

Minutes of the urgent meeting of the Electoral Commission held on Monday 19 July 2010 at 9.30am

Present: Jenny Watson (JW) Chair
Max Caller (MC)
Henrietta Campbell (HC))
Tony Hobman (TH)) (by teleconference)
Ian Kelsall (IK))
John McCormick (JMcC))

In attendance: Peter Wardle (PW)
Carolyn Hughes (CH)
Andrew Scallan (AS)
Lisa Klein (LK)
Bob Posner (BP)
Kairen Zonena (KZ)

1 Apologies

None.

2 Declaration of Interests

- 2.1 The Chair declared to the Board that from 1996 to 1998 she was employed by Charter88, an organisation which no longer existed but which at the time campaigned for constitutional change, including voting reform. She was initially employed as a Press Officer and towards the end of 1997 became the Campaign and Communications Manager. She was not the principal spokesperson for the organisation, but might on occasion have been quoted in a professional capacity on this issue. Since leaving the organisation she had had no personal involvement in any campaign for voting reform. Other Commissioners were asked to state whether they had any interests to declare and each of them replied that they did not.

3 Referendum – Chief Counting Officer (EC63/10)

- 3.1 JW sought the Board's views on two issues. The first was on her previous role with Charter 88, and whether Commissioners felt this represented a conflict of interest. The second was whether the Commission's work plan in the coming months was such that consideration should be given to who should undertake the role of CCO.
- 3.2 JW left the Chair for consideration of the first issue, and offered to leave the room, but this was not required. She did not participate in the discussion.

MC in the chair

- 3.2 As had been discussed at earlier meetings, Commissioners reiterated the importance to the Commission of successfully managing the referendum. This fact would underpin any decision they made. They considered whether or not JW's involvement with Charter 88 could in any sense be perceived as conflict of interest, significant enough to cause her to withdraw from being CCO.
- 3.3 Commissioners were unanimous in considering that as JW's involvement in the other organisation had finished in 1998, it was too distant to represent an issue, also noting the move in recent changes to PPERA to reduce the "quarantine" period for Commissioners with previous involvement in party political issues from ten years to five. It was not felt that the integrity or impartiality of the referendum process could be called into question by it.
- 3.4 Conversely, a decision now that JW should not carry out the role as envisaged in PPERA was not without risks, as it would raise questions as to why she was CCO for Wales but not for a national referendum.
- 3.5 PW added that imputations of influence by JW could also be refuted by the robust and transparent governance arrangements in place, not least the involvement of other Board members and senior staff.
- 3.6 All Commissioners were satisfied that there was no conflict of interest, and their advice was that having considered this issue, JW should be CCO.

JW in the chair.

- 3.7 JW invited the Commissioners to consider the significant demands such a role would place on the CCO, especially with overlap between the Wales referendum and the AV referendum and all the other issues which would be before the Commission in the coming months. Commissioners accepted that the workload on JW and the Commission was likely to be considerable over the coming months; but

they nevertheless felt that it was desirable for reasons of consistency and reputation that JW carry out both roles, it was recognised that she would need to do this with organisational support, and a degree of delegation.

- 3.8 JW confirmed that she would assume the role of CCO, and that she intended to appoint MC as Deputy CCO for both the AV and the Wales referendum, as soon as the necessary legislation had been made which enabled her to do so.
- 3.9 She proposed that the discussion on well-run referendums scheduled for the 7 September Commission Board meeting would include detail about how the arrangements would work in practice.

Agreed: That JW's decision to be the CCO for the AV referendum in May 2011, together with her intended appointments of MC as a Deputy CCO for both the AV and the Wales referendum, be noted and endorsed.

The meeting ended at 10 a.m.

Signed:

Chair