



Appeals Board Chair <appeals@westernusc.ca>

Appeals Submission

Sophie Helpard <sophiehelpard@gmail.com>
To: Appeals@westernusc.ca

Tue, Mar 17, 2015 at 3:27 PM

Hello Derrick,

Thank you for your patience in responding to your last email. I appreciate your prompt response. Since then, I have received the Elections Committee Reports, and my team and I have prepared an appeal to several of the committee decisions. Details are below. If you have any concerns with the format I have used, or the clarity of our intentions, please let me know and I will be happy to make any changes or edits necessary for this process to continue.

On behalf of my slate, I, Sophie Helpard, request to launch an appeal of the validity of following decisions produced by the Elections Committee on March 10th, 2015.

We appeal the Elections Committee's sanction in regards to the post-campaigning violations.

The Elections Committee's decision to treat all of Team Litchfield's 21 Facebook group posts with the platform during the voting period as a single action equivalent of an extraordinary violation does not equitably apply the sanction for the violations that occurred. We believe the nature of the posts, including the fact that members of these groups would have received a notification upon Jack Litchfield posting, that it was done by one of the slate members, and the sheer number of individuals in each of these groups warrants a re-examination. Other candidates during this election, including Team Sophie, received up to three demerit per post-campaigning violation. Had sanctions been distributed equitably, Team Litchfield would have received up to 63 demerit points. This number of 63 does not include the other instances of post-campaigning that, based on the Election Committee's report, we have reason to believe were not factored into the decision (this matter will be discussed further below). We believe that the Elections Committee should have considered a framework for all post-campaigning complaints across all candidates, for all positions, as opposed to handling it on an ad-hoc basis. Had a consistent framework for demerit points relating to post-campaigning been developed, we believe the sanctions against Team Litchfield would have been substantially higher. We would suggest that the decision to consider all 21 violations as a single extraordinary offence was inconsistent and unjust.

We appeal the Elections Committee's sanction in regards to the placement of campaign material in 1209 Richmond Street (Somerset Place) and 1235 Richmond Street (Luxe).

The Elections Committee's decision to treat the violation stated above as only a major and minor violation, respectively, as inconsistent with the severity violation. Non-Arms

Length parties mass-distributed campaign materials throughout the apartment buildings without the consent of the residents or building managers. We believe, cumulatively, that more demerit points should have been distributed considering the number of voters influenced. The Luxe allegation was only treated as a minor offence, but based on the report we fail to see why and would like further explanation to justify this classification or have the offence upgraded. We also have reason to believe that in 'Exhibit 6', Resident #2 does not live in the Luxe building, and thus their allegation should have been treated separately. Additionally, as discussed in 'Exhibit 7', Team Litchfield did not have campaign materials for their off-campus canvassing printed at Creative Services, as required by the By-Law. If our team was given that option, we could have obtained more affordable printing as well.

We appeal the election results on the grounds that Team Litchfield acted in a way that undermined the election as set under by-Law #2 (Section 11.12 (6) vi.)

Team Litchfield treated the demerit point system as a resource that should be budgeted and used, as opposed to a set of penalties to be avoided. This action poses serious risk to trust students and partners across the campus place in the election process, and damage the University Students' Council as a whole. This disregard for the purpose of rules should be considered as a "flagrant undermining of the purpose and effect of the electoral process."

In many of Team Litchfield's public comments concerning the violations, they infer that they followed what the rules *should* be. While the By-Law may need to be updated and modernized, all candidates were working with the same set of regulations and Team Litchfield had the responsibility to follow them as they are written. If both teams were allowed this liberal interpretation, our strategy would have differed greatly, as could the result of the election.

Please note: Our team is still awaiting information from the Elections Committee regarding violations that were submitted but were not reported on. We are in contact to receive information why they were not investigated, or did not result in demerit points. We wanted to submit our appeal as soon as possible in the interests of your time and ours, however I will follow up with more information if necessary as the results of this fact-finding mission may affect the scope of what we aim to appeal. If you do not find this prudent, please let me know.

The appeals we are submitting are based on the decisions of the Elections Committee, and understand that they should be inspected independently for merit. With that being said, we also understand the value of framing this issue within the context of the election results.

We hope the Appeals Committee will consider the above carefully. Any member of my

team is available to answer any questions or help in any way. We are preparing for the opportunity to prepare a full and extensive appeal including more detailed explanations and photo attachments, but hope this serves the current purpose of the Appeals Board. Thank you in advance for your time and consideration.

Sincerely,

Sophie Helpard