

Report of the Returning Officer on the 2026 OUSA Executive Elections
Provided in accordance with rule 3.3 of the OUSA Elections Policy
25 October 2025

Overview

I received 30 enquiries and investigated 26 complaints. My decision relating to 1 complaint was appealed to the independent arbitrator, who upheld the original decision.

The election ran smoothly, following a highly competitive campaign period. The rise in enquiries and complaints since last year (being 19 enquiries and 2 complaints) reflects how contested the election this year was. It may also reflect particularly high tensions between candidates, as reported by a number of candidates, current Executive members, and OUSA staff. Despite this, I am grateful to everyone for their patience and friendliness relating to enquiries and investigations.

I make 4 recommendations for the Executive to consider.

Results

Nominations opened 9am on 8 September and closed 4pm on 11 September, after which the campaign period began. Voting opened 9am on 22 September and closed 4pm on 25 September. Voting was conducted via an online voting system routed through a page managed by OUSA. Votes were cast and counted with the Single Transferable Vote method. I am satisfied that the voting system fulfilled the applicable criteria.

The following roles were contested:

- President;
- Administrative Vice-President;
- Finance and Strategy Officer;
- Academic Representative;
- Welfare and Equity Representative;
- Clubs and Societies Representative;
- Political Representative; and
- Residential Representative.

The roles of Postgraduate Students Representative and International Students Representative were uncontested.

The following candidates were returned:

- President: Daniel Leamy;
- Administrative Vice-President: Kamesha Jones;
- Finance and Strategy Officer: Troy Gibbons;
- Academic Representative: Hansini Wijekoon;
- Welfare and Equity Representative: Rihana Warsame;
- Postgraduate Students Representative: Fergus Parks;
- Clubs and Societies Representative: Ella Mary Sangster;
- International Students Representative: Irfaan Ariffin;
- Political Representative: Flynn Nisbett; and
- Residential Representative: Zoe Eckhoff.

Engagement was stronger this year than last year. More roles were contested, including more major roles such as President. Voter turnout was good, at 2,470 completed candidates votes, compared to fewer than 1,600 last year.

Enquiries

1. I confirmed that it was acceptable for Critic Te Ārohi to write an article on an incumbent Executive member's proposed campaign to spend a week in a cage on Union Lawn. It is acceptable – and helpful for student engagement – for Critic to report on goings-on in the Executive.
2. I confirmed that a candidate may run for and hold both a role on the Executive and local government.
3. I received enquiries from a pre-existing "Fan Club" for a candidate. I explained rule 14.4 on club endorsement. I advised the club not to promote the candidate's campaign, given the club's strong association with Critic Te Ārohi staff.
4. I clarified that a club may meet about whether to endorse a candidate at any point, if the endorsement is only made public during the campaign period (rule 14.4).
5. I confirmed that Critic Te Ārohi staff may have casual conversations about the election that do not promote a campaign and cannot be attributed to their role as Critic staff.
6. I confirmed that current Executive members were allowed to advertise running for the Executive on their personal social media accounts (rule 14.1.2).
7. I clarified that candidates for the Administrative Vice-President role were only entitled to write 100 words for their blurb in Critic Te Ārohi, rather than 150 (rules 9.1.2).

8. I confirmed that candidates may make use of notice boards in elevators.
9. I clarified the relevant rules for posterage, being rule 11.1 and the Do's and Don'ts.
10. I clarified that candidates who share printed posters may split the costs between them for the purpose of their financial returns (rule 13.4).
11. I confirmed that a candidate may use a grey-scale photo of the OUSA offices in their posters if the OUSA logo did not have any real prominence in the photo (rule 14.1).
12. I confirmed that a candidate may use a photo of the OUSA offices in their posters where the OUSA logo was censored (rule 14.1).
13. I confirmed that a poster featuring a small photo of a candidate alongside their sibling, a Critic Te Ārohi writer, was permitted.
14. I confirmed that candidates may go on stage at Pint Night if invited up by friends.
15. I confirmed that candidates may place posters outside the tertiary precinct, such as in central and South Dunedin, if they have consent to do so. This enquiry gives rise to a recommendation below.
16. I confirmed that the rule against sending emails to university email lists (rule 11.2.1.) precluded candidates from asking staff to use their email lists.
17. I confirmed that candidates may endorse other candidates or advertise who they would vote for in another race.
18. I confirmed that a candidate may repost the article they wrote for Critic Te Ārohi on their personal account.
19. I clarified that a club that agreed to endorse candidates needed to hold another meeting for the endorsements to be legitimate, as in the initial meeting the candidates, who were on the club's executive, had voted on the matter (rule 14.4).
20. I confirmed that candidates may make use of notice boards in residential colleges.
21. I clarified that a candidate may not promote their campaign during their friend's Radio One segment, outside the permitted slots for candidates (rule 13.3).

22. I confirmed that a campaign volunteer, who had taken photos of candidates for their campaigns, was permitted to write an (unrelated) article for Critic Te Ārohi.
23. I confirmed that shades of dark green, used in a drawing of trees, were permitted on a poster (rule 14.1.4).
24. I confirmed that Critic Te Ārohi may publish a letter to the editor complaining about a candidate's campaign if the relevant candidate had right of reply.
25. I confirmed that Critic Te Ārohi may publish an article that discussed the creation and disbanding of a group of candidates running on a shared platform.
26. I confirmed that candidates may participate in the snow jam event on Union Lawn if they did not use the event to promote their campaign (rule 13.3).
27. I confirmed that Critic Te Ārohi staff and current Executive members may attend a campaign event run by candidates. The staff members would not post about the event, would not suggest any endorsement by Critic Te Ārohi or OUSA, and would avoid appearing in photos from the event.
28. I clarified that a candidate may not post a celebrity's endorsement of their campaign, nor a photo with the celebrity to promote their campaign, given the endorsement and photo were made possible through their role in Critic Te Ārohi. This also applied to the candidate's running-mate.
29. I clarified that a candidate may not seek endorsement by a past Executive member, where that past member makes the endorsement on an OUSA alumni Facebook page (rule 13.3).
30. I clarified that a candidate was welcome to either respond or not respond to a request from a political party's campus club for their stance on political issues.

Complaints

I received 26 complaints on 15 separate issues, set out by issue below.

1. Two complaints concerned an incumbent Executive member's proposed campaign to spend a week in a cage on Union Lawn, prior to the campaign period. I found **no breach** of the rules.

If the incumbent Executive member had not made it known that they intended to run again, I would have had no basis for questioning their conduct. The rules applying to campaign conduct do not seem to apply until the campaign period begins, after nominations close, unless there is good reason in light of the purpose of the rules to consider otherwise. I did not consider there to be a good reason for the rules to apply outside the campaign period.

It is important for the OUSA Executive to perform their duties as they are elected and paid to do. They have discretion to do so how they see fit, even where it may be possible to carry out these duties in such a way that has a lesser impact on election outcomes. I appreciate that an incumbent candidate's campaign might benefit from their previous work on the Executive, while an incoming candidate would not have such an advantage. However, I consider any publicity from the proposed campaign to be part of the normal advantage that someone who has been in a role before might enjoy, rather than something amounting to an abuse of this advantage.

2. Two complaints concerned a candidate creating an Instagram account to promote their campaign prior to the beginning of the campaign period. By convention, campaigning is not permitted outside of the campaign period, so I found a **breach** of the rules.

I did not consider it necessary to make a deduction of votes. Firstly, the rules are not clear that candidates may not campaign prior to the campaign period. Secondly, the candidate was honest, friendly, and cooperative. Thirdly, the candidate deactivated their account once informed of the breach, minimising any unfairness.

3. One complaint concerned another candidate creating an Instagram account before the beginning of the campaign period, similar to the issue above. Again, I found a **breach** but no need for a deduction of votes.
4. One complaint concerned a group of candidates running on a shared platform. I found **no breach** resulting from this conduct alone, as no rule prohibits campaigning as a group.
5. One complaint concerned a candidate's social media post. The post had quoted the complainant and questioned the reasoning behind their words. However, the post did not name the complainant nor make the quote's source particularly obvious. I found **no breach** of rule 10.5, as I did not consider the post to amount to the high threshold of harassment, intimidation, or abuse.
6. One complaint concerned three Critic Te Ārohi staff members reposting social media posts that promoted the campaigns of two candidates. This created a serious problem for perceived media neutrality. The staff were quick to remove their reposts once informed.

I found **no breach** attributable to the candidates (rule 15.4) as there was no evidence that the candidates requested the staff to repost their campaigns, nor that they knew of it. Both candidates were cooperative and helped reach out to staff when notified of the issue.

7. One complaint concerned a candidate calling another candidate a “liar” during a public forum. I found **no breach** of rule 10.6. I considered the comment to be acceptable in a heated campaign. The candidate who was called a “liar” had a platform to respond to the allegation.
8. One complaint concerned a candidate, seated in the audience, describing another candidate’s answer as a “cop-out” during a public forum. For the same reasons as stated above, I found **no breach** of rule 10.6.
9. Four complaints concerned a candidate’s allegedly discriminatory comments about other candidates. After thoroughly investigating this complaint, I found that a misunderstanding had occurred and that the candidate had no malintent. I found **no breach** of rule 10.6. One complainant appealed the decision to the independent arbitrator, whose view was that there were no arguable grounds on which an appeal against the decision could be upheld, as summarised below.

As the finder of fact, the conclusions regarding the candidate's motivations and meaning were properly reached following a reasonable process of inquiry. There was nothing unreasonable about the conclusions, nor was there any evidence presented that the factual findings were manifestly wrong. Therefore, there was no basis upon which the arbitrator could, on appeal, reverse those findings.

The subsequent conclusion, based on these factual findings, that the candidate's words did not breach their obligation to "act in good faith towards their fellow candidates" was, in the independent arbitrator’s view, reasonable and correct. The clumsy giving of offence should not be bundled together with the deliberate intention to harm or denigrate.

Finally, even if a breach of the obligation to "act in good faith towards their fellow candidates" was established on the part of the candidate, such clumsy and offensive wording alone cannot justify the penalty of disqualification in a properly democratic election. Such a step is the ultimate sanction to be applied for only the worst forms of electoral malpractice. This is not that.

10. Two complaints concerned a candidate (“the respondent”) making misrepresentations about their competitor’s campaign, which contributed to a number of other candidates agreeing to join a campaigning group with the respondent, based on a shared policy platform. I considered these misrepresentations to **breach** rule 10.6. This high threshold

was met by how misleading the statements were, how much they altered the course of the campaign, and the fact that the respondent must have at least been reckless as to their truth.

However, I did not consider it necessary to make a deduction of votes. As candidates in the group realised the truth, the group dissolved. Critic Te Ārohi reported on the incident, informing the student population, while some candidates in the group were vocal about what had happened. I consider that these consequences sufficiently mitigated the harm resulting from the breach.

Five complaints concerned other aspects of the campaigning group, including that it was misrepresented as a “ticket”; that social media posts were left up advertising the group after it was disbanded; that undue pressure was placed on members of the group; and that it was hurtful to candidates left out of the group. With respect to these complaints, I found either no grounds for breach, insufficient evidence to find a breach, or that the natural consequences above sufficiently mitigated the resulting harm. However, these issues give rise to a recommendation I make below.

11. One complaint concerned a candidate (“the respondent”) describing their competitor’s campaign to an individual who wrote a letter to the editor, published by Critic Te Ārohi, criticising the competitor’s policy. I found **no breach** of rule 10.6. I considered that there was at least a real possibility that the respondent was describing their competitor’s campaign truthfully and that the writer misunderstood. In any case, I consider that the Executive’s response to the letter in that same issue of the Critic, and the writer’s clarification in the subsequent issue, were sufficient to mitigate any harm.
12. One complaint broadly concerned the “atmosphere” of the campaign period. The candidate felt ridiculed, excluded, and misrepresented by other candidates. They felt that multiple other candidates had also been victims of such nastiness. They requested no action be taken from this complaint, but they were disappointed by the experience.
13. One complaint concerned a candidate making a social media post about a group of other candidates. I found **no breach** of rule 10.6, as candidates may comment on each other’s campaigns or policies, as long as they do so honestly and in good faith.
14. One complaint concerned Critic Te Ārohi’s coverage of the campaigning period. Writers allegedly exhibited bias in favour of certain candidates, evidenced by the overall tone, the focus on interpersonal drama over policy, and unequal examination of various campaign strategies. I found **no breach**. Critic has independence to report on the election how they see fit. In doing so, they are welcome to prioritise coverage of different aspects of the campaign period over others. Nothing in the article was inaccurate or misleading. The

focus on interpersonal drama (which might be more engaging for readers than policy explanations) was acceptable, particularly as other Critic articles highlighted candidates' policy platforms. I considered Critic's reporting to have been entirely appropriate.

15. One complaint concerned a social media post describing another candidate's policy position in a way that the complainant felt misrepresented their position. I found **no breach**, as I did not consider any real difference between each candidate's true position and the alleged misrepresentation of it. Any minor difference between the two would not have met the high threshold to breach rule 10.6.

Recommendations

This year saw a number of improvements from the last election. Student engagement was high, thanks to increased competition as well as an excellent effort from the current Executive and OUSA staff to promote the election. Far more candidates submitted volunteer lists and financial returns than in past years. I make just four recommendations for the Executive to consider.

1. Group campaigning caused a number of difficulties this year. Many of these issues are exacerbated by large campaign groups, such as the risks of misunderstandings and disputes between large groups of candidates, candidates feeling misrepresented by others in the group, and candidates feeling left out of the group. One solution might be to limit the numbers of candidates in a campaign group to, for example, only three candidates. Another solution might be to require candidates to declare their campaign group prior to the beginning of the campaign period, meaning candidates in a group will generally have to know each other prior to the nomination announcement. I **recommend** either of these strategies.
2. No rule expressly prohibits campaigning before the campaign period begins. I have implied such a rule this year to ask candidates to remove their promotional social media accounts prior to nominations closing, but would **recommend** the rule be made explicit.
3. The Do's and Don'ts are ambiguous as to whether students may place posters outside the tertiary precinct. I interpreted the rules as permitting students to do so, however I **recommend** that the Executive gives this more thought and, irrespective of their decision, makes the position clear in the Do's and Don'ts.
4. Rule 15.7 requires the returning officer to take all reasonable steps to inform the candidate to whom a complaint relates of the complaint. It is my view that in some circumstances, it is better not to inform the subject of the complaint. For example,

there might be no arguable grounds for finding a breach of the rules, and so informing the subject causes them unnecessary stress and risks inflaming tensions between candidates as suspicions arise as to who lodged the complaint.

To that end, I considered some of the complaints above to be better characterised as enquiries about the rules, rather than formal complaints, and so did not always inform the candidate involved. Indeed, in many of these cases the candidate seemed hesitant to make a formal complaint that I would have to notify the subject of. I **recommend** that the Executive considers whether this practice is appropriate, or if future returning officers should notify candidates of all complaints without exception.

Conclusion

I submit this report as a full record of key events, decisions and recommendations from the 2025 OUSA Election per rule 3.3 of the Elections Policy.

A handwritten signature in black ink, appearing to read 'A. Bowmar'.

Abby Bowmar

OUSA Returning Officer 2025