

Report of the Returning Officer on the 2025 OUSA Executive Elections

**Provided in accordance with clause 3.3 of the OUSA
Elections Policy**

30 October 2024

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1. Executive Summary

- 1.1. The election ran smoothly and I am confident that all students had a fair opportunity to participate. All candidates were a pleasure to work with.
- 1.2. I received enquiries relating to 19 separate issues. All enquiries were resolved.
- 1.3. I investigated two complaints. They were both resolved without appeal to an independent arbitrator.
- 1.3.1. I make six recommendations.

2. The Election

- 2.1. Nominations opened at 9am on 9 September 2024 and closed at 4pm on 12 September 2024.

- 2.2. The following positions were contested:

Administrative Vice President
Academic Representative
Postgraduate Students' Representative
Clubs and Societies Representative
Political Representative
Residential Representative

- 2.3. The following positions were uncontested:

President
Finance and Strategy Officer
Welfare and Equity Representative
International Students' Representative

- 2.4. Voting opened at 9am on 30 September 2024 and closed at 4pm on 3 October 2024. 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.

- 2.5. The following candidates were returned:

PRESIDENT:	Liam White
ADMINISTRATIVE VICE PRESIDENT:	Amy Martin
FINANCE AND STRATEGY OFFICER:	Daniel Leamy
ACADEMIC REPRESENTATIVE:	Stella Lynch
WELFARE AND EQUITY REPRESENTATIVE:	Amy Whyman
POSTGRADUATE STUDENTS' REPRESENTATIVE:	Josh Stewart
INTERNATIONAL STUDENTS' REPRESENTATIVE:	Ibuki Nishida
CLUBS AND SOCIETIES REPRESENTATIVE:	Deborah Huang
POLITICAL REPRESENTATIVE:	Jett Groshinski
RESIDENTIAL REPRESENTATIVE:	Callum Hadlow

- 2.6. Nominations were received for all roles, and many roles were contested. However, it is concerning that multiple roles ran uncontested. The election turnout was also relatively low, with fewer than 1600 students casting their vote; a decrease from past years.

3. Enquiries

- 3.1.1. There was an enquiry as to whether OUSA reimburses campaign expenditure up to \$200. I advised that OUSA does not.
- 3.1.2. There was an enquiry as to whether an incumbent seeking re-election may refer to their work on the 2024 Executive, including by using a photo displaying this work. I advised that this was permitted, as long as it did not imply OUSA endorsement.
- 3.1.3. There was an enquiry as to whether a candidate who spent no money on their campaign had to file a financial return. I advised that this was still required, and a signed copy should be returned.
- 3.1.4. There was an enquiry as to how a candidate should record their free workplace printing in their financial return. I advised that the 'full market value' of campaign material (cl 13.2) means the value at which a member of the public could purchase the goods.
- 3.1.5. There was an enquiry as to whether a candidate may only lecture bash alongside other candidates running for the same role. I advised that the candidate was permitted to lecture bash alone.
- 3.1.6. There was an enquiry as to whether a candidate may include the word 'OUSA' on posters. I advised that including the word would not itself imply endorsement by OUSA, so was permitted.
- 3.1.7. There was an enquiry as to whether a particular shade of dark green was permitted on posters. I advised that it was.
- 3.1.8. There was an enquiry as to whether chalking was permitted. I advised that it was, as long as it was non-permanent and not on the side of buildings.
- 3.1.9. There was an enquiry as to whether a candidate may email OUSA-affiliated clubs directly rather than through the Clubs Development Officer. I advised that they may. Note my recommendation at 5.2.
- 3.1.10. There was an enquiry as to whether a candidate may email the head of a residential college directly. I advised that they may.
- 3.1.11. There was an enquiry as to whether a candidate may hand out stickers. I advised that they may, as long as receipt of the sticker was not conditional on who a student votes for.
- 3.1.12. There was an enquiry as to whether a candidate's involvement in a Critic article was permitted. The article would include a discussion of whether the candidate running uncontested was a vote of confidence in their candidacy. I advised that it was not, as it would likely breach cl 13.3. Note my recommendation at 5.5.

- 3.1.13. There was an enquiry as to when the campaigning period starts. I advised that this is defined under cl 2.1.2 as starting once nominations close.
- 3.1.14. There were two enquiries as to whether posters may be placed in bathrooms. I advised that they may not, as posters may only be placed on noticeboards.
- 3.1.15. There was an enquiry as to whether a candidate studying within a particular faculty may place posters on a noticeboard designated only for staff and students of that faculty. I advised that they may.
- 3.1.16. There were two enquiries as to whether candidates may post the link to vote alongside campaign messaging. I advise that they may, due to cl 11.1.5.1.
- 3.1.17. There was an enquiry as to whether a candidate may appear in a Critic artwork that represented their entering into the election race against the vote of no confidence. I advised they may, as it did not constitute campaigning. Note my recommendation at 5.5
- 3.1.18. There was an enquiry as to whether a candidate may hang a banner over the Union Building. I advised that they may, as long as the banner was placed in a designated area some distance from the OUSA Main Office, the banner was not weighed down by anything that might break the glass roof below, and the banner was placed safely. Note my recommendation at 5.4.
- 3.1.19. There was an enquiry as to whether emailing all OUSA clubs and societies was a breach of cl 11.2.1. I advised that it was not. While clubs and societies mailing lists were found to constitute a 'University email list' in a past election, this decision was prior to allowing clubs and societies to endorse candidates, and the Do's and Don'ts expressly permit emailing clubs and societies. Note my recommendation at 5.2.

4. Candidates' conduct

- 4.1. It was a pleasure to work with all candidates this year. Everyone was respectful and good-natured. Candidates were proactive in seeking permission before acting, and there were no malicious breaches of the rules.
- 4.2. The majority of candidates sent in final financial returns, though a sizeable minority did not. The returning officer has reported this problem for many years now. Note my recommendation at 5.6.
- 4.3. I received complaints about three issues, one of which was later withdrawn. Of the two complaints that I investigated, I found one breach of the rules, and issued a penalty for this.

The following complaints were received:

- 4.3.1. There was a complaint that posters were put up outside of noticeboards: in elevators and the lobby in the Richardson Building, in elevators and bathrooms in the Mellor Laboratories, and in bathrooms and hallways in the St David Complex. I was made aware of 12 such posters, which remained in non-permitted areas for four days following the candidate being made aware of the breach.

I found that the candidate had breached the Elections Policy and ordered a 50 vote deduction. This penalty reflected the large number of students who likely viewed the posters

and the failure of the candidate to quickly resolve the breach. I balanced these factors with the candidate's lack of malintent and cooperative responses.

- 4.3.2. There was a complaint that the above breach (of 'Candidate A') should also be attributed to another candidate ('Candidate B'). The posters included a link to Candidate A and Candidate B's shared Instagram page. However, Candidate B did not put these posters up, nor did the posters otherwise advertise Candidate B's campaign.

I found that Candidate B did not breach Elections Policy, so no penalty was required. Candidate B did not breach the rules themselves. I did not consider Candidate A to be a volunteer for Candidate B, as Candidate B did not influence Candidate A's conduct and Candidate A was advancing their own campaign by placing posters, hence I found that Candidate A's breach could not be attributed to Candidate B per cl 12.1.

Had I found a breach, I would not have imposed more than a nominal penalty, due to Candidate B's absence of intention and high levels of cooperation, as well as the breach having a likely insubstantial benefit to Candidate B's campaign.

5. Recommendations

- 5.1. The Elections Policy sets out the rules that govern candidate conduct. This document makes no mention of the 'Do's and Don'ts of the OUSA Executive Election', which purports to summarise the Elections Policy, but also includes rules that do not feature in the Elections Policy, e.g. posters may only be placed on noticeboards. Candidates are often found to be in breach of these additional rules, and so it would be preferable if these were formally part of the Elections Policy.

I recommend ensuring consistency between the two documents. Alternatively, I recommend adding a clause to the Elections Policy that incorporates all rules in the 'Do's and Don'ts'.

- 5.2. I recommend amending cl 11.2.1. to prohibit candidates from mass emailing clubs and societies, in addition to the prohibition on using University email lists.
- 5.3. I recommend upgrading voting equipment at voting booths, particularly tablets, as necessary to be fit for purpose.
- 5.4. Candidates have historically hung banners over the Union Building, though the Rules are unclear on whether this is permitted.

I recommend clarifying the stance on banners. Clause 11.1.1 could be amended to expressly prohibit campaigning on the outside of the Union Building. Alternatively, a cl 11.1.1.1 could be added to expressly allow candidates to hang banners, if it is done without risk to the glass roof below and sufficiently far from the OUSA Main Office, both of which could possibly be at the discretion of the Returning Officer.

- 5.5. I recommend considering whether to amend cl 13.3, to provide more guidance to candidates and future returning officers as to the extent that engagement with Critic Te Ārohi is permitted during the campaign period. Currently the rule is strict, though returning officers have at times interpreted it liberally. It may be appropriate to formally relax the rule, which may improve student engagement with the elections and would allow candidates the right of

reply.

- 5.6. While more candidates complied with cl 13.5 and submitted financial returns than in past years, a sizeable minority still did not. I recommend adopting the proposed recommendation made in the 2023 report, and echoed in the 2024 report:

I recommend that the Elections Policy be amended to ban further expenditure of campaign funds and volunteer activities during the voting period, and require candidates to submit their returns and volunteer lists before the close of voting, with a set vote deduction penalty for any candidate who does not do so. I believe this is the only way to ensure financial reporting and avoid exploitation of current weaknesses in the system.

6. Conclusion

- 6.1. Overall, I believe this election ran smoothly. It was a privilege to help facilitate the election, and all candidates were friendly and understanding. I wish the incoming Executive all the best, and thank all candidates who ran this year.
- 6.2. Low voter turnout and competition for certain roles remain an issue for the incoming OUSA Executive to consider.
- 6.3. I submit this report as a full record of key events, decisions and recommendations from the 2025 OUSA Election per cl 3.3 of the Elections Policy.



Abby Bowmar
OUSA Returning Officer 2024