

**TO:** The Executive  
Otago University Students Association

**FROM:** Kade Cory-Wright  
Returning Officer

**DATE:** 26 May 2016

**SUBJECT:** Report of the Returning Officer for the Referendum held 16-19 May 2016

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## **Introduction and Overview**

- 1.0** This report is submitted pursuant to Section 10.2 of the OUSA Internal Referenda Policy that states:

Within twenty working days of the close of voting, the Returning Officer must report to the OUSA Executive on the running of the referendum, improvements to the process and any other matters pertinent to the referendum as they see fit.

- 1.1** Association Secretary Donna Jones appointed me to the position of Returning Officer on May 11. The referendum was subsequently held from May 16 to May 19 2016.
- 1.2** The referendum was done by electronic means and was successful in gaining an adequate voter turnout. This legitimised the results and provided evidence that promotion of the Referendum by OUSA reached a fair cross-section of the student community.
- 1.3** This referendum put forward an abnormally large number of questions which may have contributed to the high number of abstain votes towards the end of the voting process. Some of the questions were standard propositions such as which firm OUSA should employ as the Honorary Solicitors. Other questions focused on issues such as recycling, Hyde Street and fossil fuels which students considered to be interesting and meaningful questions worth discussion as letters to the editor in *Critic* illustrated. The final 8 questions in the referendum regarded constitutional amendments and did not come close to the required threshold for a special resolution as required at 8.2 of the OUSA constitution.

## **Results**

- 2.0** *See attached.*

## **Complaints**

- 3.0** No complaints were received during this referendum meaning no responses were required.

## **Recommendations**

- 4.0** Questions 12-19 need a 75% special resolution vote (either affirmative or negative) to pass or fail. None of the constitutional questions came close to this, with very high abstain vote numbers. The cause of this seems likely to be a lack of interest by students in what appear to be 'boring' questions. The executive should alter their approach to these questions. Below are my suggestions for how.
- 4.1** 19 questions is too many. Especially where the later questions are repetitive and 'boring' in comparison to the genuine student interest questions 5-11. Condensing the constitutional questions into a shorter list may achieve a lower number of abstain votes. I appreciate that a shorter number of questions will likely lead to a longer question discussion section which will still have to grapple with the concept of reader 'boredom'. But I believe that having fewer questions will encourage students to take more consideration even if the questions are more detailed. However this is unlikely to be a complete solution to the problem.
- 4.2** The option to abstain from voting seems to have stymied that ability to achieve a special resolution to pass or fail constitutional changes. I accept that removing the option to abstain is not something the executive is likely to consider. But if the executive wants to get a definitive referendum result on a constitutional issue in the future, changes are needed. It is quite possible that a Student General Meeting will be required if the Executive want constitutional changes to pass here or in the future.
- 4.3** The discussion links on the referendum questions are a great addition and allow better involvement with the content. But I doubt by the end of the voting many students bothered to open the discussions on the constitutional questions. I think a solution to this could be inserting a basic summary of the effect of the question on the question page itself. No more than two sentences basically describing the effect of a question could be enough to give students an understanding of the question. "Updating OUSA policy to include the current OUSA president instead of the 2011 president" for instance. This would then be supplemented by the further discussion that was given for anyone who wishes to make a more detailed analysis.
- 4.4** The following are suggestions that relate to the Referendum policy and the position of the Returning Officer. If in giving these recommendations I am stepping beyond my jurisdiction as Returning Officer then please discount the following.
- 4.5** I suggest that the role of the returning officer is amended in the OUSA referendum policy. The policy itself gives a list of requirements of the returning officer which I was notified were not required of me or were significantly altered. The policy refers to the returning officer as a largely co-ordination and promotional role. I understand that during an OUSA election these may be a lot to require of a returning officer when added to a complaint heavy election such the 2015 elections. But the elections have their own policy requirements for the Returning Officer. I think it reasonable to amend the referendum policy to better

reflect the role that the returning officer takes on by trimming the description of the Returning Officer down to the mediator role that it currently is.

- 4.6** Alternatively I believe there is also room for growth of the returning officer role into a more comprehensive role that better aids the referendum process. The executive could develop the Returning Officer into a role that better fits the referendum policy and focusses more of the Returning Officers efforts on promotion. This could be another avenue for decreasing the amount of abstain votes whereby one of the Returning Officers duties could be educating the student population on the effect (and practicality) of the proposed constitutional changes. This would result in the Returning Officers role being more significant for referendums and would likely require more working hours. This would also mean the job descriptions of the Returning Officer would be different and separate between elections and referendums with the role of the Returning Officer being tailored to each positions individual requirements and practical limits.
- 4.7** While considering the Returning Officers role in the referendum policy I observed a number of clauses in the policy that were outdated or counterintuitive. Short of going completely beyond my role as Returning Officer, I recommend that both the Returning Officer section and a lot of the referendum policy itself needs to be amended to better reflect the referendum process as it currently stands.

### **Concluding remarks**

I can see no significant breach of the OUSA Referenda Policy that would affect the outcome of this referendum. The constitutional questions are an issue which will take a lot of work to solve if the Executive wants to pass them by means of referendum. It seems that an SGM may be the only reasonable avenue for achieving definitive results on questions that require special resolutions. I would like to applaud the executive for their efforts at promotion around this referendum. So far as I can tell this voter turnout is remarkably high for a referendum.

<b>Question</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Total</b>
Should the Otago University Students' Association Annual Audited Financial Statements for the year ended 31 December 2015 be received and accepted?	73.23%	2.96%	23.81%	3205
Should the Otago University Students' Association Annual Report for 2015 be received and accepted?	75.87%	2.69%	21.44%	3199
Should PricewaterhouseCoopers be appointed as Auditors for the Otago University Students' Association for 2016?	65.54%	8.47%	25.99%	3201
Should Anderson Lloyd be appointed as Honorary Solicitors for the Otago University Students' Association for 2016?	69.85%	5.28%	24.87%	3201
Should OUSA regulate what costumes can be worn to the Hyde Street Party by prohibiting offensive costumes?	33.29%	61.67%	5.04%	3154
Should OUSA support Helen Clark's bid for United Nations Secretary General?	81.7%	7.61%	10.69%	3153
Should OUSA oppose potential University support staff redundancies/layoffs as a result of the University's Service Level Review?	48.6%	26.95%	24.44%	3150
Should OUSA have a spa pool or communal bathing house?	54.14%	40.69%	5.17%	3151

Should OUSA lobby the University to allow all University students to have physical access to all University facilities during weekend hours?	76.04%	19.3%	4.67%	3151
Should OUSA lobby the University to make a commitment not to invest in fossil fuels?	72.79%	16.11%	11.1%	3153
Should OUSA initiate a campaign with the Dunedin City Council and University to have large glass rubbish bins (like yellow top bins) replace the current glass bins throughout North Dunedin and the student living vicinity to reduce the glass problem?	85.18%	9.23%	5.58%	3152
Should the following administrative/general changes be made to OUSA's constitution?	55.18%	8.95%	35.88%	3130
Should section 39.5 of the Constitution be amended to make the Secretary responsible for appointing the Independent Arbitrator of elections instead of the Executive?	37.56%	16%	46.44%	3131
Should the following changes be made to the conduct/execution of referendums under OUSA's constitution?	49.47%	9.72%	40.81%	3129
Should section 23.7 of the Constitution be amended to restrict the Executive spending above total budget expenditure?	52.52%	14.57%	32.91%	3130
Should section 35.1 and 35.2 of the Constitution be amended to give certainty to the OUSA election date from year to year?	59.09%	12.49%	28.42%	3107
Should section 36.3 of the Constitution be amended to introduce an additional method of nominating a candidate for the OUSA elections?	57.31%	13.84%	28.85%	3106
Should section 37 of the Constitution be	58.66%	12.3%	29.04%	3106

amended to introduce a minimum 3 working day voting period for OUSA elections, a maximum of 7 days voting for all elections, and a minimum of a one-day voting period for by-elections?				
Should section 38 of the Constitution be amended to give the Returning Officer the the power to require assistance from OUSA staff in the execution of their duties?	49.48%	12.2%	38.31%	3106