

## **Ruling #1**

March 2017 Executive and Board of Governors Representative Election  
Accusations of Heckling – Shane Scott, Candidate for Vice President Academic

### ***Parties to the Ruling***

- Shane Scott, Candidate for Vice President Academic
- Eryn Pinksen, Campaign Manager for Shane Scott
- Justin Bilinski, Complainant
- Donald Ademaj, Chief Returning Officer

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

- Bylaw 2200 §18 (Myer Horowitz Forum)
- Bylaw 2200 §26 (Requirements of All Candidates and Plebiscite/Referendum Sides)
- Bylaw 2200 §47 (Penalties Available)

### ***Facts***

1. Shane Scott, candidate for Vice President Academic, was present at the Myer Horowitz Forum on Monday, March 6<sup>th</sup>.
2. Eryn Pinksen, campaign manager for Shane Scott, was present at the Myer Horowitz Forum on Monday, March 6<sup>th</sup>.
3. Justin Bilinski was in line to ask a question during the period of the Forum where questions from the audience were being taken.
4. After the end of the Forum, Mr. Scott approached the CRO and said that:

“My campaign manager had to control a person in line, who is my ex-boyfriend, to ask a question, as he was being aggressive and earlier today had a mental breakdown”

5. According to a Tweet made by Mr. Bilinski to the UASU Elections handle at 1:22 pm on March 7<sup>th</sup>, Mr. Bilinski wrote that:

“Any update on this [perceived heckling]? Are there no repercussions for campaign managers harassing #UASUvote students to change forum questions so their candidate appears more favourably?”

6. According to the email complaint sent by Mr. Bilinski to the Chief Returning Officer on March 7<sup>th</sup> at 4:49 pm, Bilinski asserts that:

“While waiting in line to ask a question at yesterday’s forum in the Myer Horowitz Theatre, I was asked at around 1:00 pm by Scott’s campaign manager Eryn Pinksen to step out of line and forfeit my chance at asking a question. I refused and informed her that I would be asking my prepared question. Seeming to fear some sort of personal attack on her candidate, she began to berate me while I stood in line,

telling me that my question needs to show “decorum” and “kindness”, and suggested that my question would damage her candidate’s reputation or success in this election. I don’t appreciate Scott’s campaign demanding I change any portion of my question, whether it be wording, tone, or subject matter, so that their candidate is seen more favourably by the audience. I went on ask my prepared question related to mental health support at the University of Alberta.

Afterwards, I tweeted about the incident and Eryn Pinksen confirmed via Twitter that she did in fact approach and berate me in line as I was trying to prepare to speak”

7. The Chief Returning Officer allowed Mr. Scott and Ms. Pinksen to reply to the following allegation, to which Mr. Scott said:

“Thank you for reaching out to me on this matter. As the candidate in this race, I take full responsibility for the actions of all volunteers, including my campaign manager and as such I am responding on behalf of both of us.

As I mentioned to you following the Myer Horowitz Forum, Justin Bilinski is my ex-boyfriend and prior to the forum, he had a public outburst towards me. I am aware that my campaign manager spoke to him in a polite attempt to ensure our personal relations were not dragged into the forum. She did not and would never dissuade him from asking his question.

I am sorry he feels like his right to ask a question at open forum was impeded upon but that was not the case nor the internet. As a proponent of student engagement at all levels, I nor my campaign manager of volunteers would ever attempt to censor or try to dissuade any students from voicing their opinions.”

8. Both Mr. Scott and Ms. Pinksen were in attendance at the Candidates’ Meeting on Thursday, February 16<sup>th</sup>.
9. At the candidates’ meeting, the Chief Returning Officer outlined all elections bylaws and rules, including Sections 18 and 26 of Bylaw 2200.

### ***Ruling***

1. Bylaw 2200 §18 was not respected by the aforementioned candidate, as their campaign manager engaged in “heckling” of the person wishing to ask a question.
2. Bylaw 2200 §26 was not respected by the aforementioned candidate, as all candidates are responsible for actions of their volunteers, who must be following elections rules and bylaws.
3. According to Bylaw 2200 §47, the Chief Returning Officer shall “assign a penalty where the contravention was intentional, penalizes the candidate or campaign manager who was or whose volunteer was guilty of the contravention”.
4. Therefore, a penalty should be assessed

### ***Penalty***

1. Shane Scott will be assessed a \$50 fine to his campaign, for breach of above bylaws.

**University of Alberta Students' Union Elections**  
**Executive Election Ruling**

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So decided: March 8<sup>th</sup>, 8:58 am  
Time limit for appeal: March 9<sup>th</sup>, 8:58 am

Please direct any inquiries towards:

Donald Ademaj  
Chief Returning Officer  
University of Alberta Students' Union