

Ruling (2) of the Returning Officer

In relation to a complaint made by Adriana Mells ("the complainant") against the More! ticket ("the respondent"), the Returning Officer rules as follows:

1. The complainant alleges that a movie night held at the Student Village on Monday 29 August, at which two of the respondent's candidates spoke and free pizza was served, amounted to an inducement contrary to Regulation 44.4, and that the behavior of the said candidates amounted to dishonest conduct in breach of various other Regulations.
2. Prior to the event, a representative of the respondent discussed it at some length with the Returning Officer and Deputy Returning Officer, and gave undertakings that the event would not be branded as a ticket event and that the respondent would not be associated with the provision of the pizza. On that basis the Returning Officer cautiously agreed that the event could go ahead.
3. The Returning Officer does not believe that the respondent set out deliberately to breach those undertakings, but he nonetheless feels that in the circumstances the rule against inducements was not adequately observed.
4. It is important to realise that, apart from events sponsored by UMSU (or of course by the Returning Officer), there is no obligation on the organisers of campus events to be politically neutral. The fact that the respondent was given preferential treatment at the event is not of itself a problem; the problem arose from the fact that the respondent was associated with the provision of free food in a way that could be interpreted as an inducement.
5. The fact that the event was a week before the start of the election reduces the seriousness of the breach, as does the fact that the complainant was given an opportunity to speak, albeit in circumstances that would have put her and her ticket at a disadvantage.
6. Nonetheless, inducement is a sufficiently serious matter that the Returning Officer feels it is appropriate to impose a penalty. Martin Ditmann and Nicholas Lam are therefore banned from campaigning for the first two hours of polling on Tuesday, 6 September.

Charles Richardson
Returning Officer
4.9.16