

## **Ruling #14**

March 2014 Executive and BoG Election

Using Social Media to Disparage Another Candidate

### *Parties to the Ruling*

- Navneet Khinda, Candidate for VP External
- Wayne DeFehr, Chief Returning Officer

### *Applicable Bylaws, Rules, and Regulations*

- 49. Disqualification  
(1) A candidate shall be disqualified where he/she/it is guilty of a contravention that  
b. is malicious or substantially prejudicial to another candidate or slate;

### *Facts*

1. It is expected that all candidates are familiar with the Election Bylaws and with the Regulations and Guidelines in the Nomination Pack.
2. It is understood that candidates must take responsibility for the actions of their teams of volunteers, whether they know about those actions or not
3. The complainant has brought to the attention of the CRO ongoing disparaging remarks in social media that, either directly or by implication, attempt to discredit the complainant's campaign. Indeed the complainant has supplied several screen shots as evidence to support the serious complaint that is raised.

### *Ruling*

1. While such actions regrettable words and actions by individuals volunteering for Ms. Khinda's campaign promote a negative spirit during the campaign period, in fact the only Bylaw that speaks to harmful comments launched by one campaign against another is that of 49.1(b). The question here is whether these comments from Ms. Khinda's campaign volunteers reach the standard of maliciousness or substantial prejudice in their attacks against the complainants campaign, and the answer is that they do not.

### *Penalty*

1. Since Ms. Khinda's campaign has not violated Bylaw 49.1(b), no penalty will be assessed.

So decided: Wednesday, March 5, 2014 at 12:00. Time limit for appeal: Thursday, March 6, 17:00.