

**MINUTES OF THE MEETING OF THE ELECTORAL COMMISSION HELD
ON 2 DECEMBER 2002**

Present: Sam Younger (Chair) (SY)
Pamela Gordon (PG) for items 4 – 6 inclusive and 7
Glyn Mathias (GM)
Sir Neil McIntosh (NM)
Karamjit Singh (KS)
Professor Graham Zellick (GZ)

In attendance: Roger Creedon (RC)
Jacqui Dixon (JD)
Nicole Smith (NS) for items 4 – 6 inclusive
Richard Judson (RJ) for item 4
Tom Hawthorn (TH) for item 6

Boundary Committee: Pamela Gordon (PG) for items 1 – 3 inclusive
Helen Rossington (HR) for items 1 – 3 inclusive

Implementation Team: Derek Little (DL) for items 1 – 3 inclusive
Ann Devine (AD) for items 1 – 3 inclusive
Alice Cuninghame (AC) for items 1 – 3 inclusive

1. Middlesborough UA

- 1.1 KS presented the report. The representations concerned three wards. In the case of Clairville and University wards, no substantial arguments had been put forward for changing the recommendations. The local community council had suggested changing the name of Longlands ward although the local authority supported the proposed name.
- 1.2 **The Commissioners agreed to accept the recommendations, and to refer the suggested name change for Longlands ward to the local authority for consideration.**

2. Redcar and Cleveland UA

- 2.1 SY presented the report. There were several areas of concern for those who made representations:
 - Electorate forecasts
 - The Western Urban Core
 - Mickledales housing development

- Boundary between Belmont and Lockwood borough wards, and Charltons & Margrove Park and Lingdale & Stanghow parish wards
 - Brotton ward
 - Belmont ward name
- 2.2 No new arguments had been raised in the representations except in relation to the boundary between Charltons & Margrove Park and Lingdale & Stanghow wards, which the Implementation Team recommended should be Quakers Causeway, and the name of Belmont ward, which the Implementation Team recommended should be Westworth, the name which the local authority had now indicated that it preferred. The Boundary Committee had already agreed to accept both modifications.
- 2.3 **The Commissioners agreed to accept the recommendations, with the modifications that Quakers Causeway be the boundary between Charltons & Margrove Park and Lingdale & Stanghow parish wards and that the name of Belmont borough ward be changed to Westworth. These modifications had been agreed on behalf of the Boundary Committee by its Director.**

3. Rutland UA

- 3.1 NM presented the report. No representations had been received.
- 3.2 **The Commissioners agreed to accept the recommendations.**
- 3.3 As this was the last PER report until March 2003, the Commissioners thanked the Boundary Committee and the Implementation Team for their work. JD and AG will now evaluate the process and submit a report to the Commissioners by the end of February 2003.

4. Absent Voting

- 4.1 GM and RJ presented the paper highlighting the key issues raised by responses to the consultation on the Absent Voting review. The Commissioners had a detailed discussion on the following issues:
- Fraud
 - The role of electoral administrators
 - Redirection of postal ballots
 - Ballot paper mark
 - Secrecy
 - Administration of postal ballots
 - Opening postal votes
 - Proxy voting

- 4.2 The Commissioners considered that although they were able to come to a view on the outcome of the review and the recommendations in the final report should indicate the direction which the Commission is inclined to take, the Commission would also look at the pilots in 2003 which would provide further evidence before making a firm recommendation later in the summer of 2003. There was agreement that the recent changes to the absent voting arrangements had made it easier for voters to cast their vote, but public confidence in the process needed to be maintained.
- 4.3 The Commissioners agreed that serious attention had to be given to the possibility of fraud; the existing declaration was too complicated but believed that there needed to be some form of declaration of identity.
- 4.4 It was agreed that fraudulent application should be a specific offence, for which a person could be arrested at any place. A more active role for the electoral administrators was desirable, although issues of remit and resources needed consideration. The Commissioners also considered that a random audit process after an election was desirable, and that a complaint about an election result should be able to be made other than by judicial challenge. It was recognised that legislation on the issues relating to challenge and audit may have to be delayed until the next Parliament. It was felt that the time limit for bringing a prosecution should remain at 12 months, but that a court should be able to give a twelve month extension; ballot papers would need to be retained beyond twelve months in such a case.
- 4.5 The Commissioners concluded that the concerns about redirection of postal ballots may be resolved by a declaration that the voter, or a close relative, will living at the alternative address given during the relevant time.
- 4.6 There was a strong case for recommending the use of watermarks on ballot papers, and it was agreed that the Commission should advise the Government that it is minded to do so but a firm recommendation would await the outcome of the May 2003 pilots.
- 4.7 The Commissioners recognised that there was a need to limit the possibilities for abuse of postal voting. If self-regulation did not work, there might be a need for legislation in the future.
- 4.8 The Commissioners felt that the deadlines for return of postal votes should remain as they are. There was concern about the delivery of postal votes by Royal Mail. There was also an issue about who should see the marked register, and when; the question of who should have access to the marked register and the timing of such access would be dealt with in the review on Electoral Registration. The Absent Voting review should limit itself to recommendations about consistency between marked registers for polling stations and postal voting but

would highlight views on other points, including access to marked registers.

- 4.9 There was discussion on the continuing availability of proxy votes. It was agreed that there was no secrecy in a proxy vote. Although the numbers of proxy votes were relatively small, it was considered that there was still a need at the moment, although other arrangements may in due course eliminate that need.
- 4.10 **The Commissioners agreed that the above points should be included in the draft of the report on the review, and that the Commissioners would consider the final report in January 2003.**

5. Funding Democracy

- 5.1 SY and NS presented the paper on the Funding Democracy review. The paper highlighted the current system of funding the administration of elections from several sources. In the long term, the objective would be to have one source of funding; in the short term, the aim would be to improve the current arrangements. Whilst there was a need for increased funding for the infrastructure within local authorities, the current system would not deliver it.
- 5.2 SY stated that whilst the principle would tend towards centrally-funded elections, the key issues were national standards and increased core-funding.
- 5.3 There was a short discussion on how the Commission should develop. RC felt that the Commission would evolve over time and the trend would be for the Commission to set and monitor standards. Moving to an operational role would have significant implications for the structure and resourcing of the Commission. SY stated that the Commission should be modelling its potential future structure if it was asked to take on tasks such as registration and delivery.
- 5.4 **The Commissioners agreed with the approach and the proposals contained in the paper.**

6. Internet Campaigning

- 6.1 KS and TH presented the report. KS reported that the ISPs had not engaged with the review; TH reported that the Advertising Standards Agency was participating in consultations on political advertising. There was a clear connection to the review on political advertising, and there needed to be consistency between the two reports.
- 6.2 It was suggested that this was a dynamic environment and that it would be inappropriate for the Commission to take on a regulatory role at this

time; it was accepted that in relation to third parties outside the UK, that regulation was not currently possible in practice. The proposed approach for the Commission to adopt was one of active interest and on-going review. It was proposed that a small meeting of stakeholders, including ISPs and political parties, should be convened after the publication of the report to consider the impact of on-line campaigns in the May 2003 elections. It would also be possible to draw material from the pilots.

- 6.3 The Commissioners agreed that there was a need for a standard protocol, and the role of the Commission should be in authentication of registered parties' websites. It was proposed that the Commission's website should carry links to official sites of registered parties. Commissioners also agreed that imprint requirements should be extended to Internet and SMS material, but that the practical implications should be explored further.
- 6.4 It was noted that the final report would be submitted to the Commissioners at their meeting on 23 January 2003 and published formally in February. After publication of the review report, these issues would be kept under review on an annual basis, and basic guidance should be issued in advance of a General Election.
- 6.4 **The Commissioners agreed with the approach outlined in the paper.**

7. Other items

- 7.1 SY reported that the second report on the General Election 2001 had been published.