



Meeting of the Electoral Commission

9.30am Tuesday 22 May 2001 at Trevelyan House

Present: Sam Younger, Chairman
Pamela Gordon
Glyn Mathias
Sir Neil McIntosh
Karamjit Singh
Professor Graham Zellick
Bob Worcester, MORI (for item 1)
Ben Marshall, MORI (for item 1)
Roger Creedon
Anne Hinds
Chris Welford
Nicole Smith
Rael Zackon
Katie Kerr, Secretary

Apologies: Peter Hodgman

Note: Sections appearing in ***italic bold*** denote action points or decisions

1 **Review of the General Election 2001: Results of the Pre-election Public Opinion Research**

Bob Worcester and Ben Marshall of MORI gave the presentation. Copies of the slides were circulated. A broad discussion occurred. ***It was agreed that the data would not to be made public until the results from the post election survey were also available.***

2 **Minutes of the last meeting**

5.4 Date for comments on the draft questionnaire for party political agents and party candidates to be passed to Nicole Smith should have read 15 May 2001.

3 **Matters Arising**

- 3.1 Barbara Stephens, Chief Executive of the LGCE, has written with details of the dates of the LGCE meetings. ***Commissioners are to notify Mrs Stephens direct of their availability to attend.***
- 3.2 The advertisements regarding 3rd parties have been placed in the ethnic press.
- 3.3 The National Audit Office is being consulted on the scheme for distribution of policy development grants. The Parties will be consulted during the week commencing 28 May.

4 **Directors' Reports**

4.1 **Registrations and Compliance**

- 4.1.1 Note circulated to the meeting with details of recent changes to the registers.
- 4.1.2 A circular will be sent to parties reminding them to notify the Commission of changes to the registered details such as addresses of accounting units.
- 4.1.3 21 weekly returns have not been received. Issues relating to registration and compliance will be included in the Commission's second report on the General Election. The report will cover spending at national, regional and constituency level.
- 4.1.4 A mixed response has been received to the invitation for the auditors of the main political parties to meet with the Institute of Chartered Accountants.
- 4.1.5 SY stated his appreciation for the staff of the Registration and Compliance Section and the Policy Team. CW and NS stated that the teams were working well together to respond to enquiries.

4.2 **Policy**

- 4.2.1 Over 320 enquiry calls had been received to date. A third of calls were from Electoral Services Managers, a third from political parties and the rest from 3rd parties and the public. Consistency of answers is maintained by circulating details of new issues promptly. No caller waits longer than 24 hours for a full response and few wait more than 30 minutes. Where there is uncertainty the response is checked before calling the caller back. Legal advice is not being sought. Some calls raise tricky legal issues. The stance taken is that the Commission is

giving advice based on its interpretation of the legislation and callers will wish to get their own legal advice.

- 4.2.2 The Home Office guidance for Acting Returning Officers has only been published on the Website. The Home Office did not consult on the document prior to publication. Errors relating to the Electoral Commission were amended the next day but there is a concern that not all AROs will check the site for updates.
- 4.2.3 Four circulars have been issued to Electoral Service Managers. Two are around the issue of candidates trying to register with unregistered party names. The advice given by the Home Office was amended in the light of comments made by the Association of Electoral Administrators.
- 4.2.4 The Home Office mailing list has been used for the distribution of circulars. The academics and political party representatives have been removed from the list for the use of the Electoral Commission. The guidance will be available on the Website, allowing greater access to it if there is a need.
- 4.2.5 A need to clarify the relationship with the Home Office has been identified.

4.3 Media and Public Affairs

- 4.3.1 The Home Office have provided information including details of previous publicity material in relation to the publicity encouraging individuals to ensure that they are included in the Electoral Register. A meeting with Malcolm Rawlings, Head of the Home Office's Election Section is planned to discuss key dates for the campaign.
- 4.3.2 The communications strategy was discussed. This strategy will feed into the 5 year plan. PG stated that although the transfer of LGCE functions would occur on 1 April 2002 the work on the corporate identity for the enlarged Electoral Commission will be completed by then, probably before the end of 2001. The issue of internal communications will be considered in conjunction with the HR and IT sub-groups. A Communications Strategy for the Commission may be appropriate later. The document discussed was a working document within Media and Public Affairs.
- 4.3.3 A press release about the weekly donation returns issued today was circulated.
- 4.3.4 Media training for the Directors was planned for 25 May. Round table discussions with local press have been arranged for Commissioners and Directors as part of their constituency visits. Arrangements will be made in respect of radio and television nearer the time.

4.4 Legal

- 4.4.1 Work continues on the questions relating to donations and campaign expenditure for publication on the Website.

4.5 Chief Executive

- 4.5.1 SY and RC met with the Parties represented in the European Parliament (Labour, Conservatives, Liberal Democrats and the Free Enterprise Alliance comprising Greens, SNP and Plaid Cymru). The visit was well received. Regular forums to meet with MEPs will be arranged quarterly in Brussels. SY and GZ will normally attend.
- 4.5.2 The Commission involvement in international affairs is increasing. Meetings are planned with the Electoral Commission of St Kitts and Nevis, the International IDEA in Sweden and Chairman of the Australian Electoral Commission. RC is to attend an OSCE conference of Electoral Commission representatives in Warsaw.

5 Commissioners' Points

5.1.1 Sam Younger

Following a meeting with SY Margaret M^cDonagh, General Secretary of the Labour Party has written about Party Election Broadcasts. She stated that the party was looking forward to the review and hoped that the position at the 2001 General Election would not be accepted as a precedent.

- 5.1.2 SY, RC and others attended a seminar at UCL on 'Challenges to the New Electoral Commission based on Lessons from Abroad'. No new issues were raised.

6 Review of General Election

6.1.1 Update on Project Plan (EC48/01)

Folders for the constituency visits have been distributed. Individuals should now make their own arrangements. Individuals will attend as observers. The information gathered is not attributable and will be used to inform the Commission's report. The process is in no way an inspection. It will be important to talk to the agents and Candidates at the count if not before.

- 6.1.2 KS reported on his visit to Belfast accompanied by Tom Hawthorn. He attended a management briefing by Dennis Stanley, the Chief Electoral Officer. He met with 5 main political parties, but not Sein Fein.
- 6.1.3 The nomination papers should be received by Friday 25 May, it was anticipated that there will be the need to chase some constituencies. The nominations will be forwarded to Plymouth for inputting. Anite will convert these to a template for the results. No guarantee of publication has been given. A link to the House of Commons Constituency site will be inserted. Collation of the interim results was considered to be a large amount of effort for little gain and it was decided that a link to another site that gives the full results was a more practical solution.
- 6.1.4 No public feedback has been received from the website. The opportunity to provide feedback may need to be highlighted.
- 6.1.5 A representative of the Policy Team will attend the post election meetings of the Association of Electoral Administrators. NS will attend AEA meetings regularly to build links with the administrators. Commissioners and RC indicated their intention to attend as follows:
- NM Scotland 12/6/01 and the meeting of Scottish Electoral Administrators on 18/6/01
 - GM Wales 19/6/01
 - PG North East 18/6/01
 - RC Southern 15/6/01

6.2 Consultation (EC49/01)

- 6.2.1 The list of bodies to be consulted was discussed and agreed apart from Justice which, although interested in areas including Asylum Seekers was not a policy body. It was considered acceptable to restrict the consultation to a limited number of directly involved organisations due to the timescale. Other groups or individuals who wished to comment could do so by using the feedback form on the website or by contacting the Commission direct.

6.3 Draft Report (EC50/01)

- 6.3.1 ***NS was thanked for her excellent draft.*** The draft was discussed with a view to a revised draft being provided on 14 June. The political party broadcasts will be shown back to back over lunch on this date.
- 6.3.2 It was agreed that the report could include specific recommendations and include pointers to possible areas of further research and those to which the Commission would return. The need to differentiate between personal opinion, issues for further discussion and the considered opinion of the Commission was identified. The Commission is committed to consulting and therefore it was agreed that the report will

provide an overview identifying key issues without drawing firm conclusions. This will inform a programme of consultation. At the same time, there is a need for the report to be robust and positive.

6.3.3 Additional topics that the report could cover included:

- Differences in campaign coverage, party election broadcasts (PEB) and manifestos in the regions
- Change in PEBs from providing the electorate with details of policy to adversarial
- The Absence of a party leader debate
- How tiers of Government affected voter turnout
- Any known examples of intimidation in polling booths etc., specifically in Northern Ireland
- Details of mini-projects e.g. Electoral Fraud
- How the concerns of the political parties and other interested groups were manifested
- Postal voting
- Correlation between the type of information available to the voter and their response e.g. level of importance attached to party political broadcasts

6.3.4 It was decided that inclusion of a reference to other Electoral Commissions was not appropriate in this first report on the UK General Election.

6.3.5 The possibility of dealing separately with Wales, Scotland and Northern Ireland was discussed. The separation was not considered necessarily appropriate as the report concerned the national General Election. It was agreed that some commentary was required in relation to these areas.

6.3.6 It was expected that the structure of the full report would be:

- Preface by SY stating what the Electoral Commission is doing within its remit and its role in pressing government for primary legislation
- Chapter on background on Electoral Commission and General Election
- Chapter providing an overview
 - administration of election
 - election campaign
 - turnout
 - finances – donations and expenditure with reference to next report
- Future agenda
- Official Results
- Appendixes including MORI poll

6.3.7 The results of the MORI poll could be published separately possibly in early July or at the Nuffield Seminar. A 5-10 page report will be available prior to the full report.

7 **Action on Quarterly Donation Reports – April 2001 (EC53/01)**

7.1 The Registration and Compliance Team are in contact with the parties concerned who cited difficulties in receiving mail as the reason for the lack of response. No action is required.

7.2 No action will be taken before the end of the General Election campaign in respect of the 21 parties who have failed to submit weekly donation returns.

8 **Donation and Campaign Expenditure Enquiries for Discussion**

8.1 **The application of Section 50(2)(f) to the Parliamentary Candidates (EC51/01)**

8.1.1 The Commissioners agreed that it was important that no restrictions should act to dissuade potential candidates from standing. ***The recommendation was agreed.***

8.2 **Severance Pay for Special Advisers (EC 52/01)**

8.2.1 ***The Commissioners agreed that the legal argument was finely balanced, but endorsed GZ's recommendation that on balance the Commission should not advise that severance payments to Special Advisers must be counted as a donation. The Commissioners also decided that the Cabinet Secretary should be encouraged to look at the issue again to ensure that there was no question of public money being used for party political purposes.***

9 **Date of the next meeting**

9.1 9.30am on Thursday 14th of June at Trevelyan House, to be followed by lunch with the staff. Director's reports to be submitted in writing in the form of bulleted lists for the next meeting.

9.2 The 12th July meeting will be held in Cardiff at 11am to allow staff to travel from London that day, an opportunity to visit the Welsh Assembly will be available. Rt Hon Rhodri Morgan AM MP, First Minister of the Welsh Assembly, and Lord Dafydd Elis-Thomas, the Presiding Officer, will be invited to dinner with the Commissioners on 11th July.