

University of Melbourne Annual Student Election

1 – 5 September 2014

Report of the Returning Officer

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Summary

Appointment

Jaimie Adam of Above Quota Elections Pty Ltd was appointed Returning Officer for the University of Melbourne Annual Student Election on Friday 11 July 2014. Charles Richardson, Stephen Luntz and Haydn Steel, also of AQE, were appointed Deputy Returning Officers.

The Electoral Tribunal at the time of the appointment consisted of Mr Chris Penman, Mr Michael Gronow and Ms Saveria Dimasi. This was unchanged from 2013. Later that month Mr Penman resigned his position, and on 15 August the Vice-Chancellor appointed Ms Kylie Gould as his replacement.

Nominations

Nominations opened on Monday 21 July for positions on the following bodies:

- University of Melbourne Student Union (UMSU), including office-bearers, Students' Council and all committees
- Delegation to the National Union of Students (NUS)
- Victorian College of the Arts Student Association
- Burnley Student Association
- Student to be nominated as a Fellow on University Council
- Student representative on MU Student Union Ltd Board

Following further advice, nominations were opened the following week for a by-election to fill a casual vacancy on the UMSU Queer Committee. No nominations were received for this position.

The notice of election appears on page 10. This notice was posted in Union House and on the elections website, and a version was also e-mailed to all students.

Nominations closed at midday on Friday 8 August. A total of 427 nominations were received, compared with 331 in 2013 and 313 in 2012. Six nominations were found to be invalid. All candidates were notified by e-mail of the receipt of their nominations.

Farrago in conjunction with the Returning Officer again provided a photographer to attend on several occasions to take photos of candidates in a standard format for publication with their policy statements.

The complete list of nominees appears on page 14, in ballot paper order where applicable. The draw for ballot paper positions was conducted on Monday 11 August, witnessed by scrutineers from the various tickets.

Tickets

Applications for ticket registration also closed at midday on Friday 8 August. An information session for prospective tickets was held on Monday 4 August to inform organisers of the requirements.

Seventeen applications were received, all of which were found to be eligible, compared to eleven in 2013. The following tickets were therefore registered, with the indicated students as authorising officers:

Activate (Dorothy Meng)
Buy Back the Bar (Kara Hadgraft)
Change. (Jim Smith)
F*ck Tony Abbott (Emma Dook)
Fresh (Michael Sabljak)
ignite (Samuel Donnelly)
Independent Media (Martin Ditmann)
Left Action (Robert Naray)
Liberal (Daniel Born)
Melbourne United (Justin Chua)
More Activities! (Tom Walker)
No Crime to Seek Asylum (Dylan Kay)
None of the Above (Zoe Efron)
Smokers' Rights (Jacoby Akehurst)
Stand Up! (Hana Dalton)
Stop the War in Gaza (Mark Kettle)
Students for Palestine (Jeremy Gibson)

Withdrawals

The following candidates withdrew their nominations prior to the printing of ballot papers:

Alex Edsor (Left Action: VCA General Committee)
Zoe Efron (None of the Above: Activities Officer, Creative Arts Officer and Clubs & Societies Officer)
Stefan Eracleous (Fresh: Welfare Officer)
Michelle Goyes (Melbourne United: Media Officers)
Margarita Arboleda Henao (Melbourne United: Queer Officer)
Derek Huang (Melbourne United: Students' Council)
Mandy Li (Melbourne United: Graduate Representative)
Carone Nkhonjera (Melbourne United: Wom*n's Committee)
Mona Serrat (No Crime to Seek Asylum: President)
Jeff Wang (Stand Up!: Welfare Officer)
Thomas Whiteside (Stand Up!: Graduate Rep.)
Dudu Yang (ignite: Queer Committee)

One withdrawal disclosed that the candidate had been ineligible for the position in the first place, and is the subject of Ruling (4): see the Rulings section beginning on page 29 below.

Polling

Polling took place during the week of Monday 1 September to Friday 5 September, at the following times and locations:

	Monday 1st Sept.	Tuesday 2nd Sept.	Wednesday 3rd Sept.	Thursday 4th Sept.	Friday 5th Sept.
Union House (The Lounge, formerly North Dining Room)	10.00am – 5.00pm	10.00am – 6.30pm	10.00am – 5.00pm	10.00am – 5.00pm	10.00am – 5.00pm
Baillieu Library Foyer	10.30am – 4.30pm	10.30am – 6.15pm	10.30am – 4.30pm	10.30am – 4.30pm	10.30am – 4.30pm
Southern Precinct FBE Building	11.00am – 3.00pm	12.00pm – 5.00pm	11.00am – 3.00pm	11.00am – 3.00pm	11.00am – 3.00pm
Eastern Precinct Charles Pearson Foyer		11.30am – 3.30pm	11.30am – 3.30pm	11.30am – 3.30pm	
VCA Southbank Campus (Cafeteria)		11.00am – 3.00pm	11.00am – 3.00pm	11.00am – 3.00pm	
Burnley Campus (Student Lounge)			11.00am – 2.00pm	12.00pm – 3.00pm	

This notice was also made available by the University to all students. There were only two changes to polling times and locations compared to 2013:

(a) In line with a change made to the Regulations in 2013 but which was not able to be implemented then, a new polling station was established near 757 Swanston Street. The location selected was the Charles Pearson Foyer, adjacent to the Eastern Precinct Student Centre (ERC), which had been used once before for polling in 2008. This was reasonably successful, with the new polling station taking more than 160 votes over three days (compared to only 107 over five days in 2008). It may be questioned, however, whether the cost of running a fourth polling place in Parkville is really justified.

(b) Since there were no contested elections for any Indigenous positions, the polling station at Murrup Barak (Centre for Indigenous Education) was not required.

Turnout for the week was 3,812, almost identical to 2013 but an increase of about 12.5% on 2012. Voting figures from the polling registers were checked each evening against the total of ballot papers issued, and both were checked against the physical count after the close of polling. All totals reconciled within acceptable margins of error.

The shift in voting numbers from Union House to Baillieu, remarked upon in recent reports, has continued, with the Baillieu this year recording a higher turnout than the Union on every day and about 300 more for the week as a whole.

The table on page 21 summarises the turnout at all polling stations.

Storage of Ballot Papers

By arrangement with the University, stocks of ballot papers were stored in a secure location in the Raymond Priestly Building upon receipt from the printers, and live ballot papers from the Parkville polling stations were stored in the same location each evening.

Ballot papers for the VCA and Burley polling places were stored securely by AQE staff, then returned to Parkville on Thursday and Friday.

Electronic Roll and Provisional Voting

Wireless database access to the electronic roll was used at the four Parkville polling stations, and also at VCA, eliminating the need for a paper roll. MU Student Union Ltd again

loaned AQE a set of laptops for use by poll clerks. The electronic system generally performed well, although there were recurring problems with logging in to the wireless accounts: this now seems to be a more serious bottleneck than the state of the wireless network itself.

A more significant problem was the fact that the IT department loaded an outdated version of the roll onto the system, meaning that a significant number of eligible voters did not appear. This led to a sharp increase in the number of provisional votes taken at the Parkville polling stations. Provisional votes were also required at Burnley, where the small number of voters does not justify an electronic roll. Of the total of 166 provisional votes received, 145 were accepted and 21 were reserved for further advice from Student Administration. Following that advice, a further two votes were accepted and the other 19 rejected.

Postal Votes

Applications for postal votes closed at 5pm on Wednesday 27 August. One application was received by this deadline. Ballot papers were posted to the applicant on Friday 29 August. The ballot papers were duly returned by close of polls on Friday 5 September, the voter was checked off the roll and their votes were admitted to the count.

Complaints and Appeals

A number of complaints, both formal and informal, were made to the Returning Officer during the election period by candidates and other interested parties. The table on page 25 summarises the written complaints that were received.

Eight written rulings were made by the Returning Officer in response to complaints and other issues. They appear in the Rulings section, and were also posted in Union House and on the elections website. In addition, a selection of standing rulings from past years was again published.

An appeal was lodged against Ruling (2), which was heard by the Electoral Tribunal on Wednesday 27 August. The Tribunal upheld the Ruling. Ruling (8) also resulted in a hearing by the Tribunal, on Thursday 11 September, in which the Tribunal accepted in part the Returning Officer's recommendation. Proceedings of the Tribunal are detailed in the Appeals section on page 34 below.

Lockup and Counting

Counting began at midday on Friday 5 September, five hours before the close of polling. A lockup was again instituted, in which scrutineers were permitted to observe the early counting but not to leave or communicate with outside prior to 5pm. The lockup again proceeded smoothly and without incident.

The addition of another Parkville polling place and the closeness of the contest significantly slowed the count for President, which was not completed until late on the Friday night. Most of the remaining positions, including all Office-Bearer positions, were decided on the Saturday and Sunday. A few of the proportional counts extended into the following week; the last, for Education Committee, was finalised on Thursday 11 September.

The full provisional declaration of results was issued the following day. This notice appears on page 22, and was also posted in Union House and on the elections website.

The period for appeals against the results or requests for recounts expired three working days later, on Wednesday 17 September. None were received, however a review of the

results by AQE resulted in an amendment to the original declaration in respect of the order of election on Activities Committee and the last vacancy on Disabilities Committee. A revised version of the notice was published on Friday 26 September. (This is the version that is printed below.)

Full details of the count for each position appear in the Appendix. In addition, the count for President is broken down by day and by polling station.

The total valid vote of 3,780 represents approximately 8% of eligible voters.

Clubs & Societies Committee

The Clubs & Societies Committee is elected separately by the Clubs & Societies Council rather than by students at large. This year, for the first time, the management of that election was included as part of the contract for the annual election. The Clubs & Societies Council met on Monday 13 October: Deputy Returning Officers Charles Richardson and Stephen Luntz attended the meeting and supervised the process of nominations, policy statements and voting, and counted the ballot immediately afterwards, in the presence of scrutineers.

The following were declared elected (in order of election):

Yasmine Luu (Science Students' Society)
Lauren Taylor (Cosmic Hitchhikers Appreciation Society)
Gulsara Kapulan (Secular Society)
Eilish Hunt (Engineering Students' Club)
Steven Connolly (Pirates)
Ryan Davey (Arts Students Society)
Phillip Mallis (International Relations Society)

Details of the count are included with other Committee ballots in the Appendix.

Acknowledgements

The annual student elections are a major logistical undertaking, and the Returning Officer would again like to acknowledge with gratitude the assistance received from a great many people. The following are particularly deserving of mention:

- Deputy Returning Officers Charles Richardson, Stephen Luntz and Haydn Steel, and all the staff of Above Quota Elections
- The staff of UMSU and MU Student Union Ltd, especially Justin Baré, Goldie Pergl, Fiona Sanders, Trevor White, Carolyn Bolton, Malourie Crawford, Sean Keenaghan, Kevin Lim, Daga Mikolaj, Laurie Morgan, David Witteveen, the editors of *Farrago* (Zoe, Kevin, Michelle & Sean) and the Building Services team (Paul, Laurie, Serge, Alex, Steve, Yuri and the rest)
- Mal Abley (Property & Campus Services), Elizabeth Banks-Anderson (Provost's Department), Michael Barbadonis (Property & Campus Services), Sarah Calder (Student Services), Michelle Frencham (University Secretary's Department), Cassie Fitcher (Burnley), Steve Halliwell (University Secretary's Department), Grace Pan Hui (Student Services), Hero Macdonald (Bailieu Library), Zoe Nikakis (Provost's Department)
- Bek for graphic design, Rob and Geoff for printing
- Debbie at Australia Post, for the mailbags
- All the candidates and campaigners for their cooperation.

Recommendations

1. Self-identification

In response to concerns raised in the last two reports, the Electoral Regulations were amended this year to insert a new Regulation 32.4, setting out a definition of “Queer” to be included on the ballot papers for Queer positions and to require that those ballot papers not be attached to any others.

These changes appear to have had some effect in relation to Queer Committee, but little else. The following table sets out the proportion voting for the three Queer positions this year and in the previous two years:

	2012	2013	2014
Queer Officer	34.4%	36.0%	31.7%
Queer Representative	44.9%	37.7%	41.1%
Queer Committee	56.7%	62.8%	38.0%

Another change this year was the introduction of restricted voting based on self-identification for Disabilities Officer, Disabilities Committee and the new position of Disability Representative on Students’ Council. Disabilities Officer was uncontested, but 28.9% of voters cast formal votes for Disability Representative and 44.7% for Disabilities Committee.

It is possible that the same changes made for the Queer positions – inserting a definition on the ballot papers (there is already one set out in the Constitution) and issuing those ballot papers separately – would reduce these rates, but one would not want to be confident. It should be emphasised that such measures are costly, and also that they risk creating some of the very stigmatisation that self-identification is supposed to avoid. Consideration could also be given to utilising an official University register of students with disabilities (an option not available, for obvious reasons, with the Queer positions), although this would carry its own risks.

In each case, the problem is that, a decision having been made to give special representation for the members of certain groups, the value of that representation is being diluted by allowing it to be partly determined by the votes of those who ignore the restriction, whether deliberately or not. It is recommended that further thought be given to this matter.

2. Term of Returning Officer

Past reports have pointed out the problem of late appointment of the Returning Officer, which results in the preparatory work for the election being unnecessarily rushed. This did not stop the problem recurring this year: we were not able to start work until a week before nominations opened, with much of that week being occupied by the routine business of getting office keys, computer passwords and the like. Important tasks, such as getting a

notice calling for nominations into *Farrago*, simply could not be completed in time.

We remain of the view that UMSU should consider the appointment of a Returning Officer for the full calendar year rather than just the election period, as contemplated by section 123.1 (a) of the Constitution. As we said in last year's report, "This would not only allow for better preparation of the annual election, but would have the further advantage of a Returning Officer being available during the year to run by-elections, to possibly run some internal elections in UMSU, and to advise on election-related issues as they arise. From a business point of view, it would also allow the Returning Officer and his or her firm to schedule their work better, allowing for the provision of better value for money."

The decision this year to include the election of the Clubs & Societies Committee by C & S Council as part of the Returning Officer's brief is a welcome step in this direction. That leads naturally to the following recommendation.

3. International Students Department

The change to supervision of the C & S Committee election means that all UMSU elections will be the responsibility of an independent Returning Officer appointed by and accountable to the Electoral Tribunal – with one glaring exception.

When the International Students Department was created, it was not brought under the same election provisions as the rest of UMSU. Under section 151 of the Constitution the department's Central Committee has the power to decide how its annual election and by-elections should be conducted, and to appoint its own Returning Officer. To reinforce the point, section 153.2 provides that "The International Students Department Annual General Elections and International Students Department By-Elections shall be independent of and not subject to the UMSU Electoral Regulations."

These provisions lack any reasonable justification. The rules that govern all other UMSU elections are designed to guarantee fairness, transparency and due process. If those are desirable goals (and we believe they are), they should apply across the board.

The point is not whether or not the International Students Department and its Returning Officer are conducting their elections fairly; we do not presume to express any opinion on that. The point is that the same standards should apply to all, otherwise there will be a perception that the interests of democracy are not being fully served.

It is recommended that constitutional change to address this matter should be treated as a top priority.

4. By-elections

The Returning Officer this year was put in the unsatisfactory situation of being asked to conduct a by-election for a position on Queer Committee on the same timetable as the main election but after nominations for the latter had already opened. Since in the event no nominations for the by-election were received, the legality of this move was not tested, but it would be at best unclear.

There appears to be considerable confusion about when by-elections are required and when they can or must be conducted. It is recommended that the sections of the Constitution and Regulations relating to casual vacancies should be thoroughly reviewed and amended where necessary to clarify matters.

One obvious candidate for reform would be Regulation 29.3.4, which requires that the polls should open at 9am for a by-election in first semester, a provision that conflicts with everything else in the Regulation about polling hours.

5. Tickets with only one candidate

The complaint that was the subject of Ruling (6) raises an interesting point: that, although both this year and in past years tickets have been registered that have had only one candidate (often running for multiple positions), the language of Regulation 21 strongly suggests that a group of candidates is contemplated.

The Returning Officer declined to uphold the complaint, partly on the grounds that two weeks had elapsed since ticket registrations were announced and it was therefore too late to apply any effective remedy without huge disruption of the election.

Nonetheless, a reduction in the number of artificial or “front” tickets is a worthy goal, and for the future it would be desirable for the Regulations to address this matter, perhaps by providing explicitly that some minimum number of candidates should be required in order to register a ticket.

6. “Independent”

Previous reports have raised concerns about the use of the word “independent” in election material and particularly in a long-standing ticket name. Some campuses ban entirely such uses of the word.

The Returning Officer is of the view that claims to “independence” should be strictly scrutinised, and that if, for example, a ticket issues material endorsing partisan candidates for officer positions or directs preferences to partisan tickets on Students’ Council, it cannot reasonably also claim to be “independent”. Unfortunately, ticket names have to be approved well before evidence about such partisan activity can come to light.

It is recommended that the Regulations should be reviewed so as to address this issue.

Notice of Election

Notice of Election

University of Melbourne Annual Student Election

1 - 5 September 2014

Notice is hereby given that nominations open at 12 midday on Monday 21 July, for the 2014 University of Melbourne Annual Student Election.

Positions to be filled at the election include:

- Office-bearers, committees and Students' Council of the University of Melbourne Student Union (UMSU), including the Burnley Student Department and the Victorian College of the Arts Department
- A student to be recommended for appointment as a Fellow to sit (for a two-year term) on University Council
- A student representative (for a two-year term) on the board of MU Student Union Ltd
- Delegates to the National Union of Students (NUS)

A complete list of positions appears at the end of this notice.

Nominations close at 12 midday on Friday 8 August.

Polling will take place from Monday 1 September until Friday 5 September (inclusive). **All students are eligible to vote.** A detailed schedule of polling times and locations will be posted after close of nominations. Students may also vote by post – applications for postal votes close at 5pm on Wednesday 27 August.

Tickets: Any fifteen (15) students may register a ticket to run in the election by filling in the appropriate form. Applications for Ticket Registration open and close at the same time as nominations. It is not necessary to be on a ticket to run in the election.

Tickets that are running candidates for multi-member positions should also submit a form showing the order in which they wish their candidates to appear. Candidates running for positions that cannot be held concurrently should submit a form showing which positions they wish to hold in case of a conflict.

Ticket registration forms, candidate order forms and conflict of position forms must all be submitted by close of nominations. All forms are available from the Returning Officer or can be downloaded from the election website (see below).

Policy speeches: Candidates may also, with their nominations, submit policy statements for publication in *Farrago* and on the election website. Policy statements must not exceed 300 words for UMSU office-bearer positions or 100 words for all other positions. A photo session for office-bearer candidates will be organized after close of nominations.

Please note that **all deadlines are strict** and cannot be extended. Candidates are strongly urged to lodge their forms well before the deadlines. All forms should be delivered personally to the Returning Officer or an authorised electoral official. (The Election Office will be open extensively throughout the election period, and appointments can be made by phone or email.) Where this is not practicable,

please contact the Returning Officer to make other arrangements. Do not post forms without prior arrangement, as no responsibility will be taken for late or lost forms under those circumstances. It is not possible to accept faxed or emailed forms.

Contact Details

For all enquiries, forms and other election material, contact the Election Office: Old computer centre, fourth floor Union House; Phone: 03 8344 2438.

Or visit the Election website: <http://union.unimelb.edu.au/elections>

Returning Officer: Jaimie Adam (Ph: 04 3073 4043)

Deputy Returning Officer: Charles Richardson (Ph: 03 8060 6597)

Email: ReturningOfficer@union.unimelb.edu.au

Mailing address: UMSU Returning Officer, c/o Above Quota Elections, PO Box 2157, Fitzroy, VIC 3065

Notices will also be posted on the Students' Council notice board, first floor, Union House.

Positions for Election

UMSU Annual Election

Office Bearers:

- President
- General Secretary
- Education (Academic Affairs) Officer
- Education (Public Affairs) Officer
- Welfare Officer
- Wom*n's Officer
- Creative Arts Officer
- Activities Officer
- Queer Officer
- Environment Officer
- Media Officers
- Clubs & Societies Officer
- Indigenous Officer
- Disabilities Officer

Students' Council:

- One representative of each of the following restricted constituencies:
 - Queer students
 - Indigenous students
 - International students
 - Graduate students
 - Students with disabilities
- Fifteen (15) general members elected by all students

Seven (7) members on each of the following Committees:

- Activities Committee
- Creative Arts Committee
- Disabilities Committee
- Education Committee
- Environment Committee
- Indigenous Committee
- Queer Committee
- Welfare Committee
- Wom*n's Committee

Burnley Student Department:

- Campus Coordinator
- Seven (7) general Committee members

Victorian College of the Arts Department:

- Campus Co-ordinator
- Campaigns Co-ordinator
- Activities and Events Co-ordinator
- Seven (7) general Committee members

University of Melbourne Council

One (1) student to be recommended for appointment as a Fellow to sit on the Council of the University.

Note: This position is for a two-year term, to run until 31 December 2016. The person elected will need to remain a student for the whole of the term.

MU Student Union Ltd.

One (1) student member of the board of MU Student Union Ltd.

Note: This position is for a two-year term, to run until 31 October 2016. The person elected will need to remain a student for the whole of the term.

National Union of Students

Seven (7) Delegates to the National Conference of the National Union of Students Inc., in accordance with the rules of NUS

Restrictions on election

Any student may nominate for any position unless otherwise specified below.

The position of Media Officers must be held jointly by teams of three or four candidates. All other officer positions, except for President and General Secretary, may be held either individually or by two candidates jointly. Candidates who are running as a team should each fill out a nomination form and submit them stapled together, with a single policy statement.

Candidates for Wom*n's Officer and Wom*n's Committee must be women. For all other committees, including the Burnley and VCA Committees and the general members of Students' Council (but not the NUS delegation), at least half of the members (ignoring remainders) must be women, provided there are sufficient female candidates.

Candidates for Queer Officer, Queer Representative on Students' Council and Queer Committee must be Queer students. (See Regulation 32.4 for further detail.) A single candidate for Queer Officer must be a woman or trans*; in the case of joint candidates for Queer Officer, at least one of them must be a woman or trans*.

Candidates for Indigenous Officer, Indigenous Representative on Students' Council and Indigenous Committee must be Indigenous students.

Candidates for Disabilities Officer, Disabilities Committee and the Disability Representative on Students' Council must be students with disabilities. Candidates for International Representative on Students' Council must be International students. Candidates for Graduate Representative on Students' Council must be Graduate students.

Candidates for the Burnley positions must be enrolled at the Burnley campus. Candidates for the VCA positions must be students of the Faculty of the VCA and Music.

No person can stand for election if they are employed half-time or more by UMSU, the University, MU Student Union Ltd or related bodies, or any combination thereof. In the case of the University Council position that includes any casual employment with the University. No person can stand for an office-bearer position if they have already served two terms of office as an office-bearer.

For further information on eligibility to stand and to vote in the election, please consult the Election

Above Quota Elections Pty Ltd

Regulations, available at the UMSU Office and on the election website. Copies of the Regulations can also be obtained at the Election Office, where further enquiries are welcome.

Jaimie Adam
Above Quota Elections Pty Ltd
Returning Officer

18 July 2014

Nominations

UNIVERSITY OF MELBOURNE ANNUAL STUDENT ELECTION

1 – 5 SEPTEMBER 2014

NOMINATIONS (IN BALLOT PAPER ORDER)

President

Justin Chua (Melbourne United)
Ulya Miami Efrina Jamson (Left Action)
Michael Sabljak (Fresh)
Daniel Born (Liberal)
Rachel Withers (ignite)
Stephanie Kilpatrick (Stand Up!)
Mona Serrat (No Crime to Seek Asylum)
Jacoby Akehurst (Smokers' Rights)

General Secretary

Hana Dalton (Stand Up!)
Daniel Born (Liberal)
Zoe Efron (None of the Above)
Annto Hassen (Melbourne United)
Jacoby Akehurst (Smokers' Rights)
Charles Cartney (Fresh)
Patrick Dollard (Activate)
Sophia Liu (ignite)

Education (Academic Affairs) Officer

Jacoby Akehurst (Smokers' Rights)
Shanley Price & Nellie Montague (Stand Up!)
Daniel Born (Liberal)
Iris Leong & Aza David Ye (Melbourne United)
Andrew O'Shea (Fresh)
Zoe Efron (None of the Above)
Patrick Wingrove-Lupton & Liam Moloney (ignite)

Education (Public Affairs) Officer

Daniel Born (Liberal)
Rafael Tudehope (Fresh)
Jade Eckhaus & Ruby Healer (ignite)
Nathaniel Seddon-Smith & Conor Serong (Stand Up!)
Jacoby Akehurst (Smokers' Rights)
Zoe Efron (None of the Above)
Jenifer Phiri & Colton Carner (Melbourne United)

Welfare Officer

Stefan Eracleous (Fresh)
Winn Ma & Sir Jieh Howe (Melbourne United)
Jacoby Akehurst (Smokers' Rights)
Wang Gaoqin & Si Hua Angie Zhang (ignite)
Daniel Born (Liberal)
Zoe Efron (None of the Above)
Austin Jefferson Wang & James Bashford (Stand Up!)

Wom*n's Officer

Zoe Efron (None of the Above)
Allison Ballantyne & Lucy Curtis (Stand Up!)
Hei Man (Natalie) Ma & Tashia Ratnayeke (Melbourne United)
Christine Abiad (Fresh)
Cassandra Kambouris & Deborah Wu (ignite)

Creative Arts Officer

Bonnie Leigh-Dodds & Isabella Vadiveloo
(Activate)
Sharada Vartak & Amy Forster
(Melbourne United)
Christopher Uber
Zoe Efron (None of the Above)

Activities Officer

Deniz Tuncer & Samson Goh (Melbourne
United)
James Baker & Hayden Michaelides (More
Activities!)
Zoe Efron (None of the Above)
Jesse Lambourn & Sarah-Lou Harris (Left
Action)

Queer Officer

Margarita Arboleda Henao (Melbourne
United)
Lloyd Rouse & Andrea Bozic (Activate)
Sadia Schneider & Vashti Kenway (Left
Action)

Environment Officer

Lauren Englefield & Daniel Sullivan
(Activate)
A. Carolina Morales Cortes & Jonathan Li
(Melbourne United)
Robert Narai (Left Action)
Zoe Efron (None of the Above)

Media Officers

Madeleine Cleeve Gerkens, Martin
Ditmann, Lynley Eavis & Simon Farley
(Independent Media)
Monisha Ramesh Sharma, Michelle Goyes,
Chan Hiu Kiu & Wai Man (Raymond) Chan
(Melbourne United)

Clubs & Societies Officer

Claire Pollock & Stephen Smith (More
Activities!)
Zoe Efron (None of the Above)
Steph Price (Left Action)
Azri Johuri & Brian Fu (Melbourne United)

Indigenous Officer

Tyson Holloway-Clarke
Provisionally elected unopposed

Disabilities Officer

Susannah Gordon & Cheryllyn Chong
(Activate)
Provisionally elected unopposed

**Students' Council General
Representatives**

Liberal

Daniel Born

ignite

Hoi Lam Ada Chan
Stephen Mitas
Jakob von der Lippe
Feifei Ziao

Linden Denholm
Cassandra Lutzko
Zihao Wang

Ashlea Gilmore

Melbourne United

Glenn Davies
Nurhamisah Jamal
Alice-Ginevra Micheli
Kathy Nguyen
Chay Zhu En
Ee Wern Wong
Sharifa Tartoussi
Hugh Binks
Moemen Ahmad Chaouk

Salma Zarook

Khalid Elsaafien

Smokers' Rights

Jacoby Akehurst

Left Action

Lia Vassiliadis
Audrey Whybrow
Anneke Demanuele
Jesse Lambourn

Lawrence Lim

Robert Narai

More Activities!

Itsi Weinstock

Karly Banks

Yasmine Luu

Marlo Zambelli

Tom Walker

Daphane Ng

Keit Loi

Nic Finger

Stand Up!

Steven Connolly

Vishaki Vijayakumar

Lachlan Gell

Destan Dikbas

Eleanor Ryan

Annalivia Carli Hannan

Jo Steinle

Michaellean O'Donnell

Sarah Xia

Declan McGonigle

Fresh

Charles Gerrand

Toby Wooldridge

Michael Horner

Catherine Liew

Stop the War in Gaza

Mark Kettle

Independent Media

Danielle Bagnato

Sarah Layton

Gajan Thiyagarajah

Tegan Iversen

Duncan Willis

Nathan Fioritti

Students for Palestine

Jeremy Gibson

Change.

Jim Smith

Buy Back the Bar

Kara Hadgraft

F*ck Tony Abbott

Emma Dook

No Crime to Seek Asylum

Mona Serrat

Abigail Benham-Bannon

Hajira Saed

Katrina Dunn

Wong Guan Jie

Dylan Kay

Activate

Patrick Dollard

Kathryn Yan

Sam Templeton

Justine Rudock

Elsher Keir

Caroline Ridler

Queer Representative on Students' Council

Kathryn Yan (Activate)

Sadia Schneider (Left Action)

Akira Boardman (ignite)

Jessica Gray (Stand Up!)

Dylan Pedersen (Fresh)

Indigenous Representative on Students' Council

Amba-Rose Atkinson

Provisionally elected unopposed

International Representative on Students' Council

Ernest Goujon (Stand Up!)

Jingchang Zou (ignite)

Mohammad Reza Abbassi (Melbourne United)

Ulya Niami Efrina Jamson (Left Action)

Graduate Representative on Students' Council

Thomas Whiteside (Stand Up!)

Ben Fourniotis (ignite)

Michael Scott (Fresh)

Robert Narai (Left Action)

Mandy Li (Melbourne United)

Disabilities Representative on Students' Council

Dorothy Meng (Activate)

Ezgi Bridger (ignite)

Activities Committee

Liberal

Daniel Born

More Activities!

Timmy Dunn

Marlo Zambelli

Liam Leyden
Edmund Kron
Dan Hanna
Fresh
Mark Presser
Ben Zerbe
Charles Gerrand
ignite
Chloe Ye
Smokers' Rights
Jacobus Akehurst
Melbourne United
Rachel Rodrigoe
Mehak Sheikh
Eddie Sam
William Wade
William Dai
Buy Back the Bar
Kara Hadgraft
Stand Up!
Clare McLeod
Michaellean O'Donnell
Megan Pollock
Steven Connolly
Lisa Trinca
Lachlan Gell

Creative Arts Committee

Liberal
Daniel Born
Activate
Jess Evans
Alexander Thom
Clancy Moore
Kathryn White
Jai Leeworthy
Melbourne United
Roy Gong
ignite
Chris Weir
Xi Wang
Catriona Nguyen-Robertson
Yuhan Yin
Akira Boardman
Alexandra Edsor
Fresh
Michael Horner

Xavier Botta
Smokers' Rights
Jacobus Akehurst
More Activities!
Tom Fitzgerald
Stand Up!
Jasmine Schipp
Jarrod Allen
Anthony Kupier
Shaw Faewynn
Rosie Balcomb

Disabilities Committee

Activate
Jess Evans
Alston Chu
Lauren Taylor
Jessica Keeffe
Caroline Ridler
Claudia Yandle
ignite
Ezgi Bridger
Fraser Jones
Stand Up!
Adriana Mells
Jarrod Allen
Adam Papley
Vishaki Vijayakumar
Jo Steinle

Education Committee

Melbourne United
Eugene Wong
Chay Zhu En
Hao Kuan Liu
Murong Wang
Buy Back the Bar
Kara Hadgraft
Smokers' Rights
Jacobus Akehurst
Liberal
Daniel Born
Fresh
Luke Corcoran
Brendan Tam
Catherine Liew
Lachlan McLean

Stand Up!

Dominic Cernaz

Alex Fielder

Tess Grimmond

Yan Zhuang

Destan Dikbas

Chris Brack

ignite

Paul Sakkal

Simon Frankland

Alexia Tassios

Linden Denholm

Alex Edsor

Monika Grierson

Left Action

Anneke Demanuele

Lawrence Lim

Audrey Whybrow

Kim Doyle

Lia Vassiliadis

Stop the War in Gaza

Mark Kettle

Environment Committee

Smokers' Rights

Jacoby Akehurst

Stand Up!

Adam Papley

Courtney Colclough

Savannah Shukla

Marlee Zirkler

Stephanie Met

Jasmine Schipp

Melbourne United

Amani Zayegh

Fresh

Alexander Arase

Lachlan McLean

Michael Horner

Ben Zerbe

Liberal

Daniel Born

Activate

Justine Rudock

Joscelyn Wynter

Deborah Peake

Blossom Ah Ket

Jackson Gable

Alex Mraz

ignite

Thomas Edyru Mudie

Yuwei (Annie) Zhang

Yuhan Yin

Zitong (Tony) Gao

Mei (Tiffany) Yan

Junda Fang

Indigenous Committee

Robert Lean

Eloise Bentley

Amba-Rose Atkinson

Alara May

All provisionally elected unopposed

Queer Committee

ignite

Daniel Beratis

Alex Edsor

Akira Boardman

Chris Weir

Didi Yang

Samuel Donnelly

Activate

Asiel Yair Adan Sanchez

Alston Chu

Kathryn Yan

Rebecca Rudd

Josh Pratt

Tobias Gustavsson

Stand Up!

Rebecca Duke

Lindsey Motteram

Ryan Mitchell

Declan Shaw

Shaw Faewynn

Welfare Committee

Stand Up!

David Coates

Tess Grimmond

Adam Wojcik

Sarah Xia

Jeremy Metha

Buy Back the Bar

Kara Hadgraft

Liberal

Daniel Born

Fresh

Nicholas Fulton

Marcus Sultani

Corey Mathrick

ignite

Nai Kiu Wong

Sophie (Shuwengi) Sun

Stephen Mitas

Yun Xiong

Ahmad Zaky Mohd Aris

Thomas Edyru Mudie

Melbourne United

Murong Wang

Zi Qiong Neoh

Mehak Sheikh

More Activities!

Rebekah Drake

Wom*n's Committee

Stand Up!

Yan Zhuang

Adriana Mells

Clare McLeod

Peggy Gusah

Rosie Balcomb

Courtney Colclough

Fresh

Stephanie Trajcevska

Catherine Liew

Alexandra Murrell

Grace Middleton

Melbourne United

Zi Qiong Neoh

Rachel Rodrigoe

Carone Nkhonjera

Murong Wang

ignite

Ashlea Gilmore

Taylor Mitas

Mei (Tiffany) Yan

Monika Grierson

Alexandra Edsor

Dudu Yang

Activate

Mihika Upadhyaya

Kathryn Yan

Dorothy Meng

Cara Greenham Hancock

Blossom Ah Ket

Jenny Huang

Campus Co-ordinator, Burnley Student Department

NO NOMINATIONS RECEIVED

Burnley Students Department Committee

NO NOMINATIONS RECEIVED

Campus Co-ordinator, Victorian College of the Arts

Van Rudd (Left Action)

Nicola Nemaric (More Activities!)

Campaigns Co-ordinator, Victorian College of the Arts

James Crafti (Left Action)

Provisionally elected unopposed

Activities & Events Co-ordinator, Victorian College of the Arts

Alex Edsor (ignite)

Provisionally elected unopposed

Victorian College of the Arts Department Committee

Left Action

Nicholas Kyriacou

Sam Bennett

Melanie Lazarow

Van Rudd

James Crafti

More Activities!

Hannah Samuel

Georgia Symons

Georgina Harriss

Christabel Taylor-Brown

Marie Kelly

Activate

Quinn Hogan

University Council Fellow

Declan McGonigle (Stand Up!)
Dominic Raff (Fresh)
Christopher Uber
Naren Rajan (Melbourne United)
Patrick Clearwater (More Activities!)

MU Student Union Ltd. Board

Steven Connolly (Stand Up!)
Fayyad El Wazni (Melbourne United)
Kara Hadgraft (Buy Back the Bar)
Jim Smith (Change.)
Lennard Iosif (Fresh)
Stephen Smith (More Activities!)

National Union of Students Delegates

ignite

Samuel Donnelly
Ying (Cynthia) Li
Sophia Liu
Feifei Liao
Ezgi Bridger
Feiying (Fiona) Pu
More Activities!

Rebekah Drake
Students for Palestine

Jeremy Gibson
Stand Up!

Lloyd Rouse
Ella Fabry
James Bashford

Jaimie Adam
Above Quota Elections Pty Ltd
Returning Officer

12 August 2014

Stephanie Kilpatrick
Declan McGonigle
Hana Dalton
Left Action
Jade Eckhaus
Lia Vassiliadis
Lawrence Lim
Vashti Kenway
Audrey Whybrow
Anneke Demanuele
F*ck Tony Abbott
Emma Dook
Stop the War in Gaza
Mark Kettle
Melbourne United
Sannan Ijaz
Vaishnari Behara
Nahyan Farooq
James Pyta
Ken Lok
Mian Nouman Talat
Buy Back the Bar
Kara Hadgraft
Change.
Jim Smith

Queer Committee By-Election

NO NOMINATIONS RECEIVED

Turnout

	Monday 1 September	Tuesday 2 September	Wednesday 3 September	Thursday 4 September	Friday 5 September	Total for week
Baillieu Library	288	348	291	335	436	1,698
Union House	268	298	222	234	379	1,401
FBE	73	72	56	50	89	340
ERC		66	55	43		164
VCA		76	48	74		198
Burnley			2	8		10
Postals					1	1
Total	629	860	674	744	905	3,812
2013	564	795	711	742	971	3,783

Note: This table records raw turnout, and therefore includes the 19 provisional votes that were not ultimately admitted to the count, plus a small number of voters who abandoned or discarded their ballot papers. The total valid vote was 3,780.

Results

UNIVERSITY OF MELBOURNE ANNUAL STUDENT ELECTION 1 – 5 SEPTEMBER 2014

FULL PROVISIONAL DECLARATION OF RESULTS

All counting has now been completed. The following are provisionally declared elected:

President

Rachel Withers (ignite)

General Secretary

Hana Dalton (Stand Up!)

Education (Academic Affairs) Officer

Shanley Price & Nellie Montague (Stand Up!)

Education (Public Affairs) Officer

Conor Serong (Stand Up!) *[see note below]*

Welfare Officer

James Bashford (Stand Up!)

Wom*n's Officer

Allison Ballantyne & Lucy Curtis (Stand Up!)

Creative Arts Officer

Bonnie Leigh-Dodds & Isabella Vadiveloo (Activate)

Activities Officer

James Baker & Hayden Michaelides (More Activities!)

Queer Officer

Lloyd Rouse & Andrea Bozic (Activate)

Environment Officer

Lauren Englefield & Daniel Sullivan (Activate)

Media Officers

Madeleine Cleeve Gerkens, Martin Ditmann, Lynley Eavis & Simon Farley (Independent Media)

Clubs & Societies Officer

Claire Pollock & Stephen Smith (More Activities!)

Indigenous Officer

Tyson Holloway-Clarke *[unopposed]*

Disabilities Officer

Susannah Gordon & Sasha Chong (Activate) *[unopposed]*

Students' Council General Representatives (in order of election)

Steven Connolly (Stand Up!)

Hoi Lam Ada Chan (ignite)

Itsi Weinstock (More Activities!)

Lia Vassiliadis (Left Action)

Glenn Davies (Melbourne United)

Patrick Dollard (Activate)

Vishaki Vijayakumar (Stand Up!)

Stephen Mitas (ignite)

Lachlan Gell (Stand Up!)

Jacob von der Lippe (ignite)

Destan Dikbas (Stand Up!)

Karly Banks (More Activities!)

Feifei Liao (ignite)

Charles Gerrand (Fresh)

Danielle Bagnato (Independent Media)

Students' Council: Queer Representative

Akira Boardman (ignite)

Students' Council: Indigenous Representative

Amba-Rose Atkinson [*unopposed*]

Students' Council: International Representative

Sabrina Jingchang Zou (ignite)

Students' Council: Graduate Representative

Ben Fourniotis (ignite)

Students' Council: Disabilities Representative

Ezgi Bridger (ignite)

Activities Committee (in order of election)

Clare McLeod (Stand Up!)

Chloe Ye (ignite)

Timmy Dunn (More Activities!)

Marlo Zambelli (More Activities!)

Michaellean O'Donnell (Stand Up!)

Liam Leyden (More Activities!)

Rachel Rodrigoe (Melbourne United)

Creative Arts Committee (in order of election)

Jasmine Schipp (Stand Up!)

Chris Weir (ignite)

Tom Fitzgerald (More Activities!)

Jarrold Allen (Stand Up!)

Xi Wang (ignite)

Jess Evans (Activate)

Roy Gong (Melbourne United)

Disabilities Committee (in order of election)

Ezgi Bridger (ignite)

Adriana Mells (Stand Up!)

Jess Evans (Activate)

Fraser Jones (ignite)

Jarrold Allen (Stand Up!)

Adam Papley (Stand Up!)

Vishaki Vijayakumar (Stand Up!)

Education Committee (in order of election)

Dominic Cernaz (Stand Up!)

Paul Sakkal (ignite)

Alex Fielden (Stand Up!)

Simon Frankland (ignite)

Tess Grimmond (Stand Up!)

Anneke Demanuele (Left Action)

Murong Wang (Melbourne United)

Environment Committee (in order of election)

Adam Papley (Stand Up!)

Thomas Mudie (ignite)

Justine Rudock (Activate)

Courtney Colclough (Stand Up!)

Yuwei (Annie) Zhang (ignite)

Savannah Shukla (Stand Up!)

Alexander Arase (Fresh)

Indigenous Committee

Amba-Rose Atkinson

Eloise Bentley

Robert Lean

Alara May

[*All unopposed*]

Queer Committee (in order of election)

Daniel Beratis (ignite)

Rebecca Duke (Stand Up!)

Asiel Yair Adan Sanchez (Activate)

Alex Edsors (ignite)

Lindsey Motteram (Stand Up!)

Akira Boardman (ignite)

Ryan Mitchell (Stand Up!)

Welfare Committee (in order of election)

David Coates (Stand Up!)

Keefe Wong (ignite)

Tess Grimmond (Stand Up!)

Sophie Sun (ignite)

Adam Wojcik (Stand Up!)

Rebekah Drake (More Activities!)

Murong Wang (Melbourne United)

Wom*n's Committee (in order of election)

Ashlea Gilmore (ignite)

Yan Zhuang (Stand Up!)

Taylor Mitas (ignite)

Adriana Mells (Stand Up!)

Mei (Tiffany) Yan (ignite)

Mihika Upadhyaya (Activate)

Clare McLeod (Stand Up!)

University Council Fellow

Declan McGonigle (Stand Up!)

MU Student Union Ltd. Board

Steven Connolly (Stand Up!)

National Union of Students Delegates (in order of election)

Lloyd Rouse (Stand Up!)

Samuel Donnelly (ignite)

Rebekah Drake (More Activities!)

Ella Fabry (Stand Up!)

Cynthia Li (ignite)

James Bashford (Stand Up!)
Jade Eckhaus (Left Action)

VCA Campus Co-ordinator
Van Rudd (Left Action)

VCA Campaigns Co-ordinator
James Crafti (Left Action) [*unopposed*]

VCA Activities & Events Co-ordinator
Alex Edsor (ignite) [*unopposed*]

VCA Department Committee (in order of election)

Nicholas Kyriacou (Left Action)
Hannah Samuel (More Activities!)
Sam Bennett (Left Action)
Melanie Lazarow (Left Action)
Georgia Symons (More Activities!)
Quinn Hogan (Activate)
Georgina Harriss (More Activities!)

No nominations were received for the following positions:

Burnley Campus Coordinator
Burnley Department Committee
Queer Committee By-Election

Note

Nathaniel Seddon-Smith was on the ballot paper with Conor Serong for the position of Education (Public Affairs) Officer but was disqualified by the Electoral Tribunal at its meeting of 11 September.

Recounts and Appeals

Any requests for recounts must be made within three working days of this notice, that is, by close of business on Wednesday 17 September. Requests must be in writing and should be made to the Returning Officer c/o Union House, or by email to ReturningOfficer@union.unimelb.edu.au.

Appeals against the election results must be made within three working days of this notice, or, if a recount is conducted, within three working days of the recount. Appeals must be in writing and addressed to the Electoral Tribunal. Any appeals lodged with the Returning Officer will be forwarded to the Tribunal.

Details of the count are available on request from the Returning Officer, and will be published in the Returning Officer's Report. The Electoral Tribunal will declare the final result of the election after receiving the Returning Officer's Report and resolving any appeals.

12 September 2014

Jaimie Adam
Above Quota Elections Pty Ltd
Returning Officer

Complaints

Complainant	Date	Summary	Response
Declan McGonigle	1-Aug	That the coloring and design used by ignite was misleading.	The ticket concerned agreed to modifications which in the Returning Officer's opinion met the objection.
Matthew Thomas	8-Aug	That the Change. ticket name was misleading and should not be registered.	See Ruling (2) and Appeal (1).
Stephen Smith	8-Aug	That the Melbourne United ticket name should not be registered.	See Ruling (1).
Joshua Anderson	11-Aug	That the Melbourne United ticket name should not be registered.	See Ruling (1).
Sam Donnelly	15-Aug	That the Melbourne United ticket had offered inducements for people to nominate as candidates.	Investigation failed to substantiate the complaint.
Sam Donnelly	24-Aug	That the Stand Up! ticket had engaged in excessive posterage.	The ticket concerned was warned.
Declan McGonigle	25-Aug	That Left Action had been posterage over other tickets' material.	The ticket concerned was warned.
Declan McGonigle	25-Aug	That an ignite leaflet contained misleading claims.	The ticket concerned agreed to change some of the material; in other respects the complaint was not sustained.
Patrick Clearwater	25-Aug	That a Melbourne United campaign video breached the rules for videos.	The ticket concerned was required to modify the video.
Declan McGonigle	26-Aug	That an ignite candidate had tried to prevent Stand Up! candidates from attending an UMSU event.	The ticket, which denied the allegation, was warned.
Patrick Clearwater	26-Aug	That use of the social media site Weibo for election purposes should not be permitted.	See Ruling (3).
Sam Donnelly	26-Aug	That the Stand Up! Facebook page was misleading.	Investigation failed to substantiate the complaint.
Sam Donnelly	26-Aug	That the coloring used on Stand Up! material was misleading.	Investigation failed to substantiate the complaint.
Sam Donnelly	26-Aug	That a Stand Up! barbeque raised concerns about inducement and subsidisation.	The Returning Officer advised the ticket concerned about the requirements of the Regulations.

Sam Donnelly	27-Aug	That Stand Up! had been posting over other tickets' material.	The ticket concerned was warned.
Tom Hayes	27-Aug	That tickets with only one candidate should not have been registered.	See Ruling (6).
Declan McGonigle	28-Aug	That the ignite women's policy was misleading.	Investigation failed to substantiate the complaint.
Sam Donnelly	28-Aug	That misleading claims were made on a Stand Up! candidate's Facebook page.	Investigation failed to substantiate the complaint.
Sam Donnelly	28-Aug	That several candidates abused their UMSU positions at the Stand Up! barbeque.	See Ruling (5).
Tom Walker	29-Aug	That the Left Action ticket had abused UMSU resources at an event at VCA	The ticket concerned was banned for a period.
Tom Walker	29-Aug	That the Stand Up! barbeque breached the Regulations in various ways.	See Ruling (5); in other respects the complaint was not sustained.
Tom Walker	30-Aug	That Stand Up!'s claims about Clubs & Societies funding were false and misleading.	The ticket was required to change the material.
Sam Donnelly	31-Aug	That misleading claims were made on a Stand Up! leaflet.	The ticket concerned agreed to change some of the material; in other respects the complaint was not sustained.
Declan McGonigle	1-Sep	That Stand Up! posters had been vandalised.	Investigation failed to identify anyone responsible.
Isabelle Kingshott	1-Sep	That a Fresh campaigner was campaigning in North Court.	The ticket concerned was warned.
Isabelle Kingshott	1-Sep	That a Stand Up! candidate had been campaigning during a period when the ticket was banned.	The breach appeared to be inadvertent, but the ticket concerned was warned.
Pat Dollard	1-Sep	That an ignite candidate had engaged in intimidation.	The Returning Officer disagreed with this interpretation of the matter, but the candidate was warned.
Pat Dollard	1-Sep	That Fresh posters did not contain the words "Please recycle".	The ticket concerned was asked to include them in future.
Sam Donnelly	1-Sep	That members of the Fresh ticket had engaged in harassment and other prohibited conduct.	The ticket concerned was warned.
Sarina Murray	1-Sep	That the Left Action ticket had posted unauthorised material on tumblr.	Investigation failed to substantiate the complaint.
Akira Boardman	2-Sep	That she had been harassed by a Stand Up! candidate.	The ticket concerned was warned.
Declan McGonigle	2-Sep	That an ignite candidate had made misleading statements about the Stand Up! ticket.	The ticket concerned was warned.

Isabelle Kingshott	2-Sep	That a Stand Up! campaigner had been campaigning during a period when the ticket was banned.	Investigation failed to substantiate the complaint.
Sam Donnelly	2-Sep	That a Stand Up! campaigner had engaged in improper chalking.	The conduct alleged did not amount to a breach of the rules.
Sam Donnelly	2-Sep	That a Stand Up! campaigner was blocking access to other campaigners.	The ticket concerned was warned.
Sam Donnelly	2-Sep	That members of Stand Up! were campaigning during a period when their ticket was banned.	Investigation failed to substantiate the complaint.
Bridget Bourke	3-Sep	That No Crime to Seek Asylum had been postering over other tickets' material.	The ticket concerned was warned.
Bridget Bourke	3-Sep	That a Stand Up! candidate had been campaigning in the Baillieu Library.	The candidate concerned was warned.
Declan McGonigle	3-Sep	That Left Action material made misleading claims about student rallies.	Investigation failed to substantiate the complaint.
Declan McGonigle and Stephanie Kilpatrick	3-Sep	That Left Action campaigners had engaged in intimidation and harassment.	The ticket, which denied the allegation, was warned.
Ella Fabry	3-Sep	That two Left Action campaigners had engaged in intimidation and harassment.	The ticket concerned was given a final warning about harassment.
Michael Sabljak	3-Sep	That he had been harassed by two Left Action candidates.	See Ruling (7).
Michael Sabljak	3-Sep	That Left Action campaigners had made misleading statements.	The ticket concerned was warned.
Pat Dollard	3-Sep	That a Left Action Facebook page lacked authorisation.	Investigation failed to substantiate the complaint.
Patrick Clearwater	3-Sep	That Left Action campaign material had been left in an academic space.	The ticket concerned was warned.
Sam Donnelly	3-Sep	That Stand Up! candidates had been campaigning inside Union House.	The ticket concerned was warned.
Sam Donnelly	3-Sep	That he had been harassed by Stand Up! campaigners.	The Returning Officer did not regard the conduct alleged as a breach of the rules.
Declan McGonigle	4-Sep	That an ignite campaigner had been campaigning during a period when the ticket was banned.	Investigation failed to substantiate the complaint.
Declan McGonigle	4-Sep	That a More Activities! candidate had posted unauthorised material on Facebook.	The candidate concerned was banned for a period.
Isabelle Kingshott	4-Sep	That Stand Up! and Fresh campaigners had made misleading claims about the ignite ticket.	The tickets concerned were warned.

Mark Kettle	4-Sep	That a non-student was campaigning for ignite on Facebook.	The ticket concerned had one of its campaigners banned for a period.
Michael Sabljak	4-Sep	That an ignite candidate was campaigning within the limits of a polling place.	The candidate concerned was banned for a period.
Rachel Withers	4-Sep	That a Stand Up! candidate had been illicitly campaigning at a club barbeque.	The candidate concerned was banned for a period, but more serious aspects of the complaint were not sustained.
Sam Donnelly	4-Sep	That Activate had been postering over other tickets' material.	The ticket concerned was warned.
Sam Donnelly	4-Sep	That ignite material had been interfered with.	Investigation failed to identify anyone responsible.
Sarina Murray	4-Sep	That conduct by a More Activities! campaigner amounted to sexual harassment.	The Returning Officer disagreed with this interpretation of the matter, but the ticket was warned.
Sophia Liu	4-Sep	That a Stand Up! Candidate was making misleading statements.	Investigation failed to substantiate the complaint.
Stephen Smith	4-Sep	That a Stand Up! candidate had engaged in harassment.	The candidate concerned was warned.
Declan McGonigle	5-Sep	That an ignite campaigner had been wearing a campaign t-shirt during a period when the ticket was banned.	The campaigner concerned was banned for a period.
Rachel Withers	5-Sep	That a Buy Back the Bar candidate had posted unauthorised material on Facebook.	The Returning Officer felt it was unclear whether the material required authorisation, but the candidate was warned.

Rulings

Ruling (1) of the Returning Officer

In relation to a complaint lodged by Stephen Smith against the registration of the Melbourne United ticket, the Returning Officer rules as follows:

1. That the name Melbourne United is sufficiently differentiated from the previous Unite ticket as to not require a sign-over from the last registrant of Unite;
2. That the names are sufficiently differentiated as to not be confusing or misleading to voters;
3. That the branding of political tickets is more often than not an aspirational statement, thus a claim to universality of representation by Melbourne United is no more misleading than many other ticket names; and
4. There is no implied connection between a political ticket and a new, but hardly prominent, basketball franchise that is likely to cause confusion for voters. The 2008 ruling to which the complainant refers was based upon the fact that both entities were part of the media 'industry'.

Thus, the complaint is not sustained.

Jaimie Adam
Returning Officer
10.8.14

Ruling (2) of the Returning Officer

In response to the objection lodged by 2013 Change. candidate Matthew Thomas against the registration of the Change. ticket for the 2014 election, the Returning Officer rules as follows:

1. With respect to the claim that the registration has breached s44.1 of the UMSU Electoral Regulations, the Returning Officer finds that there has been no dishonest conduct in the registration of the ticket. There is no dispute that the ticket was signed over by the 2013 authorising officer as per s21.5.
2. With respect to the claim that the registration has breached s44.3, the Returning Officer finds that there is no evidence to date that the authorising officer or signatories of Change. 2014 have engaged in any misleading or deceptive conduct.
3. With respect to the request that the Returning Officer exercise his discretion as per s21.6, the Returning Officer finds that there is no substantive basis for ruling that the Change. ticket name is either misleading or offensive.
4. With respect to the request that the Returning Officer exercise his discretion as per s28.3,

the Change. ticket is yet to submit any material for authorisation that could be deemed to be misleading or deceptive. However, the Change. 2014 ticket is directed to not utilise or replicate the campaign designs of the Change. 2013 ticket.

Jaimie Adam
Returning Officer
18.8.14

Ruling (3) of the Returning Officer

In response to a complaint lodged by Patrick Clearwater concerning use of the social media site Sina Weibo, the Returning Officer rules as follows:

1. Sina Weibo is a Chinese microblogging site, sharing some features of both Facebook and Twitter. Its use for election material has been allowed in the past, subject to proper authorisation.
2. Ruling (3) of 2009, reissued in subsequent years, among other things banned the use of Twitter for election material. When that ruling was codified this year in the Electoral Regulations that specific ban did not appear, but the new Regulation 28.12 provides that “The Returning Officer may ban the use of specific online sites or social media services for election material.” The Returning Officer and candidates had proceeded on the assumption that Twitter remained banned for this election.
3. Although Sina Weibo is not entirely like Twitter, it is sufficiently similar to raise much the same concerns, notably the limitation of posts to 140 characters and the fact that a person’s posts are typically visible to all of their followers.
4. Accordingly, the use of microblogging platforms, including Twitter, Sina Weibo and similar sites, for election material is prohibited.

Jaimie Adam
Returning Officer
26.8.14

Ruling (4) of the Returning Officer

In relation to a nomination received from the ignite ticket for a position with a restricted constituency under Regulation 8.1, the Returning Officer rules as follows:

1. The ticket concerned acknowledges that it nominated a candidate at the last minute without properly checking either their eligibility or their willingness to be nominated for that position.
2. In fact the candidate was concerned when they discovered what they had been nominated for and agreed that they were not eligible.
3. It is fundamental to the electoral process that nominations should represent the genuine and informed wishes of the candidates. The incite tickets processes do not appear to have ensured this would be the case.

4. The case is made more serious by the fact that it concerned a restricted constituency, with the result that the ticket nominated a candidate who was not eligible. The Returning Officer believes that in the circumstances it is appropriate to impose a penalty on the whole ticket.
5. The incite ticket is therefore banned from campaigning for the first half hour of polling, from 10am to 10.30am on Monday 1 September.
6. All tickets are also reminded of the need for proper process in organising nominations, and that many problems could be avoided if nominations were lodged a day or two before the deadline rather than at the last minute.

Jaimie Adam
Returning Officer
29.8.14

Ruling (5) of the Returning Officer

In relation to a complaint made by Sam Donnelly (“the complainant”) against the Stand Up! ticket (“the respondent”), the Returning Officer rules as follows:

1. The UMSU Education Public office’s campaign against the federal government’s proposed education changes with the theme of donating a kidney to pay HECS debts was being conducted on South Lawn yesterday, 28 August. The respondent was holding a campaign barbeque in the same location.
2. It is not disputed that there was a significant overlap between the two events, with participants in the UMSU protest wearing the respondent’s t-shirts. A Facebook post by the Education Public office confirms this impression.
3. Regulation 44.5.18 specifically prohibits the use of official UMSU resources for campaign purposes. Given the number and experience of the participants, the Returning Officer regards this case as a particularly blatant breach of that rule.
4. The Stand Up! ticket is therefore banned from campaigning for the first hour of polling on Tuesday, 2 September, from 10am to 11am.

Jaimie Adam
Returning Officer
29.8.14

Ruling (6) of the Returning Officer

In relation to a complaint made by Tom Hayes (“the complainant”) against the registration of seven tickets, the Returning Officer rules as follows:

1. The complainant alleges that a ticket with only one candidate has not been validly registered under Regulation 21.1, which refers to “a number of Members [who] wish to stand for election on a common platform”.

2. The complainant asserts that under Regulation 21.1 it is a requirement that multiple candidates are required to register a ticket. However, it is the belief of the Returning Officer that “a number of Members [who] wish to stand for election” can be read as “*one or more* Members [who] wish to stand for election”. Therefore, it cannot necessarily be inferred that the plural use in this instance requires multiple candidates.
3. Tickets with only one candidate have been registered on numerous occasions in the past, and in the absence of compelling argument the Returning Officer believes that candidates are entitled to rely on the weight of precedent of previous tacit approval.
4. It is also essential that objections to ticket registrations should be made promptly. In this case more than a fortnight elapsed after ticket names were announced before the complaint was made, meaning that ballot papers had already been printed and no effective remedies would be available except those that were out of all proportion to the seriousness of the alleged offence.
5. Even if the complaint were to be upheld in principle, the suggestion by the complainant that preferences not flow from “above the line” ticket votes, at a point in the election cycle when it is impossible to fully inform voters of such a ruling, would be an egregious violation of democratic principles through the creation of votes of differential value.

Jaimie Adam
Returning Officer
30.8.14

Ruling (7) of the Returning Officer

In relation to a complaint made by Michael Sabljak (“the complainant”) against Jade Eckhaus (“the respondent”), the Returning Officer rules as follows:

1. The complainant alleges that on Tuesday afternoon the respondent accused him of being a Holocaust denier, and that others from her ticket joined in harassing him on this basis. The respondent does not substantially dispute the truth of this account.
2. Extraordinary claims require extraordinary evidence. The fact that candidates’ political beliefs, even relatively extreme ones, may be legitimately enquired about or introduced into argument in a campaign environment, does not mean that a topic like Holocaust denial can be raised without utterly compelling evidence.
3. The Returning Officer believes that in this case that test was not met. Furthermore, experience during the campaign indicates that some members of the respondent’s ticket have a poor idea of the line between argument and harassment.
4. For the avoidance of doubt, all tickets, and the Left Action ticket in particular, are warned that while, for example, asking a political question of a rival campaigner in the course of campaigning is a legitimate tactic, continuing to pester that campaigner with the same question for several minutes after they have manifested a desire not to engage, is harassment in breach of Reg. 44.5.26 and will be treated accordingly.
5. Notwithstanding the above, any further mention of the Holocaust, express or implied, by

any campaigners is banned for the remainder of the election.

Jaimie Adam
Returning Officer
30.8.14

Ruling (8) of the Returning Officer

In relation to a complaint made by Dean (“the complainant”) against Nathaniel Seddon-Smith (“the respondent”), the Returning Officer rules as follows:

1. The complainant alleges that on Thursday morning while campaigning on Monash Road the respondent assaulted him by pushing him, which caused the complainant to fall to the ground.
2. The Respondent conceded to the Returning officer that he was present at the time and that the complainant did fall to the ground. The respondent however contended that he was not responsible for the complainant falling to the ground.
3. The Returning Officer obtained from the University Security Department CCTV footage that showed the incident. The CCTV footage is of a high quality and both the respondent and the complainant are clearly identifiable.
4. The footage shows the respondent deliberately pushing the complainant and the complainant falling to the ground.
5. The Returning Officer is satisfied on the balance of probabilities that the respondent has breached regulation 44.05.28 by assaulting the complainant.
6. Any breach of regulation 44.05.28 is a serious matter and warrants the most serious penalties that the Returning Officer has the power to impose.
7. The Returning officer therefore bans Nathaniel Seddon-Smith from campaigning for the remainder of the election and prohibits him from entering the count room at any time.
8. The Returning Officer does not have the power under the regulations to disqualify a candidate; this power can be exercised by the Electoral Tribunal alone.
9. The Returning Officer will therefore write to the Electoral Tribunal recommending that Nathaniel Seddon-Smith be disqualified from holding the position of Education (Public Affairs) Officer and not be permitted to participate in any further elections.

Jaimie Adam
Returning Officer
4.9.14

Appeal against Ruling (2)

I would like to appeal the ruling of the returning office with regard to the ticket Change. I believe the Returning Officers ruling that “with respect to the claim that the registration has breached s44.3, the Returning Officer finds that there is no evidence to date that the authorising officer or signatories of Change. 2014 have engaged in any misleading or deceptive conduct;”

I appeal of the grounds that

- a) Given the wording of s44.3 the RO failed to take into account that the registration of the name ‘Change.’ and its appearance on the ballot paper is itself misleading.
- b) Given the wording of s44.3 the RO failed to take into account that there does not need to be evidence that someone has actually been misled.

Background

Change. was a ticket run by a number of members of residential colleges in last year’s election which was based around the ideas of accountability, transparency and non-partisan politics. It was created by myself after UMSU passed a motion celebrating the death of Margret Thatcher. It won a number of positions including an office bearer position and two student council positions and numerous committee positions and in some positions had over 1,000 primary votes.

This year, it was decided the ticket wouldn’t run given that it was a specific product of the Thatcher motion and due to the time poor nature of many of the candidates. However, the ticket registrant Patrick Dollard signed over the ticket to Jim Smith and Stand Up!, in preference negotiations. It appears that the ticket has been validly registered, and my submission does not relate to the process of the ticket registration but rather to the fact it is misleading to have the name on the ballot paper, given the name no longer represents the values, aims or people that ran under it last year.

Argument

1. I argue that the appearance of the name ‘Change.’ on the ballot paper would be misleading under s44.3 of the electoral regulations and should thus be prohibited.
 - a. 44.3 states “Any conduct intended or likely to mislead or deceive a voter is prohibited.”
 - b. Misleading given its plain English meaning is to “give the wrong idea or impression” or to “guide wrongly”.
 - c. The appearance of the name ‘Change.’ On the ballot paper would be misleading to a reasonable student. Tickets build brands related to both the individual candidates and the issues. This is particularly true of Change. as its foundations were the personal networks of candidates within residential colleges, its strong issue based stance on accountability and transparency and it’s reactionary stance against the Thatcher motion. The fact that the name is now not representing either the people or the idea’s means that it is likely to mislead a reasonable student into voting for the name on the assumption it has the same aims, values and personal endorsements as last year.
 - i. A reasonable student would be given the wrong impression that either the elected representatives of UMSU who were elected under ‘Change.’ or the candidates from last year endorse the candidate who is running this year. The ticket was based around the personal networks of individuals within the Universities residential colleges and merging a personal following with the brand of the ticket. It was the idea that the individuals were ‘Change.’. A reasonable student would likely be misled into believing the ticket was still

- associated with those people because it is a logical assumption and a significant amount of effort would need to be made to discover otherwise.
- ii. Further, a reasonable student would believe the ticket was still running on the issues of accountability and transparency. This is because the nature of tickets is to build a narrative or brand around what they represent. All the materials and candidate statements created by Change. were related to the issues of accountability and transparency. The brand and ideals of the ticket merge with the name in the eyes of a reasonable student. Thus it would be reasonable for a student to assume that the brand is still attached to the name and they would likely be misled into voting for the ticket based on that brand. This is even more the case if no material was produced by the ticket this year to dispel the brand. The ticket would in effect be 'piggy backing' of the brand from last year.
 - iii. For comparison, I believe it would clearly be misleading if a group of One Nation enthusiasts were to run under a ticket called the "Greens". People who were left aligned would be voting for a right wing party totally alien to the values of the "Greens". I believe this clearly establishes anyone running on a ticket with an established brand which is not their own is misleading voters. Particularly when a ticket is so well established to win an Office Bearer position with over 1,000 votes.
 - iv. There is a large number of people who voted for Change. and it's brand, values and aims. A brand which has been further entrenched as those Office Bearers have served out the year. That is to say, the brand was not just developed in the weeks and months leading up to the election but throughout the actions of our elected representative this year.
- d. In my conversations with the Returning Officers they have outlined that there is no evidence misleading conduct has happened "yet" or "to date" because a preference sheet has not been lodged and no one has voted for the ticket and thus there is no substantial basis for the claim. With the upmost respect, this is not grounded in the words of s44.3. The use of the term 'likely to mislead' is proactive, rather than reactive. The construction of 44.3 specifically, the words 'likely to mislead' implies that no one actually has to have been misled for the conduct to become prohibited, rather if the potential exists for a reasonable student to be misled then it is prohibited.
 - e. Lastly, the usage of 'likely', when given its normal meaning creates a low bar by which something is judged to be misleading. The test is does conduct 'more likely than not, give a student the wrong impression'.
 - i. A reasonable student could walk into the ballot box and vote for Change. this year based purely on the brand established last year. This is because they have been given the wrong impression that they were voting for a ticket with certain values and a certain brand or personal endorsements, when in fact they were not.
2. I argue that the appearance of the name 'Change.' on the ballot paper was intended to mislead under s44.3 of the electoral regulations and should thus be prohibited.
 - a. Pat Dollard, the ticket registrant, has said "I know, but the agreement I have is that after this year they will retire the ticket brand - they won't use it again". The implication from this is that the entire purpose for using the ticket is to use the brand in an attempt to piggy back off it.
 - b. The reason for this is to run the ticket as a feeder ticket "Change. is running as a feeder to Activate and Stand Up!" – Pat Dollard (These quotes are from a facebook conversation, screen shots of which can be provided)
 - c. The ticket is also ran by a Jim Smith who has been a member of Stand Up! For 5 years and the ticket is only running in positions which are proportionally elected and have ticket voting, maximising the effectiveness of a feeder ticket.
 - d. This will become clearer as preference tickets are submitted but the intent is clearly to use the tickets brand to mislead people into voting for it.

Policy Considerations

3. I ask that the Tribunal take into account the policy considerations of not ruling that the appearance of the name 'Change' on the ballot paper is misleading. If this is not judged to be

misleading it creates a high bar for something to be considered misleading. Conduct would need to be of such a highly misleading nature that it would undermine the purposes of UMSU s3.9 of the Constitution which is to be a 'democratic and transparent'.

4. Failure to declare this misleading tacitly endorses a level of deception in student politics which, while present, is not desirable. No one would argue student politics is a clean and transparent affair but that does not mean it shouldn't be. This ruling could be used as a test case to clean up student elections at Melbourne making them cleaner and more transparent, rather than what they are now. Failure to rule this misleading could send a message that a certain level of deception and misleading conduction is allowed, which according to my reading of the regulations, it is not.
5. While there have been rulings on Feeder tickets previously they have mainly focused around the actions of the feeder ticket and whether that should effect the main ticket and whether the name is offensive. This can be distinguished from these cases.

Thank you for considering my appeal,

For the purposes for distinguishing the 2013 ticket of "Change.", posters, social media posts and other election material which relate to the 'brand' and values of "Change." are available, should the Tribunal require them.

Yours Faithfully

Matthew Thomas and James Lenehan

Minutes of the Electoral Tribunal meeting to consider the appeal

Date: **Wednesday, 27th August, 2014**

Time: **9.10am**

Venue: **Training Room 2**, Union House, the University of Melbourne

Minutetaker: **Patrick Clearwater**

Attendance

Electoral Tribunal: **Michael Gronow, Kylie Gould, Saveria Dimasi**

Appellant: **Matthew Thomas**

Returning Officer: **Charles Richardson** (Deputy Returning Officer)

Others: **Patrick Dollard** (former "Change." ticket authorising officer), **Patrick Clearwater, James Lenehan** (from 9.35am)

Oral Arguments

The Electoral Tribunal convened at 9.10am to consider an appeal by Matthew Thomas against Ruling (2) of the Returning Officer.

All present agreed to allow Patrick Clearwater to take Minutes.

The Tribunal invited Thomas to make any arguments he may have in addition to his written submission.

Thomas reiterated his written submission, and drew a distinction between the act of making a political judgement, and then the act of marking a ballot to effect that judgement. He argued that voters may make that judgement on the basis of the previous year's Change. narrative, but then be voting for this year's Change. ticket.

Gronow contended that it was the ticket registrant who makes the judgement on the candidates and policies a ticket adopts. Dimasi noted the swiftness with which the student electorate changed.

Thomas argued the Regulations only require one student be misled.

Gronow noted that tickets change policies and candidates yearly.

Thomas argued that Change. had established a particular “brand” or “narrative” in 2013 that had not been retained in 2014.

Gronow noted that the inclusion of “Change.” on a ballot merely means that name was validly registered according to the Regulations. Dimasi noted people should be voting on policy rather than name.

Thomas argued that was difficult due to the low level of information available in student politics.

Gronow asked whether the Returning Officer should make a value judgment when registering a ticket, and asks what the Returning Officer should do when registering a ticket.

Thomas argued it was obvious the ticket was designed to mislead voters.

Gronow asked whether, hypothetically, if Labor changed all their policies and candidates, whether they’d be allowed to run as Labor. He noted the complaint asks for a substantial change in the interpretation of the Regulations, and that including “Change.” on the ballot paper is just a statement it was validly registered.

Thomas argued that in that hypothetical, Labor would retain the same overall narrative.

Gronow suggested that Thomas was just annoyed how Dollard (2013 authorising officer) had used the ticket this year.

Thomas argued that the conduct was misleading.

Gronow said that it was difficult to accept that changing policies and candidates constituted misleading conduct.

Thomas argued that tickets build a specific brand.

Dimasi noted that if the name was an issue, that students were voting on the name rather than the brand.

Thomas argued for the need to consider the situation pragmatically, as students do not in practice read policy.

Gronow pointed out that policies were published in *Farrago*. Some discussion about whether Change.’s candidate had submitted a policy statement; Richardson and Dollard both said they didn’t think he had.

Gould pointed out that a reasonable person might be suspicious at the lack of policy this year.

Discussion about available remedies, as ballots have been printed. Thomas indicated he was not asking the Tribunal to annul the election.

Clearwater noted that the Tribunal could rule to establish a binding precedent for future elections. He also argued that some tickets are registered solely to “feed” preferences to other tickets, and that the Tribunal could strip the ticket of its preferences, if they felt that was in its power.

Gronow suggested that adjusting a ticket’s preference order was probably not.

The Tribunal invited Dollard to make any comments.

Dollard noted that most groups use names that do not obviously reflect their views. Dollard discussed the purpose of feeder tickets to attract votes that would not otherwise go to the main ticket, and suggested that it would be a “can of worms” to call feeder tickets deceptive.

Richardson noted that the Returning Officer accepted that a ticket registration could hypothetically be misleading, but the burden of proof was high. “Change.” does not wear its political identification on its face.

Thomas reiterated the importance of students being able to ascertain that what the marked on a ballot paper accurately reflected their political judgment, and suggested the requested ruling was narrow.

The Tribunal asked those present to leave while it considered its decision.

James Lenehan arrived at 9.35am.

Tribunal’s Decision

The Tribunal held:

That they did not think the name “Change.” was misleading.

That the name appeared to have been registered in accordance with the Regulations.

The Tribunal did not want to put the Returning Officer in a position of having to make a political judgment on ticket registration.

The Tribunal affirmed that candidates can say what they like about any ticket, including Change. (subject to the Regulations and the law).

The Tribunal agreed that it was possible for a ticket registration to be misleading, but that it was not in this case.

The Tribunal rejected the appeal.

The meeting closed at 9.42am.

Minutes of the Electoral Tribunal to consider the Returning Officer’s recommendation in Ruling (8)

<p style="text-align: center;">UMSU Electoral Tribunal Meeting 2/2014 8am, 11TH September 2014 3rd Floor Training Rooms, Union House</p>

Attendance

Tribunal Members: Michael Gronow (MG), Saveria Demasi (SD) and Kylie Gould (KG)
Above Quota Elections (Returning Officers): Haydn Steel (HS), Charles Richardson (CR)
Students: Nathaniel Seddon-Smith (NSS), Declan McGonigle, Kara Hadgraft, Ryan Davey (RD), Josh Keys-Lilley (JKL), Conor Serong (CSr), Hana Dalton, Jade Eckhaus (JE), Robert (last name not given), Pat Dollard, Patrick Clearwater

Meeting opened at 8:04am

CR: Jaimie Adam (RO) sends his apologies – is unwell.

AQE has requested that the tribunal meet as a serious incident was reported during the elections, which the RO believes deserves a harsher penalty than one the RO is able to give. CCTV footage is available of the incident. CR’s position is that the RO is there to ensure a smooth and fairly run election, and that the Electoral Tribunal has a broader remit for serious issues – therefore this issue is for the Tribunal to decide.

HS: JE approached me with Dean during the elections, saying that Dean had been assaulted by a member of Stand Up!, Nathaniel Seddon-Smith. Dean had an obvious injury to the hand and had chalk marks visible on his shirt. HS went to the scene that the alleged assault occurred and identified a CCTV camera that would've filmed the incident. HS approached University Security to access the footage, which was very clear. NSS was banned for the rest of the day.

The Tribunal asks for the footage, which is shown.

NSS: Would like to unreservedly apologise. It was unacceptable and embarrassing behaviour. Will write a formal apology. Had undergone personal and verbal attacks throughout the week, which had taken a personal toll. There are other personal issues which were also impacting on NSS's state of mind. It was an inexcusable loss of control and a response to sustained intimidation from the opposing ticket.

RD: Identifies himself as the MASS president, and gives a personal reference for NSS. Has known NSS to be personable, passionate and really involved on campus.

MG: Tribunal has 3 options – to ignore the complaint, to formally reprimand NSS or to disqualify NSS from the election

JKL: Would like to argue for a formal reprimand – not that NSS be disqualified. Not a serious breach of the regulations.

CR: Queries whether NSS's co-OB, Conor Serong would be affected by any disqualification – recommends not, since he had won the position.

MG: Agrees with CR that there should be no action against CSr

Robert: This was a very serious breach of the regulations, that is not being taken seriously enough by NSS and Stand Up!

JE: Dean isn't here, he's very upset. There were previous reports of assault (which was unsubstantiated by the RO). Calls for a by-election – which is more appropriate than a disqualification – as it hurts the ticket, which should be responsible for all its campaigners.

MG: Tribunal has no power to act against CSr – he has fairly won the position, and anything that occurs today will not alter this result.

SD asks for a report from AQE on the behaviour of the election this year.

CR states that it was a pretty average year – that there is nothing far-fetched in the idea that NSS was provoked – NSS's actions still not an appropriate response. Found Dean to be credible.

HS: Provocation is not a defence.

SD: Any other similar complaints through the election?

CR: Various complaints re: low-level intimidation, and harassment

The electoral tribunal retire to Training Room 1 for a discussion, and return 5 minutes later

MG: There is no dispute that this was an assault, which is contrary to 44.2.8.

- The Tribunal deems it to be beyond reprimand, and a serious breach.
- NSS should not be excluded from future elections.
- The Electoral Tribunal declare him not elected for 2015.
- The Tribunal would like to make it clear that Conor Serong has been duly elected, and there will be no by-election for this position.

Declaration

I hereby declare that the 2014 University of Melbourne Annual Student Election was conducted and administered with impartiality by myself and the directors and staff of Above Quota Elections Pty Ltd.

Jaimie Adam
Returning Officer
13 October 2014.

Appendix: Full Details of Counting