

## Regulation 2 - Adjudication and Appeals Panel

### Complaints Procedure

1. Any member can make a formal objection to the Adjudication Panel during the Elections Period and SU Referenda Period
2. The Adjudication Panel may order a formal investigation into the activities of any campaign, even if no formal complaint has been made.
3. Members wanting to make a formal objection must do so in writing to any member of the Adjudications Panel or a relevant member of SU Staff.
4. Parties concerned may be called and are allowed to present evidence to make their cases to the Adjudication Panel.

### Adjudication Panel Membership

1. The Adjudication Panel will be made up of three members:
  - a) The Returning Officer or Deputy Returning Officer
  - b) A Sabbatical Officer
  - c) A member of Student Council
2. If there are not enough impartial members of Student Council then the Democracy and Development Officer in consultation with SU Staff, may appoint a student with appropriate knowledge of SU Elections and Democracy to fill the Panel.
3. Student Council will approve the Elections Adjudication Panel at least one week before a Campaign and Publicity Period.

### Adjudication Panel Purpose

1. The Adjudication Panel will have the power to pass and enforce Emergency rulings in relation to elections and SU referenda.
2. They will meet each day during the Elections Campaigning and Publicity Period or as needed for an SU Referenda.
3. The Panel will give equal discussion to complaints or issues raised.
4. The Panel have the power to interpret and enforce the regulations as set out in the Candidate Regulations (See Regulation 3 – Candidate Regulations).
5. The Panel have the power to:
  - a) Order the removal and/or return of publicity
  - b) Restrict a candidates campaigning, for a set amount of time
  - c) Fine a candidate from their deposit
  - d) Disqualify a candidate
  - e) Order a re-poll or re-count
  - f) Annul the election and re-open nominations
  - g) enact an alternative sanction if deemed appropriate
6. It is at the Panel's discretion to rule on issues and complaints not specified in the Regulations and should be guided by past precedent.

## **Appeals**

1. If a member wishes to dispute the decision of the Adjudication Panel they may appeal to the Appeals Panel.

## **Appeals Procedure**

1. An appeal of an Adjudication Panel decision may only come from:
  - a) the member who made the original complaint
  - b) a candidate who the decision will directly effect
2. An appeal of an Adjudication Panel decision can only be made if:
  - a) There is evidence of misconduct/ negligence by the Adjudication Panel
  - b) There is significant new evidence relevant to the original complaint
  - c) It is believed that the decision of the Adjudication Panel was either substantially inconsistent with its other rulings or grossly disproportionate to offense committed.
  - d) The decision made conflicts with the SU's By-Laws or Candidate Regulations
3. In order to use our charitable funds proportionately we do not investigate minor, misconceived, hypothetical, repetitious or vexatious complaints which are not supported by evidence.
4. An appeal must be submitted, in writing, to the Democracy and Development Officer or the staff in Democratic Services.
5. An appeal must be made by the end of the working day following the Adjudication Panel decision.
6. An appeal must be accompanied with a £20 deposit.

## **Appeals Panel Membership**

1. The Appeals Panel will be made up of three members:
  - a) The Organisation's Arbiter
  - b) A member of Student Council, who was not on the Adjudication Panel
  - c) A Sabbatical Officer from another Students' Union
2. If this composition is impossible or impractical one/both of b) and c) may be replaced by:
  - d) The NUS Chief Returning Officer or Deputy Returning Officer
  - e) A member of the University's Registrar's Staff
3. The Organisation's Arbiter will be identified before the Elections Period.
4. An appropriate Organisation's Arbiter will be appointed by the Trustees and reviewed every two years.
5. Student Council will be given notice of the Appeals Panel, if it is formed.

## **Appeals Panel Purpose**

1. The Appeals Panel may:
  - a) accept the decision of the Adjudication Panel
  - b) refer the matter back to the Adjudication Panel with guidance
  - c) directly use the powers of the Adjudication Panel to make a new decision with regards to the original complaint, this new decision will be communicated by the Appeals Panel
2. If the Appeals Panel accepts the decision of the Adjudication Panel, the person appealing will lose their £20 deposit
3. The decision of the Appeals panel is final.