

# OFFICE OF THE CHIEF RETURNING OFFICER

University of Manitoba Students' Union

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## Ruling Form

<b>Ruling #</b>	2018-004
<b>Date and time ruling posted</b>	March 6, 2018 at 3:20 PM
<b>Deadline to appeal (48 hours from posting)</b>	March 8, 2018 at 3:20 PM
<b>Concerning Complaint #</b>	2018-004
<b>Summary of the allegation</b>	The Manitoban released a video of Future UMSU VPA candidate Athena Skarban where she is said quoted saying "what makes me different from other candidates in this position is, I care about the students, I'm not just doing this to put it on my resume". This was interpreted as "negative campaigning" or an "attack" towards Elevate UMSU VPA candidate Sarah Bonner-Proulx.
<b>Summary of the parties to the complaint</b>	Athena Skarban
<b>Does the CRO have jurisdiction?</b>	Yes
<b>Applicable Election Rules</b>	SR 9.E: 'Negative campaigning, attack advertisements, or any campaign material that does not focus specifically on the candidate that the material is meant to endorse will not be permitted and will be subject to penalty, up to and including disqualification.'
<b>Finding of facts</b>	<ol style="list-style-type: none"><li>1. Watched the interview video (0:09-0:22 seconds): <a href="https://www.facebook.com/themanitoban/videos/10156317162904558/">https://www.facebook.com/themanitoban/videos/10156317162904558/</a><ol style="list-style-type: none"><li>a. Athena does say: "what makes me different from other candidates in this position is, I care about the students, I'm not just doing this to put it on my resume".</li></ol></li><li>2. Interviewed Athena:<ol style="list-style-type: none"><li>a. Athena said The Manitoban asked: 'Why are you running for VPA and what makes you different?' What makes you different was a follow up question, asked so Athena could elaborate on her response.</li><li>b. Athena claims she misinterpreted the question as she thought</li></ol></li><li>3. Interviewed Garrett Williams, Editor at The Manitoban:<ol style="list-style-type: none"><li>a. Garrett confirms that, 'What makes you different' was a follow up question that accompanied the question, "Why are you running for ____" during The Manitoban interview.</li></ol></li></ol>

<b>Ruling on the alleged breach</b>	<p>Athena was found to say: “what makes me different from other candidates in this position is, I care about the students, I’m not just doing this to put it on my resume”. Due to the fact that Athena is only running against one individual, Sarah Bonner-Proulx for the position of VPA, this comment suggests that voters should vote for Athena based on the weaknesses of the other VPA candidate, rather than due to Athena’s own merits alone.</p> <p>The office of the CRO finds that this comment about “<b>other candidates in this position</b>” was negative campaigning. According to Supplemental Rule 9.E, negative campaigning includes “material that does not focus specifically on the candidate that the material is meant to endorse.” Athena’s comments did not focus on her own campaign, but instead discussed the qualifications and motivations of other candidates. The office of the CRO is satisfied that Athena’s comment was a breach of Supplemental Rule 9.E.</p> <p>During the interview, the office of the CRO became satisfied that Athena did not make the comment with a malicious intent, but now realizes the way that the comment could be perceived as negative campaigning.</p>
<b>Penalty assigned</b>	10 demerits to Athena Skarban for negative campaigning