1.0 Introduction

The Guild President directed the establishment of an advisory panel to assist the Statutes Committee and the Guild Council on the matter of election regulation reform. The advisory panel was asked to inquire into the deficiencies of the operation of the current regulations under which Guild elections are run at UWA. In particular, the advisory panel was asked to comment on, *inter alia*:

a. online campaigning and online voting;

b. material approval regulations;

c. how to increase voter participation; and

d. guidelines for funding and expenditure.

However, the advisory panel was given a broad mandate to subject the regulations in their entirety to scrutiny and review.

It is the opinion of the panel that there is need for reform of the regulations. The need for reform is highlighted by the current regulations creating a restrictive election environment that does not encourage and foster strong student engagement and participation.

The goal of any set of electoral regulations should be to provide an environment of open and accessible elections. Currently, the current regulations for UWA Guild elections do not satisfactorily provide this environment. Additionally, there is evidence to suggest that regulations may benefit incumbents, which, in the panel’s view, should not be the case.

At a practical level, the advisory panel recommends that the regulations be amended by Statutes Committee to reflect our substantive recommendations and that the acceptance of regulations in line with these recommendations be accepted by Guild Council. The advisory panel also considers the acceptance of these recommendations and the regulations we wish to see follow a priority for Council and must be implemented in time for the 2012 Guild Elections. In the opinion of the advisory panel, the recommendations we have provided will ensure a more open,
transparent and engaging election environment and lead to a Guild that is representative of the student community.

It should be noted that not all members of the advisory panel were present at each of the meetings. Consensus was reached on some of the recommendations, but not all.

2.0 Issues with the current regulatory regime

The advisory panel began its investigation by citing defects with the current regulations and their restrictive nature. In particular, the panel found the following areas to be of concern.

2.1 Restriction of electronic communication and media

The panel identified the restrictions placed on communication via the internet as an area of concern. The panel recognised that a set of regulations used to run an election of any kind in the twenty-first century should not prohibit the use of the internet. The panel agreed that it was a natural form of campaigning in modern society and is an accessible form of campaigning for candidates. The restrictions on social media as well as other forms of electronic communication were recognised as defects within the current regulatory regime, which should be addressed by Statutes Committee when amending the regulations. The panel quickly came to agreement on the fact that online campaigning of some nature should be allowed. The panel initially differed in regards to degree, however, this was overcome through compromise and consensus was reached.

Issues highlighted in this area included the nature of public online and private online campaigning and the difference between these. It was agreed that private online campaigning (through the use of emails, facebook private messages and text messages) should generally be allowed. With respect to public online campaigning (such as public social networking posts and websites), there was broad agreement that any overuse of public online campaigning would be detrimental, rather than helpful to the electoral prospects of candidates overusing the medium. It was thought that this consideration would, to some degree, prevent the advent of 'spamming' and
like posts on social networking sites. In this way, two members of the panel favoured self-regulation, rather than enforcing strict guidelines or limits on candidates.

In terms of the content of the posts or campaign-related messages, the panel expressed a favour for positive campaigning, yet agreed that truth should be the overarching guiding principle of what was and was not acceptable to display online. Concerns were raised over the negativity that could arise out of allowing online campaigning. It was agreed this could be overcome by having guidelines that prohibit candidates referring to other candidates by name without their permission. Whilst it was agreed that positions held within student organisations (eg. The 2012 Guild President) would be acceptable, while the candidates name (eg. Matthew McKenzie) would not be. The appropriateness or otherwise of online campaigning statements is best decided at the discretion of the Returning Officer.

2.2 Voting Positions on Council

This was not so much cited as a defect in the current regulations but it was identified by the panel as an area of the regulations that required investigation. The panel received specific direction from Guild Council in the March meeting to include an exploration of the viability of a voting International Students Representative in its review of the electoral regulations. The panel also thought it an opportune moment to consider the potential for a voting position for the Welfare Officer, given that this was also raised in Guild Council. Additionally, the panel felt that any proper discussion of the expansion of the voting members of Council should place all positions on the table, including, but not limited to, Queer Representative, Residential Students Department representative (or a college representative of some description), and PSA President.

2.2.1 Changing the general voting composition of Council

The panel considered the current voting structure of Guild Council and the principle behind office bearing positions such as Education Council President, Societies Council President, and Public Affairs Council President having a vote and compared that with the other proposed voting offices. It was thought that the grounding principles for the existing voting offices and the newly proposed voting members
were incongruous. It was thought by the panel that further investigation would be needed into the voting rights of the President of the Post-Graduate Students Association at a later date, given the changes in the student populations that will arise in the next few years. However, it was thought that any changes in this regard would be premature. In relation to colleges, it was raised that electing a college representative at a general election would have the potential to politicise the office—a development that the colleges would seek to avoid. A similar concern was voiced in relation to other offices, in particular Queer Representative, and the effects that the potential politicisation that may result from being chosen at a general election would have for maintaining the offices ability to advocate its views.

The exploration of options, however, focused on whether voting positions should be created for an International Students Representative and/or a Welfare Representative. There was broad agreement that, in principle, all members of the panel support voting rights for both of these offices, yet, it was noted that the extension of voting rights was fraught with difficulties. In particular, the panel judged that such an extension would give rise to claims from other representatives who felt like the value of their office had been overlooked.

2.2.2 International Students

In relation to the extension of a permanent voting position for international students, the panel was in agreement that international students occupied a unique position in the university community and therefore needed a mechanism for having their views accurately represented. Concern was raised by a majority of the panel that, again, there was the potential to politicise the International Student role, which may lead to an attitude whereby teams approach international students to ‘fill the ticket’. It was felt that this was not a desirable outcome, in the view of the majority. It was thought that the representative voice of international students was liable to be weakened rather than strengthened by this development. One member of the panel differed on this view and felt that the nature of the International Students Representative as position directly elected to represent a minority group on campus was analogous to the Womens Officer position and therefore deserved a vote.
2.2.3 Welfare Officer

Given that voting rights for the Welfare Officer was an issue raised in Guild Council the panel thought that it was necessary to explore this issue further. It was acknowledged by the panel as a whole that welfare should be the primary objective of the Guild and that a voting position for the welfare officer would enhance this. Yet, it was thought that the structure of the Guild and the current voting composition (the issues relating to why the Education Council President, SOC President and PAC President have voting rights) would be incongruous to the Welfare Officer having a vote. The Welfare Department, it was thought, did not have the same reporting structure and was not analogous to other voting positions on Council. These reasons would make a voting position for welfare difficult to justify.

2.3 Expenditure Guidelines

The issue of guidelines for funding and expenditure were specified in the panel’s terms of reference as an area that required redress. Subsequently, this issue was discussed at length. The panel was of the opinion that there were two separate issues to be dealt with under this heading. The first was the cap on expenditure per candidate, and the second was the restrictions on the printing of material, which it was acknowledged was linked to the spending cap.

2.3.1 Printing of material

The fact that candidates and tickets were locked into printing election material at UniPrint was identified as a defect in the current regulations. The relatively expensive price of UniPrint was recognised by the panel as a barrier for some students. There was consensus that the introduction of online campaigning would be effective in significantly reducing the amount and cost of printing. The idea was advanced by some members of the panel that if UniPrint is too expensive, other options, such as Officeworks could be explored as they would be able to give firm figures on expenditure. This relates to spending caps more generally and will be discussed below. Nonetheless, the majority of the panel agreed that the resources of some candidates might preclude them from professional printing services such as UniPrint
or Officeworks and candidates would be better served by allowing candidates to use their home printer. It was the opinion of the panel that this would encourage greater participation in elections and open the process up to independents and those with more limited means. A minority of the panel submitted that there allowing printing from unidentified sources had the potential to advantage candidates who had access to professional printing equipment.

The issue of unlimited material was discussed but the panel agreed the nature of Guild elections and where flyers can be distributed would have a natural limitation on the amount of printed material that would be needed. Flooding the lecture theatres with flyers would only result in voter annoyance rather than engagement.

The issue was also raised that the flyers are filled with beneficial information to the student body. Students ability to learn candidates positions and tickets policies is aided through the flyers distributed in lecture theatres. The panel thought that limiting the distribution of policy information leads to a culture of voting for who you know instead of what a ticket will deliver for you in the Guild. This consideration was thought to be of prime importance given that the objective of the panel’s investigation is to make recommendations for regulations which will create more open, transparent, inclusive, and engaging elections.

2.3.2 Spending caps

The panel differed on the key issue of spending caps and consensus was not able to be reached on this issue. It was recognised by the panel that it was undesirable to have money become a determinative factor in Guild elections and that none of the members of the panel would like to see a situation where students were discouraged from participating in elections due to financial considerations. It was argued by some members of the panel that spending caps encourage tickets to have ‘paper candidates’ merely to increase the amount they can spend on election material, this was broadly agreed to not be a positive outcome. A majority of the panel considered that removing spending caps would create a more open environment for elections, while some members were in favour of keeping a cap per candidate.
2.4 Placement of polling booths

Following the introduction of the Business School booth last election the issue was considered as to whether a semi-permanent booth should be created with two days of operation at the business school, and two days at the science library. The panel concurred that this was consistent with the aims of the regulation review in terms of increasing the franchise and promoting greater student participation in elections. The panel thought that it was important that the southern end of campus was appropriately serviced by voting facilities and that the result would lead to a greater number and cross-section of the university community voting and furthermore lead to a more broadly representative Guild.

The panel agreed that there should be discretionary powers at the availability of the Returning Officer to determine booth placement. However, the panel considered that the best option would be a split booth with two days each granted to the Business School and Science Library precincts.

2.5 The Election Committee

The constitution of the Election Committee, which deals with and rules on complaints during campaign and voting weeks, was flagged as a problem with the current regulations. While the current regulations bar any student who has contested Guild elections in the past two years from being appointed to the committee as a safeguard from conflicts of interest, it has not achieved its aim in the past. The panel is of the opinion that a more impartial way of selecting the members is needed. Under the current regulations, the students are chosen by Guild Council. This has the inherent danger of those people being beholden to the majority Guild party. The panel believes that the Returning Officer selecting students from applicants would provide an impartial method of selection.
3.0 Areas not currently addressed in the regulations

A number of mooted reforms dealt with issues that are not currently addressed in the regulations but were items that the panel considered conducive to greater democracy and more equitable representation. The novel ideas discussed included the following:

3.1 Online voting

Given that online voting has been an idea discussed at great length over the past few years, the panel decided that a thorough examination of its viability should be conducted.

There are many benefits of online voting, including keeping the administrative costs of running the election down, and creating ease of access for students who can’t attend campus in person.

The panel discussed the experiences of other universities employing online voting in the context of how this method might transfer to the UWA setting. The example of Murdoch University was discussed at length. The inability to ensure the integrity of voting was raised as a concern by the panel. Evidence of low turnout in elections that use online was cited by members of the panel as negative result of this method of voting. It was the view of the panel that our objective of maximizing voter turnout and participation should be a prime concern, and that evidence of low turnout in online elections may not be appropriate in this light.

It was raised by members of the panel that online voting has the potential for corruption and abuse. The panel expressed that they would not like to see a situation where students can log in to vote multiple times using the student numbers of others. This sort of abuse of the voting process was, in the view of the committee, something that any new regulations should seek to avoid.

3.2 Balloting procedure

The panel dealt with the potential for above-the-line voting for office bearer positions, similar to the voting procedure for the Australian Senate. This would allow students to place a “1” in the box for a ticket and thereby allocate a first preference for all of that tickets office bearers. It was the opinion of the panel that the this development would
encourage greater student participation. Members of the panel expressed that by simplifying the process for voters, there would be a greater likelihood of students voting in elections. It was thought that the current process of numbering an assortment of different ballot papers was both time consuming and made students less likely to participate in the process. Convenience and ease of participation was paramount in the view of the panel. It was, however, the opinion of the panel that voters still have the option to vote below-the-line and allocate preferences across tickets if they desired. This state of affairs was thought by the panel to enable maximum choice for voters by providing a simpler method and also allowing flexibility in voting options across tickets. However, a concern was raised by one member of the panel that this may entrench the perception of guild elections as a partisan process.

3.3 Ticket/ Team Merchandise

Discussion was has regarding whether and to what extent team merchandise would be allowed. The panel agreed that such a move was likely to improve student interest in elections, but worried about whether the professionalism might make it a barrier to some candidates. It was additionally thought that too great a degree of professionalization may turn some students off and make them thing that student representative were ‘just politicians’ which the panel wished to avoid. However, it was broadly agreed that t-shirts should be allowed. Debate was had as to whether the wearing of, say, team t-shirts constituted campaigning or promotion. It was thought that team merchandise used for the purpose of campaigning should only be used during the campaign period. Use outside of this time ran the risk of bombarding students, in the view of the panel. However, it was agreed by two members that the restrictions on team merchandise in the current regulations should be lifted. One member believed an exception should be only be made for T-shirts worn by candidates.
4.0 Recommendations

Recommendation 1

The panel recommends that online media be available to candidates to use for campaign purposes, but that the content of any communication should be monitored to avoid negativity.

Recommendation 2

The panel recommends that the voting composition of Guild Council remains as it is.

Recommendation 3

The panel recommends that the restrictions on where material can be printed be removed from the regulations.

Recommendation 4

The panel recommends that the cap on spending per candidate be removed.

Recommendation 5

The panel recommends that a semi-permanent voting booth be established. This booth would ideally be present outside the business school for two days during voting week and outside the science library for the remaining two days.

Recommendation 6

The panel recommends that the members of the Election Committee be selected by the returning officer, rather than Guild Council.

Recommendation 7

The panel recommends that online voting should not be implemented at UWA.

Recommendation 8

The panel recommends the introduction of ‘above-the-line’ voting be introduced in the regulations.

Recommendation 9

The panel recommends that team merchandise be allowed for campaign purposes.