

## UMSU Electoral Tribunal – Summary of Decision on Appeal

**Election:** 2025 UMSU International Annual General Elections

**Date of decision:** 6 June 2025

**Members of the Electoral Tribunal:** Sarah Morgan, Michael Gronow, Peter Lithgow

### **Parties:**

Appellant: Momoka Honda

Respondent: Vinayak Kapoor

### **Nature of the appeal:**

Appellant appealed the President election result on the basis that the respondent had breached the UMSU International Electoral Regulations, particularly RR 12.2, 12.3 and 13.3(f).

### **Decision:**

The appeal is dismissed.

### **Summary of reasons:**

- While the issues brought up in this appeal were fair to raise, they are not sufficiently serious to result in the proposed consequences either to disqualify the provisionally elected President, or to hold the entire election again.
- It is not possible to stop other people from expressing an opinion (such as who they think one should vote for) to their friends. Furthermore, there's no way to show how recipients of that opinion actually voted.
- A person who makes a short announcement within a classroom would not be using a university resource in violation of R13.3(f), if the tutor agreed to the making of that announcement. Furthermore, just because the respondent is aware of the situation, it doesn't mean that they could have stopped the person from their conduct.
- The Tribunal agreed that a one-off conversation does not count as campaigning, but standing in front of people would be campaigning.
- The Tribunal also agreed with the Returning Officer's observations as follows:
  - It would be difficult to disqualify a candidate in a punitive way for something that they didn't have control over.
  - Ballot secrecy is not entirely possible if the voting is not contained within a room in a polling booth, hence having a phone is prima facie proof of breach

to hopefully maintain ballot secrecy; it is then up to the alleged campaigner to show that they were innocent.

**Outcome:**

1. The appeal is dismissed