

Notice of Decision from the Deputy Returning Officer – 2026 Officer Election, Grievance 2

Details of Complaint: On 19/02/26, we received a complaint which alleged Sport Officer candidate Emily McManis had improperly used a mailing list.

The e-mail included many, but not all of, The SU's sports clubs, and was sent shortly after the opening of online campaigning.

Analysis: The rules clearly state:

- Campaigners may only use a mailing list containing consenting individuals, developed during and for the purpose of the campaign. No other mailing list use is permitted.

Additionally, there have been at least three clarifications posted to the candidate clarification board, as early as January 30th, which sought to provide guidance to candidates on the matter of mailing lists, including “If you want to e-mail individuals who have not positively consented to be on your mailing list, you should do so on a one-off basis, and only when you are gathering their e-mail from somewhere other than a mailing list who's purpose was something other than the election”

In this case, the burden falls on the candidate to prove that, in the limited time from the start of the campaign to the time the e-mail was sent, everyone who received it had consented to being on the candidate's mailing list.

The candidate was apologetic, stating that the e-mail was sent by accident, and had only existed in draft form as a holding place to copy and paste the e-mail addresses into individual e-mails. Given the excusing of a few select clubs, the candidate was credible in explaining that this post was a one-off mistake, and that the rules had been understood, even if they could be made more clear in the future (i.e. all interpretations in the same place, rather than in three different interpretations on the clarification board).

Conclusion: There is one test that must be passed for this to be seen as a violation of election rules.

It must be established that the candidate used a mailing list which was either developed with consenting individuals in advance of the campaign period and / or which contains individuals who did not consent to be on the mailing list.

I believe that the candidate only sent one violating message, and that the candidate was genuinely remorseful for the post, and hoping to make restorative actions to ensure the election remains fair. Even though the e-mail was sent in error, an advantage has been gained.

Decision: For the reasons outlined above, I am finding Emily McManis responsible for breaking the election rules by improperly using a mailing list.

The sanctions applied will be:

- 1 – A compliance directive to inform the e-mail addresses from the e-mail in question that the e-mail was a mistake and beyond what is permitted in The SU's election rules.
- 2 – A written warning, with instructions to follow the elections rules going forward
- 3 – A 30 minute campaigning ban at the start of banner setting on 22/02/26

Issued: 20/02/26



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