

INVESTIGATION REPORT

Investigator Name	Roger Weston	Report Date	19/02/2021
Investigation Start Date	15/02/2021	Investigation End Date	18/02/2021
Candidate subject to investigation	Appeal findings of Complaint 1109- C		

Evidence Review

List any potential evidence gathered during evidence review. Note the type of evidence and describe the surrounding circumstances of the occurrence.

Time	Type of Evidence	Description
11/02/2021 11:57	Email	Original Complaint
11/02/2021 11:57	Screenshots	Screenshots of conversation in Appendix 1
11/02/2021 17:17	Email	Response to issue raised with Returning Officer
12/02/2021 14:48	Investigation Report	Investigation Report for complaint 1109- C
12/02/2021 19:58	Appeal	Appeal to decision received from Sarath
15/02/2021 20:02	Email to complainant	Email to request proof of student status

Summary & Recommendations

Please summarize your thoughts on this investigation and note your suggestions for follow-up or resolution of this case.

Appendix 1 shows screenshot alleging that Sarath Gopi Indira contacted a student to campaign for a vote. The complainant claimed that the messaging received is “forceful”.

Having read the messages the DRO contacted the Returning Officer for further advice. After the conversation, three separate issues were identified:

- “Overzealous Campaigning”
- The use of inducements to encourage a student to vote
- The mention of a party that would be breaking the law with current restrictions

The following sanctions were applied:

- Sarath asked to consider his tactics and approach for the remainder of the election.
- Sarath reminded that there is a fine line between campaigning to encourage voting, and inducements to vote.
- Sarath issued with a written warning regarding the alleged plans for a pre-election party.

After receiving an appeal based on the claim that Sarath was not involved and these messages were either fabricated or conducted via a false account, the DRO did the following:

- Checked the student status of the complainant and could find no record of the student in the SU’s membership database. This was not conclusive on its own as the SU’s database contains around 88% of all student records.
- Contacted the complainant via the e-mail the complaint was received from, with a request for the following:
 - A photo of their student card

- The phone number which you received the messages from
- Evidence that the messages you received were from that number.

They were given 48 hours to respond to that request and no response was received. This appeal was then conducted based on the evidence available.

Decision

The Returning Officer must overturn the original decision based on the following facts:

- The original complainant's identity cannot be verified, and on the balance of probabilities it can be assumed that they are not a student.
- Given the doubt cast over the complainant's student status, the validity of the evidence provided in Appendix 1 has been brought into doubt.

In addition, to prevent such an issue occurring again there must be an alteration to the SU's investigation procedure. Where a complaint is received from an individual who is not a candidate, the following must occur first:

- Either their status as a student must be confirmed, or
- Their position as a valid complainant must be verified.

This is intended to prevent an issue where evidence from a questionable source is used to form a decision.

APPENDIX 1

