratification Decisions

***Clubs Policy** Part E, Section 6*

" Appeals: If any applicant wishes to appeal any decisions, the applicant has up to fourteen (14) days to appeal, by a motion that will be brought to JAO."

***Key takeaway:** Ratification appeal disputes ultimately reach the JAO. The Clubs Commission reviews, Clubs Advisory Committee adjudicates and the JAO adjudicates.*

Re-Ratification Decisions

***Clubs Policy** Part F, Section 1*

" Applicants may appeal a decision within fourteen (14) days by submitting a written request to the Clubs Advisory Committee, which will review the decision application and the reasoning. Clubs may refer cases to the Judicial Council to address any further discrepancies or procedural concerns related to AMS policies."

***The appeal chain is clear**: Commissioner → Clubs Advisory Committee → Judicial Council. The JAO is the final stop.*

Club Member Removal Appeals

***Clubs Policy** Part A, Section 3*

" The name of the removed individual and reasoning for removal must be submitted to the Clubs Commissioner within five (5) days of the decision."

“The Clubs Commission must be notified at the beginning of the process about removing an individual and may attend or review the process where: a. There are allegations of bias, conflict of interest, or procedural unfairness; b. The respondent is an executive that holds signing or financial authority; c. The matter is deemed high-risk by the VPUA.”

***Clubs Policy** Part A, Section 3 (7)*

" Removal is not under the reasoning of harassment, discrimination, sexual violence, or any other act that is required to be investigated and/or given sanctions by the University through the Student Code of Conduct or other relevant policies. Removal made by the club itself is solely directed around addressing significant challenges for the clubs operations from an evidential result of incompletion of the roles duties and responsibilities as outline in the Clubs Constitution."

"Any club found in violation of their constitution may be subject to Judicial Policy and/or sanctions as defined in this section, including de-ratification, when appropriate and shall be required to meet with the Commissioner of Clubs."

Impeachment Appeals

***Clubs Policy** Part J, Section 4*

" Any club found in violation of their constitution may be subject to Judicial Policy and/or sanctions as defined in this section, including de-ratification, when appropriate and shall be required to meet with the Commissioner of Clubs."

Note: *There are two distinct grounds for removal appeals:*

1. *Appeals about the reason or evidence for removal go to **the Clubs Commissioner; Clubs Commissioner would only involve themselves in the case the individual being removed had high authority or risk.***
2. *Appeals about whether proper removal procedures by executives were followed go directly to **the JAO**, NOT the Commissioner.*

Impeachment appeals based on procedural failures of Clubs go directly to the JAO. This is a firm policy requirement; the Clubs Commission has no role in this process, they simply either are notified of the decision or directly support the club in the removal process when required.

De-Ratification Decisions

***Clubs Policy** Part F, Section .3*

" The Judicial Affairs Office and the Club Advisory Committee may recommend that a club be de-ratified. If the club is persistently inactive, unresponsive, or unable to meet required operational standards, to which the JAO or the Club Advisory Committee are able to make the final determination."

Judicial Policy Part E, Section 3.5

"De-ratification of the group. If this sanction is imposed, the Secretariat must notify the AMS Assembly at the next session on the de-ratification of the group and associated violations which led to the decision."

De-ratification can be imposed onto a Club in extreme circumstances. That said, if there is de-ratification was inappropriately applied, then an appeal can go to the JAO.

SPI Cases

Judicial Policy Part C, Section 1

" A Suspected Policy Infraction ("SPI") case may be initiated upon the receipt of a written notice, and where, based on the information provided, there is a reasonable belief that a violation occurred."

"The Case Officer must, within an ongoing investigation determine if said breach constitutes a breach of the Student Code of Conduct or other, non AMS, University policy, and therefore must be reported as NAM to NAMIO. Matters deemed fully under the jurisdiction of the Judicial System may not be referred to another body, as these are internal AMS matters within the purview of the Judicial System. This does not preclude the Judicial Affairs Office from seeking support or guidance from the Student Conduct Office on navigating an SPI case."

Judicial Policy Part C, Section 5.2

"All cases pertaining to Suspected Policy Infraction (SPI) may be appealed to the Judicial Appeals Board by submission of an Intent to Appeal within 10 business days of the receipt of Judicial Council's Decision to the Secretariat."

Any suspected violation of AMS or Clubs Policy by a club or its members follows the SPI pathway: JAO investigates (if the resolution agreement is not signed, then gets escalated to a hearing) → Judicial Council (final judicial body whose decision is final and binding) → Judicial Appeals Board receives appeals only if there was a procedural infraction that occurred by the JCOMM. The Club's Commission is not part of this chain; their responsibility is as a stakeholder a part of the investigation process.

Key Takeaway: All large formal investigations go to the JAO; clubs and the Club's Office must answer to the JAO when policy infractions occur.

SECTION 5: Rights of Clubs and Members in JAO Proceedings

Every AMS member, including all club members, executives, and volunteers, is entitled to the following rights under the Judicial System *(Judicial Policy, Part G):*

Rights of All Parties

- Right to a translator
- Right to representation, including legal counsel via Queen's Legal Aid (613-533-2102)
- Right to advice from the University Ombuds Office (613-533-6495)
- Right to be accompanied by a Support Person at any meeting or hearing
- Right to formal notification of any hearing before the Judicial Council
- Right to make a statement and present arguments at a hearing
- Right to a full and fair hearing
- Right to request an open or closed hearing
- Right to request that the Judicial Council summon a witness
- Right to appeal a formal decision of the Judicial Council
- Right to raise concerns about bias in writing to the JAO or Judicial Council Chair

Additional Rights of Respondents

- Right to end a meeting with the JAO at any time
- Right to refuse to be recorded
- Right to disclosure of evidence relevant to the matter
- Right to an open hearing before the Judicial Council

Additional Rights of Complainants

- Right to be notified of the Judicial Council decision within 72 hours of its release
- Right to be consulted before a case is resolved by agreement

Confidentiality Protections

***Judicial Policy** Part A, Section 4*

All members of the Judicial System must sign a confidentiality agreement. Specific details of investigations are kept confidential. Parties may not disclose or discuss ongoing investigations with the general public. This does not prevent any party from seeking legal counsel, accessing the Ombuds Office, or other appropriate external support.

SECTION 6: What Happens When You Bring a Case to the JAO

Understanding the process helps clubs and members engage with the JAO effectively. Here is an overview of how cases proceed:

Step	Stage	Description
1	**Written Complaint**	A written complaint is submitted to the JAO. No formal proceedings can begin without this. *(Judicial Policy, Pillar 3)*
2	**Case Assignment**	A Case Officer is assigned. For club SPI cases, this is normally the Judicial Disputes (Policy) Manager. (*Judicial Policy, Part A, sec 5.1)*
3	**Investigation**	The Case Officer investigates, meets with respondents, complainants, and witnesses. All parties sign confidentiality agreements.
4	**Resolution by Agreement**	If facts are not disputed, the Case Officer may propose an informal resolution. For individual SPI cases, no further hearing is required. *(Judicial Policy, Part C, sec 2)*
5	**Resolution by Hearing**	If no agreement is reached, the matter is referred to the Alternate Judicial Council (for club cases) for a formal hearing. (Judicial Policy, Part C §3)
6	**Decision**	The Judicial Council renders a written decision, with reasons. All parties are notified. *(Judicial Policy, Part C, sec 5.6)*
7	**Appeal**	Within 10 business days of the decision, parties may submit an Intent to Appeal to the Judicial Appeals Board. *(Judicial Policy, Part C, sec 5.2)*

***Judicial Policy** Part C, Section 6.1 & Part B, Section 5.1*

"The Judicial Affairs Office must attempt to resolve all cases within 25 business days of the receipt of a complaint."

SECTION 7: Quick Reference: Who Handles What

Situation	Clubs Commission	Judicial Affairs Office
Ratification application & review	✓ Administers	✓ **Hears appeals (Judicial Council)**
Re-ratification review	✓ Administers	✓ **Second-level appeal**
Member removal (evidence/reason)	✓ First appeal	—
Member removal (procedure not met)	—	✓ **Direct appeal to JAO**
Executive impeachment (procedure not met)	—	✓ **Direct appeal to JAO**
Club policy violation investigation	—	✓ **Full jurisdiction (SPI)**
De-ratification (Admin / non-compliance)	✓ Can initiate	✓ **AJC hears if judicial sanction**
Formal sanctions & decisions	Commission Sanctions only	✓ **Full range via Judicial Council**
Appeals of Judicial Council decisions	—	✓ **Judicial Appeals Board**

CONTACT THE JUDICIAL AFFAIRS OFFICE

The Judicial Affairs Office exists to serve all AMS members. Whether you are a club executive navigating a difficult internal situation, a member who believes their rights have not been respected, or a complainant seeking resolution, the JAO is here to help, fairly, confidentially, and promptly.

Judicial Affairs Office

Any cases

judicial@ams.queensu.ca

Overseen by the Secretary of Internal Affairs, as outlined in Judicial Policy, Part A, Section 3.

This document is a summary reference only. For full policy text, consult the AMS Clubs Policy and the AMS Judicial Policy.