

Ombudsperson's Note – Complaint Submitted April 4/2005

To: KSA Ombudsperson

April 1, 2005

Submitted by: RAF Party

Communication numbers refer to the numbering used on the online postings at yourksa.ca and also the e-mails sent out by the CRO, which are attached to this appeal.

This is an appeal relating to communication 12(a), 17, 38, 50

Communication 12a

Summary:

An allegation that the R.A.F Party and the Progressive Party had not registered their slates as required by KSA Regulation X 5 4 (vii) – either in time or by 4 PM on 22 February as the C.R.O. had requested. Also an allegation that the current Director of Operations should have better maintained the Society's website. Request that only the R.A.F. Party be granted a time extension on the ground that they didn't know about the regulation but that the Progressive Party should have known. Request that members of the Progressive slate not be allowed to use their slate designation in campaigning.

Signed by Steve Lee, Cassandra Dieudonne, and Kayce Hopwood – 12a

Communication 17

Summary:

A request that the Progressive Party not be allowed to campaign as a slate because they had not registered as a slate to the date of the complaint – 22 February. This would not apply to the R.A.F. Party because they had no way of knowing about the slate regulation as it allegedly wasn't posted on line [prior to the all-candidates' meeting]. **Signed by Aaron Takhar, Joey Atwal, Jaivin Khatri, and Shiva Prasad – 17**

Summary of comments received:

Communication 38

Summary:

An allegation that members of the Progressive Party were ordered to cease campaigning as a slate at 2 PM on 24 February by the C.R.O. and his "elections committee" unless they were registered and that they continued to campaign as a slate after that time.

Request to enforce the electoral by-laws and regulations. **Signed by Steve Lee, Arka Movsessian, and Lisa Coan – 38**

Communication 50

Summary:

An allegation that the Progressive Party continued to campaign as a slate after 10AM on 24 February contrary to a notification from the C.R.O. A note that this is contrary to the slate registration regulations. Also a note that the Director of Operations is required to keep the members of the Society informed about changes to the regulations and that the regulations were not kept up-to-date on line. A request that there be a new election.

Signed by Aaron Takhar, Mat Huff, Jaivin Khatri, and Mariana Nakhla – 50

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Systemic violations along with a bias CRO resulted in not only the Progressive party being allowed to use its slate name while campaigning **and** on the ballots, but also that this resulted in a **very large material advantage**.

Progressive was given multiple deadlines to submit a sheet with all signatures declaring themselves a slate, but failed to do so before the close of polls on Friday Feb 25th, 2005. The Party should **never** have been allowed to campaign before they submitted their sheet, just as the RAF Party was told not to campaign before it submitted its sheet to, at the time, elections committee or CRO.

The infraction is not only MAJOR but IRREVERSIBLE. The rules set out by the KSA were not only ignored by Progressive, but also the CRO, which is a major factor at play. The Bias of the CRO is also a major concern, therefore the only remedy sought is the disqualification of the entire Progressive Party. We eagerly await the decision of the ombudsperson relating to this very serious matter.

Thank You,

Sincerely,

RAF Party