

DIE Board Respondent Application

Application to respond to an application for a hearing or appeal.

Please note that this information will all be public. While the UASU's practice is to redact email addresses and phone numbers from publicly posted DIE Board respondent applications, the information provided may be kept, used, and disclosed in keeping with the operations of the DIE Board, UASU Bylaws, and Alberta's Personal Information Protection Act.

If necessary, the Students' Union DIE Board Registrar may contact you to confirm that you are a student.

NOTE: Under the DIE Board Protocols, the DIE Board reserves the right to reject applications that it judges to be frivolous or vexatious.

Name Sithara Naidoo
E-mail [REDACTED]

I would like to respond to the following DIE Board Application:

(Provide the Case Number or briefly describe the Applicant and what the Applicant is claiming.)

HA08

Note: The file that is attached is okay to be shared publicly. Confidential evidence for the witness' safety has been emailed to the DIE Board already for the DIE Board and the appellant to be able to access.

Anticipated Witnesses (if any):

[REDACTED] confidential, only for the appellant and DIE Board to see)

Signature



Attach File

Although not required, you may attach additional written submissions or supporting documents for the Board to consider, including any relevant facts, a copy of any Students' Union legislation or rules relevant to your arguments, and your position on the matters in issue. These submissions will help the Board understand the nature of your complaint or request for interpretation. The Board may rule against you if you do not provide sufficient reasons for your application.

Please submit as a single document.

If you're unsure of how to combine multiple separate documents, you can save all documents as a PDF and use and use [PDF Merge](#).

Direct any questions to:
DIE Board Registrar

PERTINENT BYLAW

Bylaw 320.11

1. Each Candidate or side manager shall act reasonably and in good faith, and specifically shall
 - a. ensure that each Volunteer engaging in Campaign activities on their behalf is aware of all bylaws, rules, regulations, and orders;
 - b. ensure that each Volunteer is in compliance with all bylaws, rules, regulations, and orders while engaging in Campaign activities on their behalf; and
 - c. report any contravention of a bylaw, rule, regulation, or order to the C.R.O. immediately.

5. A Candidate or side in a Students' Union election may distance themselves from a third party in the event the third party effectively conducts Campaign activities under the following conditions:

- a. the Candidate or side must demonstrate to the C.R.O. that the third party acted without the consent of the Candidate or side; and
- b. the Candidate or side must demonstrate to the C.R.O. that steps have been taken to distance themselves from the third party and to attempt to halt unauthorized Campaign Activity by that third party.

6. Should a Candidate or side demonstrate the conditions specified under Section 12(5) to the C.R.O.'s satisfaction, the Candidate or side would not be subject to punitive fines as a result of the third party's actions, but could still be subject to counterbalancing fines.

Bylaw 320.17

4. A Candidate or side shall be disqualified where they are guilty of a contravention that
 - a. cannot be counterbalanced by a lesser penalty;
 - b. is malicious or substantially prejudicial to another Candidate or side; or
 - c. involves tampering with ballots, voting procedures, or counting procedures.

OPENING STATEMENT

- The Election Office (EO) will be referring to the legislation above, the information in ruling 17, the DIE Board's March 12 Doe v Glock decision, various testimonies, and questioning to emphasize Ms Glock's breaches of bylaw and defend our decision to disqualify the candidate.
- The EO is not interested in determining whether Glock is affiliated with SJP or not, as the March 12 ruling by the DIE Board already decided that
 - [14] Glock's friend was present during the filming of this video, and thus participated in the Campaign Activity becoming a volunteer. The SJP also provided feedback for the creation of this video, as such Glock does have an affiliation with this group.

- [21] Lisa Glock has an affiliation with the SJP through a volunteer and [their] involvement in planning certain Campaign Activities.
- It is also accepted by the DIE Board that SJP was undertaking campaign activities
- The EO agrees, as per ruling 6, that Glock took appropriate steps to distance herself from the third party on March 6. However, since delivering ruling 6, we have received evidence from other candidates in this election that lead us to believe that there are in fact other breaches. As stated in ruling 17, these breaches – put generally – include Glock withholding information about illegal campaigning activity (bylaw 320.11: 1c, 5ab).
- There are three questions before the DIE Board today that must be considered. If the answer is “yes” to any of them, then the appeal must fail:
 - Did Ms Glock demonstrate to the EO that SJP acted without her consent?
 - Did Ms Glock demonstrate to the EO that steps were taken to distance herself from SJP **and** that she attempted to halt the campaign activities?
 - Did Ms Glock misrepresent or omit key facts to the EO such that she has not acted in good faith?

MAIN ARGUMENTS

1. Did Ms Glock demonstrate to the EO that SJP acted without her consent?

Bylaw: Election Bylaw states at 11(5) that the candidate or side must demonstrate to the CRO (or the EO) that the third party acted without the candidate’s consent [...].

Point: Ms Glock did not demonstrate to the EO that SJP acted without her consent.

Proof: The audio files and email testimonies prove otherwise.

- Audio (Witness 1): Shows awareness of SJP activities, but no words or tone that expresses discontent or lack of consent.
- Email (Witness 1): “In an off-campus meeting on February 14th, Glock informed me that she had been meeting with the Students for Justice in Palestine (SJP), an unofficial organization that is not affiliated with the University, regarding helping her with her campaign.”

Witness 1

- Did you endorse or volunteer for either candidate in the Presidential race?
- What is your relationship to Ms Glock?
- What was your relationship to Ms Glock like throughout the campaign?
- What has your relationship with Ms Glock been like since the election ended?
- Did Ms Glock ever express discontent with SJP’s election and campaign activities?
- Did Ms Glock at any point, to your knowledge, reach out to SJP to express her discontent with their campaign activities?
- Did Ms Glock make any campaign requests to SJP herself?
- So, would it be reasonable to conclude that SJP acted with Ms Glock’s consent?

Discussion: In this case, Ms Glock failed to demonstrate that SJP acted without her consent and so we, the EO, are given the discretion to determine a penalty. The evidence provided shows that Ms Glock had foresight into SJP's campaign activities (at least of Feb 22, 12 days before she came forward with anything). It is reasonable to conclude that if she knew about what SJP was going to be doing yet she did not report it to the EO or ask them to stop, then SJP's acted with her consent. The EO exercised our discretion to disqualify the candidate because we did not believe a further fine would counterbalance the harm that was done.

Furthermore, the EO is frankly doing Ms Glock a favour here given that the burden of proof is on Ms Glock to demonstrate that SJP acted without consent, not the EO (320.11.6)

2. Did Ms Glock demonstrate to the EO that steps were taken to distance herself from SJP and that she attempted to halt the campaign activities?

Bylaw: Election Bylaw states at 11(5) that the candidate or side must demonstrate to the EO that steps have been taken to distance themselves from the third party and must demonstrate to the CRO (or the EO) that steps have been taken to halt unauthorized campaign activity by that third party.

Point: Ms Glock was aware of the third party's activities and made no attempt to halt the campaign activities. From our information, this awareness was as early as February 22.

Proof:

- Audio (Feb 22): "I'm just afraid that like, of course, like **they're not a student group. So the UASU can't really control what they do.** And if they say we're supporting all pro Palestine candidates, and then I'm one of the pro Palestine candidates and they support me, I don't think that's breaking any rules because I literally have no say in what they're doing. But yeah, **I am mildly concerned**, but I'm going to see what happens."

Discussion:

- We'd like to emphasize the notion that Ms Glock knew about the plan to target Griffiths as early as February 22 and did nothing until March 6.
- Ms Glock also shows an understanding of bylaw as well as concern for breaching bylaw
- We believed her March 6 assertion that she did not know anything until March 6 based on the evidence (or lack thereof) we had prior to Ruling #6, but the additional evidence provided to us in advance of Ruling 17 led us to question Ms Glock's honesty.
- The only conclusion we could draw was that she knew of third party campaign activities as early as February 22 but that she did not demonstrate to us that she had distanced herself from those activities until two weeks later on the eve of voting opening.
- Even if she thought she wasn't violating bylaws, but thought SJP might be, she still has a responsibility to report and therefore violated bylaw 11(1).
- Further, and importantly, she lied to us about this. Which we will address in this next section.

3. Did Ms Glock misrepresent or omit key facts to the EO such that she has not acted in good faith?

Bylaw: 11(1) Each Candidate or side manager shall act reasonably and in good faith.

Point and Proof: Ms Glock's story has not been consistent. There's been a changing of narratives on Ms Glock's part since March 5.

- Glock lied to us about when she became aware of SJP's activities. She communicated SJP concerns and connections on March 5. Evidence (audio, Witness 1) tells us you've known since Feb 22 and maybe even before Feb 14 (Witness 1 testimony).
- Glock lied about her affiliation with SJP to the Election Office. She told us on the morning of March 6 that her friend who she gave her stickers to is in SJP but is not a part of her campaign. This was later proved otherwise in the Doe v. Glock ruling.
- Glock lied to us about when she became concerned about blurry lines with SJP. She only contacted the election office on March 5 saying she was concerned that day (re tabling), but audio indicates that this has been on her radar since Feb 22 (**bylaw 320.11**). If on Feb 22 she said she was "mildly concerned" but omitted information regarding these concerns to the EO at that point, we believe that she did not act in good faith.
- Lied about meeting once with SJP. Our evidence points to us that she met with Ali several times. Further, Lisa updated Witness 1 and provided updated information after Feb 22. Initial meeting was before Feb 14, according to Witness 1.
- Lied about Ali's participation in the campaign.
 - Why Ali matters: He is in SJP and deemed a campaign volunteer for Glock. Witnesses point us to the understanding that he has an influential and direct relationship within SJP. Witness 4 says that Ali took on an election role in SJP. Witness 3 was introduced to Ali as SJP president. Ali was the one distributing materials, tabling in HUB and CAB, and called Griffiths islamophobic. It really matters because Ali acted in this SJP influential capacity to volunteer and campaign for Glock. There is also undue advantage here as the SJP is a third party- an unregistered student group at the UofA.

Possible Witness: Witness 1

Discussion: These points highlight the shifting stories and lack of clear and honest communication with the EO. The EO would also like to emphasize that while a lot of these points do fall into more of an informal category, we urge the DIE Board to focus and accept the informal interactions between Ms Glock and SJP. The reality is that these informal campaign-related interactions with the third party were an important part of Ms Glock's campaign. When looking at informal interactions, we understand that the degree to which Glock associated with the SJP and its high ranking "member" (for lack of a better word) is much higher than to what formal, conventional evidence points to.

4. Overall, it is not enough for Glock to demonstrate this to the DIE Board after the fact.

Bylaw: 320.11(6)

Point: Candidates are required to demonstrate their non-affiliation from the get go, and as bylaw 320.11(6) states, it is up to the EO to make the call whether she demonstrated that she distanced herself adequately.

Note: It is not enough for Glock to demonstrate this to the DIE Board after the fact. Not post hoc

Discussion: The EO is to use discretion. It's not the DIE board's decision now as a later effect. She doesn't get to add a bunch of arguments and details now. This is about what she told us *then* and how it doesn't match with the information we've received since. The DIE board gets to evaluate whether the EO's decision was just, not if they feel she distanced herself.

Ms Glock expressed concern but did not inform the EO until the night before voting and until the EO questioned her on it.

5. Any carry over arguments, responses to Ms Glock's arguments and appeal.

CLOSING STATEMENT

Will be presented at the hearing.

Touching on bylaw 320.17(4)

RELEVANT EVIDENCE

*This information is available to the public. Names and personal details have been redacted for the safety of the witnesses.

*Unedited versions of this evidence including names and personal details (ie: print screens of emails, voice messages, audio files) will be emailed directly to the DIE Board for the purpose of their ruling.

Note: All witnesses are candidates. The Election Office knows who the witnesses are and efforts have been made to the DIE Board for them to recognize the other witnesses.

WITNESS 1: Email (March 11

Hi Jacob,

I hope you and Sithara are doing well, I know this has been a busy and difficult time for the elections office recently.

I understand that Lisa Glock's ruling is going to be appealed to the DIE Board and I believe I have information that is pertinent to the case. However, due to concerns for my safety and wellbeing that may come if I am identified as having given you this information, I would please advise that you conceal my identity and maintain my anonymity as much as you can in this matter. I believe the appeal to the DIE Board has outlined that a candidate close to Glock reached out to you. I understand extraordinary circumstances may necessitate a breach of my anonymity and I urge you to do so only as a last resort.

In an off-campus meeting on February 14th, Glock informed me that she had been meeting with the Students for Justice in Palestine (SJP), an unofficial organization that is not affiliated with the University, regarding helping her with her campaign. She specifically named Ali as one of her primary contacts at SJP. She explained to me that through their Instagram, the SJP would be releasing 'report cards' on each of the candidates examining their stances on Palestine and would be making recommendations for how students should vote. She also told me that the SJP would be present at the Myer Horowitz forum.

On February 22nd I received an audio message from Glock confirming that she had heard from a contact at SJP that they would in fact be moving ahead with their 'report cards'. Glock told me that they would only be targeting candidates who had been on the 2023-24 UASU Executive team and would also be supporting explicitly 'pro-Palestine' candidates. However, candidates who had not publicly made a statement or aligned themselves one way or another on the issue would not be targeted. Glock identified in a secondary audio message that she was aware of the SJP's status as an unofficial student group and that they would likely be supporting her as a 'pro-Palestine' candidate, and that she was "mildly concerned" about their endorsement breaking the rules of the election.

On February 27th Glock sent me a screenshot of a story post from Ali's Instagram, specifically his close friend's story, in which he denounced anyone who voted for Presidential candidate Michael Griffiths. This indicates a relationship between Glock and Ali that was personal. On February 27th the SJP also publicly posted on their Instagram account (@sjp.uofa) that they would be releasing report cards, which is 13 days after Glock informed me they would be doing so.

On March 3rd the SJP released their first "SJP UASU Picks" in which they endorsed Glock and denounced Griffiths. In a conversation with Glock, she told me that Griffiths would be the only candidate receiving a public denouncement from the SJP. This further shows that Glock was aware and contributing to the efforts of SJP to publicly shame and attack Griffiths' character.

In regards to Glock's relationship with Ali, Glock referred to him as her friend and "unofficial second campaign manager" multiple times in conversation over the course of the pre-campaign and campaign periods. When Glock posted a video addressing her stance on Palestine, she informed me that Ali had helped her with it. I witnessed and overheard Glock on the phone with Ali while he was urging her to post the video. Furthermore, there is reason to believe that Ali is a

high-ranking member of the SJP, as he was seen tabling for them in front of APIRG. He was also the SJP member that Glock is referenced as having given stickers to.

Glock's relationship with Ali was also publicly witnessed by many people on the evening of March 7th, after the election results, as he was in attendance with her at Dewey's despite not being on Glock's approved guest list.

On the evening where you called Glock regarding her potential involvement with SJP and their unauthorized campaign activities, I witnessed Glock lie to you about and downplay her involvement with SJP, as she is affiliated with the group, was meeting with them multiple times a week, and was aware and contributing to a lot of their activities over the course of time before her nomination package was received, the pre-campaign period, and the campaign period itself. Ali, through SJP, essentially functioned as Glock's volunteer, and I believe Glock never got approval, nor expensed any of the campaign materials SJP and Ali used to campaign for her (including the signs at the SJP tabling, SJP pamphlets and several posts on the SJP account). I believe that Glock's involvement with the SJP tainted the integrity of her race, as well as the integrity of the entire election. I strongly believe that she was aware of the group's intention to slander and denounce Griffiths, which not only happened at the SJP tabling but also online, and I believe these actions contributed and led to the hostility and harassment Griffiths endured during the campaign.

I am writing this email to you because I believe Glock broke the rules, and I think you should know that the ruling you released was based on false information that Glock provided. Beyond breaking the rules, she also lied, which is why I believe the ruling and fines assessed are not sufficient.

Please feel free to email me if you require any clarifications on the information above or if you have any questions.

Thank you and best regards,

[Candidate's name redacted for privacy reasons]

WITNESS 1: Audio 1 transcript (February 22)

- Includes witness name, audio file will be sent privately to the DIE Board
- Glock: Hey [candidate name redacted for privacy reasons], you know how I told you that my one friend who's kind of in the SJP area thing, like how they might be going doing the whole like Palestine thing within the race? Well, it looks like that's going ahead. So, but I wanted to let you know that they are just going to be targeting returning candidates who didn't do anything in their role for for Palestine. And then there'll be supporting explicitly pro Palestine candidates but anyone like like you, for example, who hasn't made a statement at all, like regardless, like quote, unquote, neutral, they won't be touching. So like you won't be affected by it at all. If that's reassuring because of your concerns with

the with the powers that be at the university so that them that should be out of your purview, if they keep it that

WITNESS 1: Audio 2 transcript (February 22)

- Includes witness name, audio file will be sent privately to the DIE Board
- Glock: I'm just afraid that like, of course, like they're not a student group. So the UASU can't really control what they do. And if they say we're supporting all pro Palestine candidates, and then I'm one of the pro Palestine candidates and they support me, I don't think that's breaking any rules because I literally have no say in what they're doing. But yeah, I am mildly concerned, but I'm going to see what happens.

WITNESS 2: Email (March 12; 01:10)

Hello Jacob,

I wanted to let you know that I heard from another candidate (not running for president, *[candidate position redacted for privacy reasons]*) who has connections in SJP that Ali, an executive of SJP, was an active member of Lisa's campaign, but Lisa's hearing is in the morning, so I thought you should know that me and other candidates believe Lisa was much more involved with SJP and their activities than she passed on. Please keep my name confidential as I wish to remain anonymous throughout the whole process, and I don't want to come out at any point.

Thanks

WITNESS 3: Phone call transcription (March 12)

So I just think that they [Lisa and Ali] were really close. And one of the discussions that, you know, I didn't intend to have with other candidates is whether or not that they think Lisa deserved to win because of the affiliation.

And what my personal opinion after the entire election, as instead of candidates more So friends, was that I believe that it like that was really smart of her to have, like, you know, like the support of like, SJP behind them. But I also think that that was one of the things that cost, you know, the election because I'm having them like help campaign around like, oh, sorry, I think, I don't know, if you saw them table, I did notice that you either Jacob or you put out like \$100 fine for that.

Because I also saw it happen, but I didn't say anything. Because I wasn't sure if they were just friends at the time, or like she was just a part of the club. I had no idea. But I believe that that was one of the things like, like, you know, like if Michael was to appeal that would have probably went through in my opinion, but that's my idea. But they were really close was something I cannot deny.

They [Ali] came up to me and introduced themselves.

But I didn't realize that there was a student group dedicated to advocating for Palestine. And that's what a lot of people warned me about...I was really careful to do it.

WITNESS 4: Phone call statement (March 12)

“Ali took an election focussed role” and he was “previously active but didn’t have as big of a role as the election period”.