

## Elections for Police and Crime Commissioners Tuesday 11 September 2012

The Police Reform and Social Responsibility (PRSR) Act 2011 replaces police authorities in England and Wales with directly elected Police and Crime Commissioners (PCCs). The first election for Police and Crime Commissioners (PCCs) will take place on 15 November 2012 in England (excluding London) and Wales.

We have provided briefings throughout the passage of both the primary and secondary legislation that put in place the PCC elections. With only nine weeks now until the elections, we are setting out what has already been done and what remaining steps need to be taken to ensure the elections are well-run for voters and candidates. It also sets out the main issues that we will be monitoring to inform our post-election report.

We are also working with the relevant Returning Officers to ensure the successful delivery of the other polls taking place on 15 November, which include a mayoral election in Bristol and the Corby and East Northamptonshire by-election.

### Giving voters the information they need

It is important that voters have sufficient information about the voting system, the issues and the candidates that are standing in elections so they can make informed decisions. This will be particularly important for the PCC elections because these are completely new elections, for a new role. In addition they are happening at an unusual time of year, using a voting system (the Supplementary Vote) that most people will be unfamiliar with. This is why we have put so much emphasis on how public awareness campaigns are run and how information is provided to voters.

#### Information about the elections

The PRSR Act 2011 provides for the Electoral Commission to undertake 'such steps as it considers appropriate' to raise public awareness of PCC elections. This is consistent with our public awareness role for other elections.

As part of our campaign to raise awareness of the elections, a booklet will be sent to all households in the 41 police areas in England (outside London) and Wales. It will contain information on the role of PCCs, how to complete your ballot paper and details of the website and phone number where people can get information on candidates. It will be supported by a TV campaign and local radio and press activity

to raise awareness of the elections and alert people to the booklet that they will be receiving. Our public awareness work launches on 22 October, the same day that people will start to receive booklets, and will run until polling day.

We are working with Police Area Returning Officers (PAROs) and Local Returning Officers (LROs) so that they know what they can do locally to help raise awareness of the elections.

## Information for voters about candidates

Information about when the elections are happening and how to vote is important. But it is the parties and candidates themselves that give people a reason to vote.

We have previously set out our views on the Government's proposal to host candidate information on a central website (with printed information available on request) and it is clear that our preferred option – a booklet with information about the candidates to be sent to voters in each police authority area – is not going to happen.

The Home Office are also now planning a public awareness campaign on the PCC elections. This will start in early October and include TV and radio advertising. The Commission has raised concerns about the Government undertaking an advertising campaign ahead of these, or any other, elections. This is a significant departure from usual practice and if questions are raised about the neutrality of it by voters or candidates it could affect public confidence in the elections. The Government has assured us it is aware of these concerns and has taken the decision to proceed.

While we do not agree with these decisions our focus now is on making the arrangements work for voters. So we are working closely with the Home Office to ensure that both campaigns are co-ordinated and that people have access to all the information they need at the right time. We will be promoting the candidate website and print on demand service in our information booklet and on our 'aboutmyvote' website.

We have been asked whether it would be possible for us to include candidate information in the booklet we are producing and distributing. Unfortunately this is not possible and we are explaining here why this is the case to avoid any later confusion. Our booklet will contain generic information about the elections for everyone, whereas candidate information needs to be collected locally by the Police Authority Returning Officer, before being distributed to voters in that specific police authority area. We did suggest to the Government in autumn 2011 following Royal Assent, when we began our public awareness planning - that if booklets were being produced locally, we could provide the information planned for our booklet in template format so that it could be included with it. The election timetable would also need to have been changed to allow sufficient time for local printing and distribution after the close of nominations. The Government decided not to pursue this proposal and at this stage we do not believe the issue should be revisited for this set of elections.

## Making sure that the elections are properly run

---

### Advice and Guidance

The Commission also has a role in providing advice and guidance to candidates, agents and other campaigners and Returning Officers in the run up to elections. This includes information about how to stand as a candidate, and the rules on campaign spending and funding.

We published all our guidance for these elections at the end of June 2012. We have also produced a number of supporting resources for local Returning Officers, including handbooks for staff working in polling stations and guidance on adjudicating doubtful ballot papers. In addition to our guidance and resources for local Returning Officers on running the elections, we issued communications guidance, outlining information on our public awareness campaign, the Home Office campaign, and what local Returning Officers can do to support this activity.

We have produced comprehensive guidance for anyone who is interested in standing as a candidate at the PCC elections. The guidance is split into several parts setting out the key things candidates and agents need to be aware of in terms of whether or not they can stand for election, what they need to do to get nominated, and what they can and cannot do in campaigning for election. There is also guidance on what candidates can spend on their campaign and how they need to account for their spending.

In addition to the core guidance we are holding a free webinar on standing, campaigning and reporting at PCC elections on 12 September.

There have been questions raised about the rules on standing for these elections. The issue of who can stand for an election is a matter for the Government and Parliament to determine. Our guidance reflects the primary and secondary legislation relating to the elections and is intended to help potential candidates understand and comply with it. Any change in the rules would need to be agreed by Parliament, but we do not think that any further changes should be made at this late stage, only two months before polling day. The focus should instead be on making sure all potential candidates understand the rules.

### Remaining legislation

The Order specifying the level of fees and charges which Returning Officers can claim for the administration of the elections is yet to be published by the Government. It is essential that this detail on the conduct of the election is published and agreed as soon as possible so that PAROs and LROs are able to finalise their plans to deliver these elections. The fees and charges Order should have been published six months prior to polling day (the same time the conduct order was laid) and continuing delay will pose an increasingly serious risk to the delivery of the elections.

The Welsh Forms Order has also not yet been made. Without clarity as to the timing and content of the Welsh Forms Order, PAROs and LROs will not be able to finalise their printing specification and requirements for poll cards, postal voting statements or polling station notices.

In the absence of this Welsh Forms Order, the ballot paper used in Wales for these elections will only be available to voters in English. There are 16 sitting days in which this Order can be approved by Parliament before the first ballot papers will be issued to postal voters (*from 31 October*). While we recognise that Parliament is ultimately responsible for approving this legislation, the UK Government must give assurance to those administering these elections, and voters, that the ballot papers to be used in Wales at the elections in November will be bi-lingual.

## Reporting on the elections

---

The Electoral Commission has a statutory role to report on all polls. This duty will be very important for these new elections. We intend to look carefully at all aspects of these elections to assess if they were well-run and will keep an open mind on whether or not any of the new arrangements in place for these elections – including the candidate website – should be repeated at future polls. As part of this we will, as usual, be asking the views of candidates (those who stood as well as those who withdrew) and members of the public to understand more about their experience of the elections.

Our report, due to be published in early 2013, will consider the impact of the content and timing of the passage of the legislation that enabled these elections to take place, and also of the role of the Home Office – a department not usually tasked with the running of elections.

Our summary analysis of the May 2012 polls, published on 11 September, identified a number of important considerations for well-run elections that we will be monitoring carefully. In particular:

- whether voters had enough information about the election and its candidates, and in the most accessible format, to enable them to cast their vote
- the role of Police Area Returning Officers (PAROs) in coordination and management of the elections
- understanding and successful completion of ballot papers by voters in elections using the Supplementary Vote system, including analysis of spoilt ballot papers.

### **For further information:**

We have a dedicated Police and Crime Commissioner elections page on our [website](#) which has links to briefings that we have issued to Parliament on these elections in the past.

Please contact Kate Brightwell, Senior Public Affairs Officer on 020 7271 0671 or [kbrightwell@electoralcommission.org.uk](mailto:kbrightwell@electoralcommission.org.uk)