

Agreed Minutes

Minutes of the Commissioners' Meeting held on 14 March 2002

9am at the Europa Hotel, Belfast

Present: Sam Younger (Chair)
Pamela Gordon
Glyn Mathias
Sir Neil McIntosh
Karamjit Singh

In attendance: Roger Creedon
Nicole Smith
Chris Welford
Seamus Magee
Katie Kerr (Secretary)

Apologies: Professor Graham Zellick

1 Minutes of the last meeting

1.1 Agreed

2 Matters Arising

2.1 2.2 Claims for Policy Development Grants totalling £1.5 million are expected. The Labour Party and the Conservative Party have yet to submit claims.

2.2 3.2.1 Seamus Magee, Kay Jenkins and Andy O'Neill had been consulted in relation to the tender for the voter awareness campaign for the 2003 election. The project may be split geographically. In Northern Ireland a need to provide electors with information about the new registration requirements was identified. ***The Commissioners agreed that the tenders could be issued prior to the meetings with senior politicians.*** The tender and details of who it was issued to will be copied to all the political parties represented at Westminster, European Parliament, Scottish Parliament, National Assembly for Wales and the Northern Ireland Assembly. The tender document will include a statement advising that the details of the specification remain subject to consultation. The responses to tender will be evaluated prior to the start of the local election campaign and the research will start after the elections in May.

2.3 3.3.2 A letter about Nigel Griffiths has been received from another SNP MP.

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- 2.4 7 ***The Commissioners agreed that it was appropriate to wait for the Government's response before issuing further guidance to EROs concerning the implications of the Robertson judgement.***
- 2.5 8 DTLR had been sent the discussion paper on planning for a national referendum, copies were being distributed to Commissioners.
- 2.6 9.4 The draft good practice guides will be circulated to NM and PG after Easter with 2 to 3 weeks for turnaround. A separate Returning Officers' guide for the 2003 elections updating them on changes to the RPA would be issued.
- 2.7 11 The HDA have vacated the 2nd floor. The interviews for the 3 'new' Deputy Electoral Commissioners have been completed.
- 2.8 12.2 Civil action cannot be taken against the Unrepresented People's Party as responsible officers cannot be found.
- 2.9 13 Liz Sandwith, the Commission's internal auditor, has spoken to all the teams and will produce her compliance report by the end of the month.

3 Directors' Reports

3.1 Policy

- 3.1.1 NS reported that the EU conference on Election Management concluded that it was not appropriate to establish a formal European structure. However, the value of exchanging views was recognised and further conferences every 1 to 2 years will be held and focus on issues such as state funding, voter education and turnout.
- 3.1.2 ***John Winter's work on fact sheets was acknowledged.*** The Heads of Offices have been consulted. The fact sheets are on topics that are the subject of frequent queries received by the Policy Team e.g. how to stand as a candidate. The leaflets will be published on the website as well as in hard copy. Five further fact sheets are being drafted. They would be cleared by the Chairman and Chief Executive.
- 3.1.3 The Commission is to host a workshop with IDeA, DTLR and the Office of the E Envoy to clarify the aims and timescales for the LASER project. Kay Jenkins is involved in this event. The aim is to kick start the project, which has lost momentum.

3.2 Registration and Compliance

- 3.2.1 Guidance on candidates' expenses and donations has been issued to Returning Officers. The Labour and Conservative Parties had accepted the Commission's interpretation of when a person becomes a candidate. They were, however, unhappy about the underlying policy.

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3.2.2 GM is content with the Plaid Cymru compliance report.

3.3 Media and Public Affairs

3.4.1 The successful negotiation of TV advertising fillers was noted. SM is to examine further whether this option is available in Northern Ireland.

3.4.2 The first stage of the poster campaign on the underground has been concluded.

3.5 Legal

3.5.1 SY had met with Paul Rowsell, DTLR to discuss the application of the donation rules to companies giving time off to employees for their duties as local Councillors. SY had recognised the urgency of the need to amend the legislation but had expressed concern that any early Bill must not prejudice the chances of legislation on the wider modernisation agenda.

3.5.2 ***The Commissioners agreed that some comfort should be given to employers who should have made declarations by 31 January 2002. The Commissioners agreed that were legislation making the exemption retrospective to be planned it would not be in the public interest for the Commission to initiate legal action against those who failed to meet the legal requirements. In the meantime and in the absence of any policy statement from Government the Commission would need to consider what advice to give.***

3.5.3 A copy of Philip Sales' opinion on Councillors has been sent to the Speaker inviting further discussion on the implications for MPs. The correspondence had also stated that the Commission was content that Parliamentary Groups funded through the Fees Office did not fall within the scope of Schedule 7. Copies of the letter to the Speaker had been sent to the Commissioners.

4 Devolved Offices Report

4.1 Wales

4.1.1 The MOTO for the accommodation in Cardiff had been agreed. The refurbishment work should be completed by the end of April.

4.2 Scotland

4.2.1 The Edinburgh Office was open and staff had been recruited.

4.2.2 A meeting will be held with the Scottish Executive on 4 April to discuss the Commission's role as regards local government and Parliamentary elections in 2003.

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4.2.3 The Commission had agreed to undertake the same role for pilots in Scottish local elections as for these in England.

4.3 Northern Ireland

4.3.1 No suitable permanent accommodation has been located yet. Serviced accommodation will be used in the interim.

4.3.2 SM was in discussions with parties and the NIO about the rule that donations of over £50 to a candidate had to be declared in the election expenses return. This was contrary to the exemption for donations to parties.

4.3.3 Sinn Fein have complained about Policy Development Grants. This is due to the fact that their MP's have not taken the oath. [Secretary's note: Following the Commission meeting the Chairman and others met with Sinn Fein.]

4.3.4 RC and SM met with the Chief Electoral Officer and a representative of the Northern Ireland Office on 13 March. The ramifications of the Electoral Fraud (Northern Ireland) Bill include the transition to individual registration, requirement to provide date of birth, National Insurance Number and signature. Photographic identification will also be required. The concerns of the Chief Electoral Officer about the capacity of his office to deal with the additional work would be considered by the NIO and formal project management arrangements put in place. The Commission would work with him to address these concerns and provide a complementary role in raising voter awareness of the new arrangements.

5 Commissioners' Points

5.1.1 Eric Sunderland has conducted an enquiry into the Local Government electoral arrangements in Wales. GM will meet him to discuss the report.

5.1.2 The Commission has been asked to appear before the Equal Opportunities Committee of the National Assembly for Wales to discuss access to polling stations.

5.2.1 KS will produce a note on his visit to India. IT is used effectively and efficiently in registration, polling and counting and at minimal cost.

5.2.2 KS reported that Birmingham City Council uses GIS systems for producing its boundary scheme. The LGCE uses GIS but trials of some applications revealed difficulties to be overcome. KS will speak to Archie Gall.

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- 5.2.3 KS reported that he addressed a meeting of Local Authority Chief Executives at Warwick University.
- 5.3 The AEA and SOLAR have written to the First Minister and the Secretary of State raising concerns about holding elections and a referendum simultaneously in Scotland in May 2003. AO holds copies of the correspondence.
- 5.4 SY reported that the Parliamentary Parties Panel were positive about the Commission's relationship with the parties. He also reported that the response to the Commission at the AEA Conference in Harrogate was positive with a good deal of enthusiasm for the reform programme. Commissioners congratulated the Registration and Compliance Team the Policy Unit.

6 Programme Highlight Report [22/02]

- 6.1 Overall the programme is behind schedule due to pressures on the time of key staff. The slippage is not yet critical. The state funding review has been moved to an earlier start date. The project relating to the codification of electoral law has not started.
- 6.2 The additional funds provided in the 2002/3 budget would enable extra staff to be taken on. The temporary research officer will be retained to provide additional resources until posts are filled. Opportunities to contract out parts of the reviews will be looked at further. Subject to the operational needs of the Boundary Committee, the Boundary Committee's staff and the Deputy Commissioners can be involved in projects.

7 Summary of Progress on Research Projects [EC24/02]

- 7.1 For information, noted.

8 Election 2001: Campaign Expenses [EC24/02]

- 8.1 ***The Commissioners thanked Tom Hawthorn and Ellie Greenwood for their excellent work in drafting the document.***
- 8.2 The Commissioners discussed the draft in general. The draft will stress the methodology used, include a definition of candidates, political parties and 3rd parties and a statement of the Commission's role. SY's forward will state how well the controls have operated. Other comments should be forwarded to NS so a revised version can be produced.

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8.3 ***The Commissioners agreed that publication should be delayed until June so that the updated figures agreed with the parties can be included.***

9 Consultation on the number of members of the Scottish Parliament [EC25/02]

9.1 NM declared an interest as he had chaired a meeting on the issue that had concluded no change was required.

9.2 The matter was discussed. ***The Commissioners recognised the administrative difficulties of constituencies that were not co-terminous but agreed that the primary concern was the needs of the electorate. The Commissioners agreed to respond in those terms.***

10 Branding

10.1 Gillian Wallace and Tess Daley of Enterprise IG joined the meeting.

10.2 The representatives from Enterprise IG presented 4 branding options to the Commission. ***The Commissioners selected one to be developed further.*** The final version would be considered by the Commission.

10.3 Four 'Branding Promises' were considered by the Commissioners. ***'Democracy Matters', slightly amended, was agreed.***

10.4 The new brand will be launched on 6 May with the Commission's reports on the attitudes of members of ethnic minorities and young people to voting.

11 Any Other Business

11.1 The report on Australia [Item 1] was noted. ***Stephen Judson's work in producing this report was praised by the Commissioners.***

11.2 Commissioners will be involved in the local government pilots. Richard Jordan will provide details.

12 Date of the Next Meeting

12.1 The next meeting will be held at 9.30 a.m. 11 April 2002 at a location to be arranged. The Commissioners will meet at the Reform Club at 7.30 for 8 p.m. on Wednesday 10 April 2002.