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# **Report of the Returning Officer Swinburne Student Union Annual Election**

**October 5-9, 2015**

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## **Staffing**

Above Quota Elections Pty Ltd appointed Director Haydn Steel as Returning Officer (RO), with Goldie Pergl and Charles Richardson appointed as Deputy Returning Officers (DRO).

Two poll clerks were employed each day at the Swinburne Hawthorn Campus and 1 was employed for Wantirna and Corydon campuses.

Unfortunately before election week Haydn Steel became unwell and had to withdraw from participation in the election.

Goldie Pergl and Charles Richardson stepped up to take over Haydn's role in the election.

Stephen Luntz assisted with the count.

## **Notice of Election**

The Notice of Election appears below. This was posted on the SSU website, emailed to SSU members, and posted on pinboards and notice boards around campus.

## Ticket registration

Ticket registration as per the Notice of Election closed on 21 September.

Only 2 tickets registered:

Ticket Name	Ticket Registrant
EVOLVE	Caitlyn Bruty
Seriously Don't Vote For Me!	Joshua Fernandez

## **Nominations received.**

**Nominations closed at 5pm on the 18 of September.**

**Nominations received were as follows**

### **President**

Caitlin Bruty\*

### **General Secretary**

Brendan Spackman-Williams\*

### **Faculty of Health, Arts, & Design Representative**

David Brodtmann

Kira Hennessy

### **Faculty of Science, Engineering & Technology Representative**

Dilan Chathuranga

Samuel Roberts

### **Faculty of Engineering & Technology Representative**

Samuel Roberts\*

### **Editor in Chief of the Swine**

Nicholas Kennedy\*

### **General Editor of the Swine**

Matt Young\*

**Lead Designer of the Swine**

Anh Tuan Tran

Josh Coates

**Managing Editor of the Swine**

Pedro Cooray\*

**Promotions & Distributions Officer of the Swine**

Jared Berman\*

**Clubs Officer**

Thomas Filippou\*

**Education Officer**

Anthony Osborne

Lee Taube

**Education Officer (Academic Affairs)**

Suzanne Byron\*

**Education Officer (Public Affairs)**

Asha Khalif Al\*i

**Environment & Sustainability Officer**

Ana Tinc\*

### **General Representative on Student Council (3 Positions)**

David Brodtmann

Jared Berman

Joshua Briers

Linda Kenyon

Pawan Suppaiboonsuk

### **Hawthron Campus Chair**

Tohiora James Kuru

### **Wantirna Campus Chair**

Will Joseph\*

### **Heath/Disability Representative**

Karuna Santosa\*

### **Indigenous Representative**

Christopher Jakobi\*

### **International Representative**

Adnan Islam\*

Ryan Lixin Chen#

### **Postgraduate Representative**

Qazi Syed Zaheeruddin

Ryan Lixin Chen



**Queer Representative**

Zane Clark\*

**TAFE Representative**

Michael Samarin\*

**Welfare Officer**

Victoria Pearce\*

**Women's Representative**

Abigail Michell\*

**Swinburne International Students Association Committee**

Srinath Gopathi

Qazi Syed Zaheeruddin

Krishna Sai Sarath Tummalpalli

Panduka Madana Hiti Bandaealage

Anh Tuan Tran

Omar Benmansour

Telge Yamindri Natasha Peiris

**Delegation to the National Union of Students.**

Ana Tinc

Anthony Osborne

Brendan Spackman-Williams

Caitlin Bruty

Christopher Jakobi

Joshua Briers

Joshua Fernandez

Viktoria Ivanova

Will Joseph

\*Denotes a candidate who was elected unopposed.

#Denotes a candidate who withdrew prior to polling.

## Polling times

	Monday 5/10	Tuesday 6/10	Wednesday 7/10	Thursday 8/10	Friday 9/10
Hawthorn Atrium	10am –4pm	10am –4pm	12pm -6pm	10am –4pm	10am –4pm
Croydon Caf		10am –4pm		10am –4pm	
Wantirna Caf	10am –4pm		10am –4pm		9am – 3pm

## **Infractions**

The 2015 SSU election passed off without serious incident.

The Returning Officer did not receive any complaints about the conduct of campaigners and all involved are to be congratulated for their excellent behaviour.

## **Counting**

Counting took place from 4:15pm on Friday 9 October 2015 on Level 4 of the UN Building.

Once the Returning Officer was satisfied with the reconciliation of the ballot numbers per campus and, at Hawthorn, per day, the sorting and counting commenced.

As the position of President had been elected unopposed the Returning Officer decided to count the Education Officer day by day and all other ballots as a whole. As there was only one ballot cast at Watirna for the whole week and none at Croydon all out station votes were counted together with Friday's votes from Hawthorn. All positions were declared by 6:30pm

Scrutineers were present during the whole of the count.

## Results of contested positions

### Education Officer

	Monday	Tuesday	Wednesday	Thursday	Friday	Total
<b>Lee Taube</b>	13	14	20	8	9	64
<b>Anthony Osborne (EVOLVE)</b>	38	41	26	17	19	117
<b>Formal</b>	51	55	46	25	28	205
<b>Informal</b>	8	5	5	18	12	48
<b>Total</b>	<b>59</b>	<b>60</b>	<b>51</b>	<b>43</b>	<b>40</b>	<b>253</b>

### Media - Lead Designer of the Swine

Anh Tuan Tran: 68 Votes

Josh Coates(EVOLVE): 134 Votes DECLARED ELECTED

Informal: 50 Votes

### Postgrad Representative

Ryan Lixin Chen(EVOLVE): 144 DECLARED ELECTED

Qazi Syed Zaheeruddin: 71

Informal: 38

### Faculty of Education Board - Health Arts and Design Rep

David Brodtmann: 65

Kira Hennessy(EVOLVE): 135 DECLARED ELECTED

Informal: 53

### Education Board - Science, Engineering and Technology Rep

Dilan Roberts(EVOLVE): 157 DECLARED ELECTED

SamuelChaturanga: 52

Informal: 44

**General Representative on Student Council (3 to elect)**

	Primaries	Briers re-d		Brodtmann	
Linda Kenyon	38	20/4.78	42.78	4/4	46.78 ELECTED 3
Josh Briers	67	ELECTED 1			
Pawan Suppaiboonsuk	31	10/2.39	33.39	7/7	40.39
Jared Berman	52	ELECTED 2			
David Brodtmann	16	12/2.87	18.87	ELIMINATED	
Total Formal	204	42	95.04		87.17
No. to elect	3		1		1
Quota	51		47.52		43.59
Informal	48		53.97		58.97
Used Quotas			102		102
Total	252	67/	251.01		248.14

**Swinburne International Students Association Committee (5 to elect)**

Candidates	Primaries	1	2
Srinath Gopathi	12	ELECT 2	
Qazi Zageeruddin	24	ELECT 1	
Krishna Tummalpalli	10	2/11.01	ELECT 4
Panduka Bandarlage	3	1/ 3.51	
Anh Tuan Tran	4	4	
Omar Benmansour	12	ELECT 3	
Telge Peris	6	10/11.01	ELECT 5
Formal Total	71		
Informal	15	11	
Total	86		



**Delegation to the National Union of Students (6 to elect)**

Candidate	Primary	1	2	3	4
Victoria Ivanova	45	<b>ELECTED 1</b>			
Joshua Briers	25	28.152		<b>ELECTED 4</b>	
Caitlin Bruty	35	<b>ELECTED 2</b>			
Will Joseph	10	11.984		ELIMINATED	
Brendan Spackman-Williams	31	31.078	<b>ELECTED 3</b>		
Joshua Fernandez	20	20.894			
Ana Tinc	19	19.792			28.535 ELECTED 6
Anthony Osborne	22	22.396			30.06 ELECTED 5
Christopher Jakobi	14	14.288		ELIMINATED	
Informal/Exp	33	40.246			
Total Quota = 31.571	254	$T_1 = 0.298$	$T_2 = 0.098$	$T_3 = 0.089$	

## **Recommendations.**

Over the past several years the SSU has considerably changed its constitution and election regulations. These changes have greatly improved both documents and has made the job of returning the elections a lot smoother

The Returning Officer would like to thank the SSU Council for the changes it has made.

### **Recommendation 1: Non-Hawthorn polling**

As in recent years an obvious low light of this year's election was the situation with the polling at Croydon and Wantirna where only one vote was recorded for the whole week.

It would appear to the Returning Officer that the only way around this issue is for the SSU to engage more closely with students at the smaller campus and to confirm from them when teaching will occur on campus and when it will occur in placements.

### **Recommendation 2: Spending Caps and inducement to vote**

Returning Officer recommends the removal of the cap on spending as set out in regulation 70(a) & 71.

The Returning Officer understands that this regulations is designed to prevent a person from "buying an election"

It is not the experience of the Returning Officer that greater financial resources lead to a better electoral outcome for Student Elections.

Student elections at campuses without a cap on spending do not see groups with money dominating the elections in the face of groups who engage with the student population.

In addition to being, in the opinion of the Returning Officer unnecessary, the rule is also difficult if not impossible to enforce. It is not possible to know how many flyers a group produces with any accuracy and therefore determine the amount of money spent.

Similarly it is impossible to determine when expenditure has taken place. If a group keeps its' branding for several years should the expense of a t-shirt purchased in a pervious year be counted in the current year? Similarly if a ticket or individual was donated campaign t-shirts or other resources how would the Returning Officer determine the cost of those items?

The only way money could be used to corrupt the system would be to pay people to campaign or offer an inducement to vote.

While it is clear that bribery is not in the spirit of the rules it seems as if the SSU regulations do not presently explicitly forbid it. Therefore the Returning Officer recommends the insertion of a new sub regulation in to regulation 70.;

- No person may pay any person to campaign in an election or offer any voter any inducement to cast or not cast a ballot in a particular way.

The above regulation should be included regardless of Councils' view on the removal of spending limits.

### **Recommendation 3: Campus Chairs**

The one complaint received during this election related to the eligibility of a person to hold the position of Wantirna Campus Chair (see below ruling 1) because of Regulation 28.

It is clear to the Returning Officer that Regulation 28 has a proper purpose and is need to continue.

However its current wording is problematic because it relies on a person speculating about being enrolled at the Campus for which they are standing in the next semester which is usually several months away.

This would seem relatively easy to satisfy regulation 28 if say enrolled in the 1<sup>st</sup> year of a 3 year degree. But this assumes that a person will go on to continue the course in the following semester.

This is of course no guarantee, given that according to reports in the Australian Newspaper, in 2013

*“Swinburne University of Technology had the highest number of first-year dropouts. With an attrition rate of 28.05 per cent, 2990 of its 10,660 first-year students did not see out the year<sup>1</sup>.”*

There is also nothing to prevent a student from transferring their course to another campus after the election.

The Returning Officer therefore recommends that Regulation 28 is replaced with:

1. Where a student nominates for a campus based position, such as Campus Chair or for a Campus Committee, that campus must be the campus on which the majority of subjects are studied during their term of office.
2. If a student ceases to study a majority of subjects on the campus they represent they will have been deemed to have resign and the position will become vacant, unless;

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<sup>1</sup> <http://www.theaustralian.com.au/higher-education/first-year-uni-dropouts-swinburne-utas-led-spike-in-2013/story-e6frgcjx-1227470038183>

- a) In the case of a student nominee who is at the time of the election currently studying a majority of subjects at the campus at which they are seeking to represent but before the commencement of the next semester they cease to be a student. The student can continue in office as long as they again enrol in a course of studies with a majority of subjects are taught at that campus by the commencement the next semester; or
- b) In the case of any student who at the time of the election is not enrolled at a campus that they seek to represent, they are eligible to stand for election if they give an undertaking that they will be enrolled in a course of study where the majority of subjects are taught at the campus they seek to represent and by the commencement of the next semester they enrol in such a course.

## **Rulings**

### **Ruling 1.**

Ms. Catlin Bruty alleged that Mr. William Joseph could not satisfy regulation 28 in that he was not reasonably likely to be a student at Wantirna next year.

Following extensive discussions with Mr. Joseph he has informed me that while he anticipates finishing his current course at the end of this semester, he is intending on taking the Certificate IV in Screen & Media which is taught both at Hawthorn and Wantirna. He intends on taking this course at Wantirna.

Regulation 28 has clearly been created for a proper purpose but in Mr. Joseph's case is very hard to apply as he is coming to the end of a course. The regulation clearly contemplates a person being eligible to run for a campus based position without currently being a student at that campus - so it's fair to mean it must also allow a current student who is not yet enrolled in a course next year to stand. The Returning Officer will make recommendations in the report to improve and clarify this regulation.

As Mr. Joseph has provided me with enough evidence that he has not applied for any course at a campus other than Wantirna and, that he has plans to continue at Wantirna campus in 2016, the Returning Officer is satisfied he meets the requirements of regulation 28.

As such the complaint is dismissed.

## **Conclusion and Declaration.**

The 2015 SSU election was a very quiet affair and the Returning Officer would like to thank the staff of AQE and all persons who participated in the election and made it an easy election to administer.

I hereby declare that the 2015 SSU Annual Election was conducted and administered with impartiality by myself and the directors and staff of Above Quota Elections Pty Ltd.

Haydn Steel

Charles Richardson

Goldie Pergl

29<sup>th</sup> November, 2015