

## 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 of communication 29(b) and also a look into communication

### **Communication 29b**

#### ***Summary:***

An allegation that R.A.F. Party volunteers were harassing Marlene Aguasin of the Progressive Party while she was campaigning in an area of the Richmond Campus allowed by the C.R.O. by photographing her repeatedly. Also a suggestion that Progressive Party candidates may have been provoked into standing too close to the rail by the excessive photography. **Signed by Sammy Chau, Forrest Li, and Kristina Kearley – 29b**

CRO DECISION: Campaign expenses not be reimbursed to RAF and a strong warning not to engage in similar disruptive activities, camera flashes?

Every election since the construction of the Richmond campus did not allow candidates to campaign on the second floor, especially the landing from the 3<sup>rd</sup> floor stairs. For some reason, on the day of these major Progressive Party violations (Feb 24<sup>th</sup>, 2005), the tape marking the 10-meter “buffer zone” on the 2<sup>nd</sup> floor was not marked at all. Tape was only placed on the main floor. The following and final day of campaigning, the tape marking the boundaries on the second floor had been placed by the CRO or a member of his “administrative” or “support” staff, and indicated that the exact location at which Progressive members were told by other candidates not to campaign, had been marked off limits for campaigning?

While members of Progressive campaigned within the 10-meter dome on Feb 24<sup>th</sup>, other candidates were not allowed to campaign at the same spot the following day (Feb 25<sup>th</sup>). It is clearly stated in the regulations and bylaws, that the 10-meter distance is measured as a “dome” in all directions, regardless of solid walls. The second floor is especially off limits because of the ability of candidates to look over the railing directly above the polling station.

**The Progressive Party was warned by other candidates not to campaign but continued to do so regardless. An entire day of illegal campaigning allowed only to Progressive members spells MAJOR MATERIAL ADVANTAGE. Other candidates lost a large number of votes because of the positioning of Progressive party members within the 10-meter zone.**

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After a number of snap shots were taken with camera cell phones and 5-10 pictures with a flash camera, Progressive still did not move. The camera flashes being disruptive and interfering with Progressive campaign efforts is nothing short of absurd. Yes, there were pictures taken, but the majority with camera cell phones (with no flash!). RAF requests that this complaint be struck down and campaign expenses reimbursed. Furthermore:

It is ridiculous that the RAF Party is penalized by not having campaign expenses reimbursed whereas the Progressive Party (after clearly ignoring rules and having a large material advantage in this election) did not receive ANY penalty? For this blatant offence alone, the Progressive Party should be disqualified from the election. Furthermore, the **material advantage is irreversible**, therefore the disqualification seems to be the only reasonable alternative.

Photographic evidence is available to the ombudsperson upon request to conduct his investigation. RAF Campaign manager Aaron Takhar can be contacted by telephone, 604-537-1503 or by e-mail, rafparty@hotmail.com

Other candidates as well as CSI Party members also have **video** evidence available upon request. This matter must be resolved quickly in order to justify this election.

Thank You,

Sincerely,

RAF Party