

PROBITY 2017 DISPUTES REPORT



Produced by Team Probity 2017

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Acknowledgements

This report was produced by the Probity Officers in accordance with the requirements listed under the Australian National University Students' Association (ANUSA) Electoral Regulations. It a summary of the major disputes that arose during the election period and the manner in which they were resolved.

Team Probity 2017

This year's Probity Officers included;

Joel Baker

Benjamin Lawrence

Janine Wan

Tandee Wang

Nick Yan

Returning Officer

The Returning Officer for the 2017 ANUSA Election;

Roxanne Missingham

General Secretary

The General Secretary of the Association for 2017 oversaw the election's administration;

Kat Reed

President

The President of the Association for 2017 oversaw the setup of MSL for polling;

James Connolly

Recommendation Summary

Changes;

- **Improve** advertising in the lead-up to the first SRC of Term 2 for the roll of Probity Officer to ensure that a large, capable and confident team is elected.
- **Introduce** a proper handover as part of the induction process for new Probity Officers.
- **Introduce** clearly defined penalties that the Returning Officer can administer to non-candidates.
- **Change** provisions surrounding monetary punishment to apply only to offences involving financial expenditure.
- **Change** the requirements for Daily Signed Statements to include a final submission after the close of polls. This ensures that candidates who complete expenditure after 9am on the final day of polling are still recording this expenditure.
- **Require**—as convention, not regulation—that tickets provide Probity Officers with a run-sheet stating where each of their candidates will be campaigning at any given time. Amplify did this in 2016 and it proved remarkably useful in dealing with disputes and complaints from the student body.
- **Change** the regulations to stipulate a two-week gap between close of nominations and opening of polls.

Clarification;

- **Clarify** an Election Period during which candidates can launch their campaigns and **all** campaigning is to take place. This is a necessary step to prevent the Probity Officers and Returning Officer from having to work throughout the entire Winter Break if a ticket decides to launch early. A recommended time period would be from the moment nominations open—or perhaps one week before—until the moment polls close.
- **Clarify** the intention behind the Exclusion Zones to ensure that they are implemented in a manner consistent with that intention, regardless of who is doing the interpreting.
- **Clarify** the relationship between the President of the Association, the General Secretary of the Association, the ANUSA Office Manager, and the Probity Team during the Election Period. This is not necessarily a constitutional change, but should be clarified at a meeting of the above participants, during Term 2.
- **Clarify** exactly which penalties can be applied to non-candidates in the event of a breach of the regulations, rather than leaving it to interpretation.
- **Clarify**—as convention or regulation—the role that media is constitutionally allowed to play in the Election Period. As both *Woroni* and *Observer* will be receiving SSAF funding next year, we are better able to clarify what penalties can be levied against new organisations for non-compliance. **HOWEVER**, it is first important to clarify what role, if any, Probity and the Returning Officer should take in policing student media.
- **Clarify** the definition of a current student for the purposes of Electoral Regulations to ensure that it encompasses the following criteria:
 - a) is presently undertaking courses at the ANU; and
 - b) holds a valid student card; and
 - c) being current, is not suspended during the period of, or in the weeks preceding, the election; and

- d) being current, has not deferred their studies during the period of, or in the weeks preceding, the election.
- **Clarify** the meaning of ‘campaign for’ in Regulation 3.1.7 to include endorsements from individuals or organisations.
 - **Clarify** the capacity for individuals who are not ANU students to endorse candidates (recommendation is prohibition).
- **Clarify** what proportion of a Student Club or Organisation must be current ANU students in order for a Club or Organisation to endorse a candidate or ticket.
 - **Clarify** the requisite approval candidates or tickets must seek from the Probity team in order to receive an endorsement (recommendation is to require all tickets prove compliance with relevant criteria, AND that they seek prior approval of the Probity team, before making any such endorsement public).

Introduction

The 2017 ANUSA Elections can, quite simply, be summarised with an iconic quote that a wise man once said: “What a time to be alive”. We are thrilled to report that over 2,600 students voted in these elections, our largest turnout in recent memory—and perhaps, ever. With 101 candidates contesting 39 different positions, it was an amazing opportunity to see all of the passion and potential that these students would bring to a role in ANUSA. We would like to congratulate all those who contested for putting their opinions and policies on the line to be judged by the student body, and give extra congratulations to those who were elected. We strongly encourage those who were unsuccessful in their bid to volunteer for other roles at the Association.

This year Team Probity encountered large issues from the start. From only having three officers (in comparison to last year’s six) elected at SRC 3, to then having one of those three resign over winter break, the Team knew it was in for a bumpy ride. Foreseeing further complications, the General Secretary reopened the call for nominations for Probity Officers and three additional individuals were appointed at SRC 5. It is fortunate that more people were willing to throw their hats in the ring, as this electoral period proved to be quite active, and the extra hands were necessary.

We would like to state that it was a pleasure to have Roxanne Missingham return as Returning Officer for this year. She demonstrated integrity, understanding, and sound judgement in her decision-making process for all disputes that the Probity Officers brought before her. It was an excellent opportunity to work with her again and Team Probity would like to recommend that the SRC extend her the offer to return to the role once again in 2018.

It was exciting this year to go into the election period with two student media organisations eagerly following the process. In keeping with an agreement that began last year, *Woroni* and the *ANU Observer* agreed to not sponsor Facebook posts linking articles relating to the elections. This ensured that no issues arose from interpretations on whether a positive news article about a candidate counts as an electoral publication. Quality journalism was released from both parties which served to enhance the election period and potentially contributed to the increase in student engagement.

Many candidates have described the 2017 ANUSA Elections as the cleanest, calmest, most amicable, and all around best run election in their memory. It is entirely possible that the shadow of 2015 still looms large over student elections. We were thrilled to receive these reports from those involved, as it meant that we must have done our jobs well. Unfortunately, as you will discover over the course of this report, this election period was fraught with its fair share of drama and disputes. The Probity Officers would like to remind nominees moving forward to carefully read all documentation provided by the General Secretary, Returning Officer, and Probity Officers to ensure that they are following the correct processes and understanding in their nomination and their conduct during the election period.

Thankfully, having a returning member of Team Probity meant we were able to ensure consistency with the application of the Electoral Regulations from last year. While the Regulations do not act as a common law system, being more guidelines than actual rules, it is remarkably useful to ensure there are consistent applications of the Regulations.

Once again, complications arose this year with MSL and the online format for elections. Conducting the ANUSA Elections online continues to appear as the best option—the increase in participation and

accessibility appears to outweigh the negatives. However, the multiple, continued issues with the platform that MSL provided was unacceptable. We have engaged in discussion with the President and General Secretary on the matter and hope that things will improve going into next year. Thank goodness for small mercies, we did not have to delay the elections again, as per last year.

CBE Representative Issues

Issue

A candidate from Shake Up ANUSA running for College Representative of the Association for the College of Business and Economics was enrolled in a PPE/Law degree, and therefore was deemed to be ineligible for the position as they were not enrolled in a CBE Program.

Documentation

As this was not a violation, but a misunderstanding that led to a lengthy discussion and debate, there is no relevant documentation to show. More than 8,000 words in emails have been exchanged on this issue. Anybody wishing to see the various discussions that took place should contact the General Secretary to see if that is allowed.

Action

Upon receiving the initial query regarding the individual's eligibility, Probity referred the matter to the General Secretary. This is in keeping with the Electoral Regulations, as the Returning Officer does not become the final arbiter of the Regulations until a matter becomes a dispute. The General Secretary requested that the candidate justify why they should be considered and prove that they are involved in the college (as a PPE Student the candidate would do 5-6 CBE courses during their degree). The candidate provided this information and the General Secretary provided an interpretation that they could stand. Upon the questioner stating their disagreement with the General Secretary's interpretation on the matter, they escalated it to a dispute.

At this point, a recommendation was made to the Returning Officer, recommending that the candidate be considered ineligible as this is the known precedent from previous years. The Returning Officer, a veteran of many ANUSA elections, agreed with the recommendation and this decision was communicated to the complainant and to the Executive of Shake Up. The Executive of Shake Up took issue with the Returning Officer's decision and began an appeal process to the Returning Officer. They met with, and emailed with, the Returning Officer for the next 72 hours. During this time the Returning Officer continued to seek recommendations from the Probity Team.

Resolution

With the initial decision having been communicated on Monday (14th of August), the Returning Officer made clear on the Thursday (17th of August) that there would be no further appeals and that the candidate would have 24 hours to rectify the error and nominate for another position if they so chose. Further grace was granted to Shake Up by allowing them to shuffle positions on their ticket to keep the candidate involved. While the regulations stipulate a 48-hour period during which this can be fixed, more than 72 hours had passed since the original decision was conveyed to the ticket, and the situation needed to be resolved before close of business on Friday to ensure that the ballot would be ready to go on Monday.

The relevant parties did not communicate their intention to fix the issue before the 24-hour grace period was up, and as such the candidate did not end up contesting the elections.

Recommendations

Alter the Electoral Regulations to make it crystal clear that a candidate must be enrolled in a program in the specified college, not just ‘enrolled in the college’. This will resolve any confusion over courses and programs. Further, the period between the close of nominations and opening of polls should be extended—one week is insufficient.

Queer* Officer Election Issues

Issue

While it is common for the Queer* Officer position to be contested at the ANUSA Elections, no Department Officer positions were contested in 2016, meaning this was a matter that the Probity Team was not extensively prepared for. Four individuals contested the position this year, and on the surface it appears that this election was amicable.

However, Joel received multiple complaints via email, text, and messenger regarding the election of Queer* Officer. These complaints included, but were not limited to:

- A candidate is canvassing votes from non-Queer* identifying students and encouraging them to vote in the Queer* Officer election (there is a separate section on this matter, in this report).
- A candidate has misrepresented and defamed the Queer* Department and/or members of the Queer* Department.
- A candidate is conducting themselves in a manner that is harming the collective as a whole and/or having a negative effect on individuals within the collective.
- A Probity Officer is conducting themselves in a manner that is biased towards one candidate for Queer* Officer over others.
- A student “overheard some people (in the campaign zone) talking about how one of the queer officer candidates had told people who do not identify as queer to do so on the online voting system so that they could vote for him.”

Documentation

As all complaints and queries were requested to remain confidential, documentation will not be provided for this issue. No evidence was provided for the claim that a candidate was telling non-identifying students to say they identified for the purpose of voting, and as such this complaint was disregarded.

Action

Joel was the only officer to engage with this particular issue as the majority of queries and complaints were delivered directly to him via email, text, and messenger. I met with the sitting Queer* Officer a handful of times to discuss several of these queries and complaints. The Probity Team was hesitant to get too involved in the matters of the Queer* Department, noting that they are an autonomous Department of the Association. I, personally, as a non-identifying individual did not want to risk stepping on toes by getting too involved in a Department that I do not know the inner workings of. As many of the complaints were brought to me in strict confidence I was also hesitant to hand them over to other Probity Officers to resolve.

As such, the Probity Officers continued to monitor the situation and consulted with the General Secretary, President, and Queer* Officer to determine what number of votes for Queer* Officer would be considered high enough to warrant further investigation. We also pursued investigations into the other issues.

Resolution

Though we had testimonials provided from members of the student body regarding some of the issues, we were provided with no solid evidence and as such, we were unable to make a recommendation to the Returning Officer on any of these issues. The position of Queer* Officer did not receive the necessary number of votes to be considered abnormally high by the Returning Officer and General Secretary, and therefore the ballot was declared valid.

Recommendations

It will be important to better define the role of Probity Officers in relations to Departments and Department Office elections. Alternatively, it might be an idea to have a Probity Officer who is familiar with the workings of Departments.

President's Remarks at OGM 3

Issue

OGM 3 was held on Chifley Meadows on the Wednesday of Week 5, while polls were open. Whilst speaking to the President's Report, President of the Association James Connolly made a comment referencing the politicisation of sexual assault in the elections and made use of the term 'objectively', which had been earlier that day used as the tagline in a video posted to Shake Up ANUSA's Facebook page.

Joel, who was the Probity Officer present at the OGM, immediately requested that Connolly stop talking and come speak to him. He made it clear that the President was standing on grounds that could potentially be deemed a violation of the Electoral Regulations, primarily based on 3.1.11, and that it would be best if he halted his line of discussion. James agreed to move on to other issues and resumed speaking; where he answered questions on his report and then sat down.

Team Probity received complaints regarding this matter from multiple parties.

Documentation

The video can be found on Shake Up ANUSA's Facebook page (<https://www.facebook.com/shakeupanusa/videos/311506352656354/>), while James' comments can be found on the live-stream on the ANU Observer Facebook page.

Action

The Probity Officers spent some time deliberating the possible options that were available in response to this situation. There was no direct and obvious violation of 3.1.1-3.1.10 of the Electoral Regulations, however it was impossible to deny that the dramatic fashion in which a sitting President

all but condemned one of the tickets would potentially affect any votes cast thereafter. Therefore, Team Probity recommended to the Returning Officer that it be considered a violation of 3.1.11—acting against the spirit of the Regulations.

Resolution

Currently, the only options available to the Returning Officer to reprimand a non-candidate are; removal of membership of the Association pending an Executive vote, fine, or warning. Removal of membership would result in removal of Connolly's position as President. The majority of Probity Officers agreed that the Returning Officer should not seek to override the mandate of last year's election, and this option was scrapped. Last year it had been suggested that fines should only be issued in response to violations of a financial nature, and Joel was keen to adhere to this. Therefore, a majority of the Probity Officers recommended against a fine. In the end, a warning was recommended to the Returning Officer, which she agreed with.

Recommendations

In a national election, it is very common for a sitting President to endorse candidates or speak against those from 'the other side'. ANUSA has not had noticeable Political Party ties in some time—it has been far more common in the last few years that sitting members of the Executive who are not running refrain from acting in over-support of candidates. Moving forward, the Regulations should seek to specify whether or not overt support from current Executive members should be allowed.

Endorsement of Tickets

Issue

Section 3.1.7. of the constitution stipulates that, 'It is an offence for an individual who is not currently a student of the university to campaign for a candidate in the election.' This year, there were numerous instances where candidates/tickets were *endorsed* by organisations/societies that were not, or were suspected of not being, composed entirely of ANU students.

While *endorsing* is not the same as *campaigning*, there is clearly a blurred line between the two concepts. If an organisation is controlled by non-ANU students, its endorsement of a candidate or ticket can be viewed as a violation of 3.1.7.

The endorsements that were brought to the attention of the Probity Team were:

- The endorsement of Matthew Mottola (Queer Officer candidate) by Johnathan Davis
- The endorsement of Shake Up ANUSA by CSSA
- The endorsement of Shake Up ANUSA by AFEC
- The endorsement of Shake Up ANUSA by SASS
- The endorsement of Shake Up ANUSA by HKSS
- The endorsement of Shake Up ANUSA by the Canberra Circle

Documentation

ANU AFEC Students' Society
24 mins · 🌐

Hey guys!

As we all know, ANU is currently embroiled in the midst of exciting political fervour with the upcoming ANUSA elections just around the corner!

While we hold no biases in these matters, we would like to just make a quick post giving a shout-out to one of our own - AFEC VP Mariah Chang!! <33

Mariah has been with AFEC for a long and successful run and has always been a supportive, cheerful and hard-working addition to our team. So if you feel so inclined, please give her and her running team Shake Up a showcase of your support 😊

Find out more about Shake Up's policies + the voting link below:
<https://social.shorthand.com/.../nC6PYLNb.../policy-manifesto-13>
<https://www.voteanusa.com>





ANU Society for Arts & Social Sciences (SASS)
2 hrs · 🌐

Hey SASSy People!!!

Our incredible Vice President for Education, **Amel Saeed** is running for College of Arts and Social Sciences Representative on the amazing **Shake Up ANUSA** ticket!

... See more



Meet our CASS reps
Julia Faragher and Amel Saeed
Students Refle...
social.shorthand.com

👍❤️ 12 1 Comment

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✕ 澳大利亚首都总学联

【ANUSA大选】讲真，不给他们投一票吗？

2017-08-22 皓皓 澳大利亚首都总学联

ANUSA (ANU Students' Association, 本科学生会) 大选在昨天 (8月21日) 就开始进行投票选举啦。在众多候选团队与候选人中, 还请大家支持我们的中国小伙伴, General Rep 候选人 **Petal (Minyue) Wang**, 以及她所在的团队Shake up! 里面的秘书长 (General Secretary) 候选人 **ABC Bolwen Fu** 和主席 (President) 候选人 **Cameron Allan**。

关于ANUSA

ANUSA是ANU的本科学生会, 每一位在ANU就读的本科生都将自动成为其会员, 拥有包括投票权、选举权与被选举权。除了举办Orientation Week (新生周) 和其他大型社交活动 (如Friday Night Party等) 以外, 他们还会为本科生提供各方面的帮助, 涉及**校园生活、经济问题、法律援助、社交帮助**等。所以你们的每一票, 都将切实关系到ANU全体

Home About Events Photos Commu

ANU Hong Kong Student Society
Yesterday at 23:00 · 🌐

Hi guys! ANUSA elections are up and your participation is super important to your campus life!

Our friends at SHAKEUP ANUSA are all about developing a vibrant, inclusive and ethical campus, with fun policies on clubs and society events and international student integration! Show the... See more



👍❤️ 8 4 comments 1 Share

👍 Like 🗨️ Comment ➔ Share

📅 👤 5 🗨️ 5



Action

It was the collective decision of the Probity Team that the eligibility of an organisation to endorse a candidate or ticket is dependent on whether their committee (that is, the body responsible for making decisions) is composed entirely of ANU students. Organisations could have non-ANU members and reach non-ANU audiences, so long as the people who were responsible for making the endorsement were ANU students.

Resolution

Consequently, based on the evidence given to the Probity team at the time, the following rulings were made:

- CSSA—allowed
- AFEC (Actuarial, Finance, Economics, Commerce Students' Society)—allowed
- SASS (Society for Arts and Social Sciences)—allowed
- HKSS (Hong Kong Student Society)—Shake Up was told to have endorsing posts taken down
- Canberra Circle—Shake Up was told to have endorsing posts taken down
- Mottola's endorsement—Mottola was warned about receiving endorsement from a non-ANU student. Following other events, Mottola voluntarily asked for his endorsement to be taken down.

Recommendations

- Clearly define 'currently a student of the university' as an individual who
 - a) is presently undertaking courses at the ANU; and
 - b) holds a valid student card; and

- c) being current, is not suspended during the period of, or in the weeks preceding, the election; and
- d) being current, has not deferred their studies during the period of, or in the weeks preceding, the election.
- Prohibit *all* individuals from endorsing a particular candidate or ticket if they do not meet this definition of a current student of the ANU. Discretion should be available for instances where endorsement does not constitute a serious attempt at strengthening the prospects of a candidate—for instance, if a relative makes a private Facebook post.
- Clarify what proportion of a Student Club or Organisation must be current ANU students in order for a Club or Organisation to endorse a candidate or ticket.
- Require that all tickets or candidates who intend to seek such endorsement obtain proof that the endorsing individual or organisation meets the above criteria, AND that they seek prior approval of the Probity team, before making any such endorsement public.

Nick Xenophon Team 4 ANUSA Issues

Issue

Before the opening of nominations two complaints were received regarding the ticket, ‘Nick Xenophon Team 4 ANUSA’. The first complaint regarded the name of the ticket ‘Nick Xenophon Team 4 ANUSA’ or ‘NXT4ANUSA’. The complainant believed that the ticket name made a misrepresentation implying it was representative of the relevant political party. The second complaint made related to a number of NXT4ANUSA’s electoral publications which were alleged to be discriminatory towards another ticket, ‘Shake Up ANUSA’.

Documentation

The relevant electoral publications for the second complaint follow.



Action

Upon examination of the sections of the electoral offences relating to the registration of ticket names (s2.7.5), the ticket name was considered not to be in breach of the Regulations, as there is no Regulation prohibiting the naming of a ticket after a political party. It was thus recommended to the Returning Officer that there was no breach of the ANUSA Electoral Regulations, and thus that no action should be taken.

Regarding the second complaint, the Probity Officers determined that the ‘NXT Stupol Bingo’ constituted a misrepresentation under s3.1.2. It combined claims targeted at ‘Shake Up ANUSA’ with other general statements, which could potentially lead to a conflation of the different statements and thus misrepresent ‘Shake Up ANUSA’. Furthermore, it was thought that the electoral publications may also be in breach of s3.1.8 (harassment) for comments specifically targeted towards candidate Cameron Allan.

It was recommended to the Returning Officer that ‘Nick Xenophon Team 4 ANUSA’ was in breach of s3.1.2, and the question of harassment was referred to the Returning Officer for a ruling. It was recommended that a warning be issued to ‘Nick Xenophon Team 4 ANUSA’ and that they be requested to make a disclaimer about the posts being of a more general political nature, having no claim to truth for particular candidates.

Resolution

The Returning Officer agreed that there was a breach of s3.1.2 (misrepresentation) and did not rule on whether there was a breach of s3.1.8 (harassment), and agreed to issue a warning.

The decision and warning were communicated to ‘Nick Xenophon Team 4 ANUSA’ however no reply was received. The publications complained of were not altered, nor was the disclaimer published. As the Nick Xenophon Team 4 ANUSA did not nominate as an actual ticket during the Election Period, the Regulations gave little grounds to escalate beyond the warning issued.

Recommendation

Clarify the way that the regulations affect candidates who commit violations prior to nomination, and whether any penalties affect just them, or also their ticket, rather than leaving it to the complete discretion of the Probity Officers.

Pop-Up Village Issues

Issue

Due to the commencement of the reconstruction of Union Court, the Pop-Up Village was a new addition to the exclusion zones outlined in Schedule B of the Constitution. This report will discuss three issues that arose in relation to this new space.

1. Shake-Up ANUSA’s campaign video—Shake Up ANUSA posted a video where its presidential candidate, Cameron Allan, gave a tour of the Pop-Up Village. This was seen as a potential violation of regulation 3.1.3 (‘It is an offence to actively canvass votes within the areas specified in Schedule B to these Regulations’).
2. Placement of Electoral Notices in the Pop-Up—This issue concerned proposals to place *ANU Observer* notices, which informed students about those running for the 2017 ANUSA elections, in the Pop-Up.

3. Debates in the Pop-Up Student Commons—It was proposed that debates between candidates from opposing tickets be held in the Pop-Up Club. This was seen as a possible breach of regulation 3.1.3.

Documentation

Shake-Up Video: <https://www.facebook.com/shakeupanusa/videos/294242017716121/>

Debates in the Pop-Up Club were live-streamed by Woroni. Below is one example, the presidential live-stream: <https://www.facebook.com/woroni/videos/1541953275862315/>

Action

1. Shake Up ANUSA's campaign video
It was ruled that this was *not* a breach of electoral regulations, for two reasons. First, Allan only mentions his campaign before he actually enters the space. As such, he is not 'actively canvassing' votes in the exclusion zone. Second, precedent from the year before was that tickets were not penalised for taking campaign photos in exclusion zones.
2. Placement of Electoral Notices
It was decided that in this particular instance, electoral information should not be placed in the Pop-Up.
3. Debates in the Pop-Up Club
The Returning Officer, in consultation with the Probity Team, and following extensive work from an *ANU Observer* editor, decided to allow debates to be held in the Pop-Up Club as it was the most appropriate location.
Debates began with a warning that electoral content was to be delivered. They were overseen by a Probity Officer. Moreover, candidates were prohibited from wearing campaign merchandise.

Resolution

1. No action was taken on the Shake Up ANUSA video.
2. Electoral notices were not allowed in the Pop-Up.
3. The Returning Officer approved debates to be held in the Pop-Up Club. Prior to debates, a warning was issued; Probity officers were present; candidates were prohibited from wearing campaign merchandise.

Recommendation

Consult with Tom Kesina (who wrote the Exclusion Zone clauses) to clarify the intent of the exclusion zones in the Electoral Regulations.

'Lift' Campaign Ban

Issue

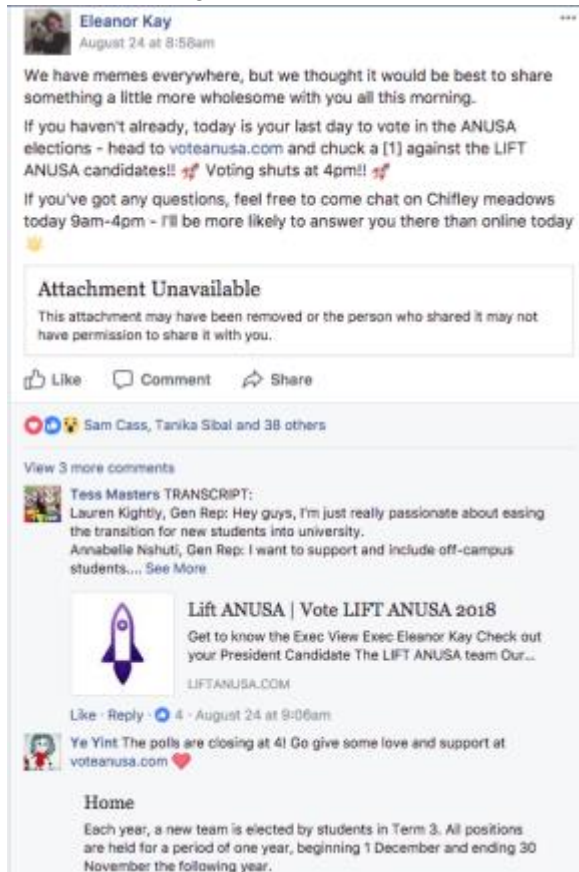
The ticket 'Lift' failed to submit their Daily Signed Statement on Thursday (24th of August). Consequently, they were issued a campaign ban from 9.01am. This was lifted at 9.09am when their Statement was submitted.

Subsequently, a complaint was received about some Lift promotional material posted by Eleanor Kay on ANU Schmidtposting that had been made earlier that day.

Further investigations were also made into other content that was posted during the campaign ban.

Documentation

The Schmidtposting post which attracted complaints but was posted before the imposition of the campaign ban (the screenshot was taken after the Election Period, which is the reason for the attachment being unavailable.).



Action

The Probity team investigated complaints about Lift campaigning during their imposed ban. The ANU Schmidtposting post by Eleanor Kay which received complaints was found to have been posted at 8.58 am, prior to the imposition of their campaign ban. Consequently, no action was taken.

There were, however, some comments by Lift candidates made on that post during the period of their campaign ban. Consequently, the Probity team requested that all of them be taken down.

Following other complaints received about a Lift meme posted during the campaign ban, Probity also ordered Lift to remove that material.

Resolution

Eleanor Kay's Schmidtposting post was allowed to remain. Comments made, and a meme posted, during the time of the campaign ban were requested to be removed.

Recommendation

No recommendations.

Inappropriate Message Directed at Candidate

Preliminary Note

It is worth noting that this was not the only instance where a candidate was subjected to inappropriate conduct by a general member of the student body. However, with other instances, there was ambiguity as to whether and how the electoral regulations and Probity Officers may respond where an alleged perpetrator is a general member of the population.

Issue

A candidate, who shall remain anonymous, received a personal Facebook message from an individual student following a day of campaigning. The individual was not a candidate or in any way associated with the elections, they were merely a general member of the student body. The candidate made a complaint on the basis that it made them feel uneasy and uncomfortable, and because they thought it to be unacceptable.

Documentation

Team Probity has decided not to publish the material in order to protect the privacy and anonymity of the parties involved in the incident.

Action

With the consent of the candidate who had received the message, an email was sent to the offending student warning them that their behaviour was unacceptable and that there would be further consequences if they continued to act in this way. The warning also stated that, should the individual continue, the matter would be referred to the Dean of Students who is the official in charge of student disciplinary measures.

Resolution

The offending individual accepted the ruling of the Returning Officer and Probity, and conveyed an apology to Probity, agreeing to keep a distance from the candidate.

Recommendations

Clarify how the electoral regulations apply to the general student population.

Candidate Allegedly Asking Ineligible Students for Votes

Issue

An anonymous complaint was received by the Probity Team alleging that a candidate for Queer* Officer had been asking candidates who were ineligible to vote for them (those who do not self-identify as Queer*) to do so.

Documentation

There was no documentation of this incident as it was hearsay—heard, not directly from the candidate in question, but in a conversation between two strangers by the complainant. The complainant

claimed that this conversation took place opposite the food tent in the campaign zone at approximately 1pm on Tuesday, 22 August.

Action

The Probity Team followed up and requested more information. However, due to the lack of additional witnesses and any information that would help to identify if this complaint was true, this investigation was not pursued further.

Resolution

See above.

Recommendations

None.

Posters on Hancock Bridge

Issue #1

Probity Team received a complaint regarding LIFT posters placed on Hancock Bridge. The bases of these complaints were (1) that they might fall on into Sullivans Creek, a site that is considered important to the Ngunnawal people, and (2) that they might fall on the bridge and pose a slipping hazard.

Issue #2

The above complaint was received in the morning of Thursday, 24 August. By this time, the posters had been torn down and removed by an unknown party. Under s3.1.2A of the ANUSA Constitution, it is an offence to remove from any place any Electoral Publication. However, unfortunately, despite Lift notifying us of this action upon Joel's arrival on Thursday morning, there were no witnesses to the act, and therefore Probity was unable to take action beyond communicating to the student body once again to respect candidates and their campaign materials.

Documentation

No documentation was provided in regards to either issue.

Action

No action was taken.

Resolution

See above.

Recommendations

None.

Bribery Allegations against Stand Apart

Issue

It was reported that the ticket, Stand Apart, bribed the ANU Men's Network President, Sebastian Rossi. Rossi indicated that he was offered money to not run as vice president with the Stand Apart ticket. This incident happened three hours after the launch of the ticket.

Documentation

Woroni:

Full article: <https://www.woroni.com.au/words/stand-apart-stands-back-up/>

ANU Observer

Full Article: <https://anuobserver.org/2017/08/01/stand-apart-torn-apart-inside-leadership-struggle-failed-rebellion-bribery-allegations/>

Action

The probity team did not receive any complaints regarding this issue, and there was no direct and obvious violation of 3.1.1-3.1.10 of the Electoral Regulations.

Given this, the Returning Officer approved a limited investigation under s3.1.11 of the Constitution.

Resolution

Stand Apart subsequently ran as a ticket with only general representatives while the Vice-President candidate ran independently.

No further actions or investigations were taken.

Recommendations

No recommendations.