The Electoral Commission

Dealing with doubtful ballot papers

Supporting Police and Crime Commissioner elections

Translations and other formats

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Email: publications@electoralcommission.org.uk

Contents

1   Introduction

1.1   This booklet is designed to assist Local Returning Officers (LROs) in adjudicating doubtful ballot papers at Police and Crime Commissioner elections held under the First Past the Post (FPTP) electoral system.

1.2   This booklet should also be read in conjunction with our general guidance on managing the count which can be found on our website.

1.3   The LRO may delegate the final decision on adjudication to one or more deputies, but this must be done explicitly in writing.[1]

1.4   Because the LRO discharges a statutory function in adjudicating doubtful votes, the LRO or authorised Deputy LRO, and not other staff employed by the LRO at the count, should carry out this function.

1.5   One of the aims of this booklet is to help to ensure consistency of approach across all police areas in England and Wales.

1.6   This booklet has been developed in consultation with representatives of the electoral community, including members of the Elections, Referendum and Registration Working Group and the UK Electoral Coordination and Advisory Board, and the Electoral Commission is grateful for their assistance throughout this process.

1.7   When undertaking the adjudication of ballot papers it is important to ensure that the process is carried out in full view of all candidates and agents present, as well as in the presence of any Commission representatives and accredited observers in attendance.

Managing the adjudication at Police and Crime Commissioner elections

1.8   LROs should not wait until towards the end of the count before starting the adjudication process; this should be carried out regularly throughout the count process in clear view of those entitled to be present.

1.9   Those ballot papers that have been rejected should be stamped with the word 'rejected' and placed in the appropriate package[2]. All other ballot papers must be counted.

1.10 A statement must be prepared showing the number of ballot papers rejected under each of the following headings:[3]

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[1] Regulation 5(2), The Police and Crime Commissioner Elections (Functions of Returning Officers) Regulations 2012.
[2] Para 53(6), Schedule 3, The Police and Crime Commissioner Elections Order 2012 (PCCEO 2012)
[3] Para 53(7), Schedule 3, PCCEO 2012.

- want of official mark
- voting for more than one candidate
- writing or mark by which the voter could be identified
- unmarked or void for uncertainty

2   Principles of adjudication

2.1   Any doubtful ballot papers should be placed in a tray for the supervisor to take to the LRO for adjudication. The whole of the ballot paper needs to be considered when adjudicating doubtful votes and the front of the ballot papers should be carefully checked for any marks, in case the voter has made any marks outside of the voting boxes.

2.2   The LRO may only reject a ballot paper on the following grounds[4]:

- it does not contain an official mark
- more than one vote has been given
- it contains a mark or writing by which the voter can be identified (except the ballot paper number and unique identifier mark
- it is unmarked
- it is void for uncertainty

2.3   A ballot paper should not be rejected because the vote is:[5]

- not marked in the proper place
- marked other than by a cross
- marked by more than one mark

A ballot paper should not be rejected if the intention to vote for not more than one candidate clearly appears on the ballot paper, as long as the voter cannot be identified by any writing or mark on the paper.

2.4   Therefore, the following ballot papers will need to be passed to the LRO for adjudication:

- those that appear to have no official mark (not the unique identifying mark)
- those appearing to contain more than one vote
- those with any writing or mark by which the voter may be identified
- those where there is no mark
- those where there is uncertainty

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[4] Para 53(1), Schedule 3, The Police and Crime Commissioner Elections Order 2012 (PCCEO 2012)
[5] Para 53(2), Schedule 3, PCCEO 2012

2.5   In addition, in order to help maintain the integrity of the election, the following ballot papers should be passed to the LRO for further consideration:

- any paper torn or damaged in any way
- any paper with anything unusual about it (for example, any paper that appears to have been altered, either with a clearly different writing instrument or with correction fluid)

2.6   In the case of ballot papers that appear to have been altered, LROs may consider packaging them separately in case of later challenge or investigation.

Want of official mark

2.7   Absence of the official mark must lead to an automatic rejection. The LRO has no discretion.

2.8   However, where instead of a pre-printed official mark a stamping instrument has been used, a partial piercing or embossing of the ballot paper should not in itself result in a rejection. As long as it is clear that the ballot paper has been stamped by polling station staff, the fact that not all the pins have stamped through the ballot paper or that the perforation is not wholly on the paper is immaterial.

Voting for more than one candidate

2.9   This is a matter for the LRO's judgment.

2.10 Additional marks must not lead to a rejection if it is clear that those marks were not intended as a vote.

2.11 A paper on which each of the candidates is marked 1, 2, 3, 4 etc. instead of with a cross (see example 15) should not be rejected on the grounds of voting for more candidates than the voter is entitled to vote for. It is reasonable to conclude that in ranking the candidates the voter is putting them into order of preference and a ballot paper marked in this way should therefore be accepted as a valid vote for the candidate against which the number 1 is marked. This position is consistent with the position set out in the legislation for Scottish Parliamentary elections which states that a paper marked 1, 2 and 3 etc. instead of with a cross must be allowed as a good vote for the candidate or party against which the number 1 is marked.[6]

Writing or mark by which the voter can be identified

2.12 There are two aspects to this:

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[6] Woodward v. Sarsons (1875), LR 10, CP74 and Cirencester case (1893).

- either any writing or mark on the ballot paper which, of itself, identifies the voter, or
- the voter can be identified by such writing or mark

2.13 It is important to bear in mind that the legislation states that the voter **can be**, not may be or might possibly be, identified (which does not include the ballot paper number and unique identifying mark on the back of the ballot paper).

Writing or mark which, of itself, identifies the voter

2.14 A ballot paper should be rejected if:

- the electoral number of the voter written on the ballot paper unequivocally identifies the voter
- it may reasonably be held to bear the name (or signature) or unique address of the voter on its front

The voter can be indirectly identified by any writing or mark on the ballot paper

2.15 The LRO is not required to investigate the matter or require evidence to be produced to identify the writing or mark. But, the LRO should consider any evidence that is given to them at the time.

2.16 Where there is doubt about the identity of the person who marked the ballot paper, the LRO should allow rather than reject the ballot paper.

Unmarked ballot papers

2.17 Unmarked ballot papers should be rejected, even if a mark on the back of the ballot paper shows through on the front.

2.18 A ballot paper marked by means other than a pencil should not be rejected simply because of that.

2.19 Marks other than a cross, however faint, may still be valid.

Void for uncertainty

2.20 Establishing voter intention is crucial when determining doubtful ballot papers.

2.21 The key phrase in the Rules is: 'A ballot paper is not for that reason void if […]an intention that a vote is for only one of the candidates **clearly** appears'.[7]

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[7] Para 53(4)(a), Schedule 3, The Police and Crime Commissioner Elections Order 2012.

2.22 Each ballot paper should be considered on its own merits and decisions should be taken on a case-by-case basis.

2.23 The key question a LRO should ask is whether the voter has, on the face of the paper, indicated a reasonably clear intention to vote for a candidate.

Decisions on ballot papers

2.24 The decision of the LRO is final, but may be subject to review on election petition.[8]

3　Summary

3.1 The principles to be applied are set out above. In practical terms, the general approach can be summarised as follows:

- Always be clear and consistent.

- Take time to ensure that a considered decision is given in every case.

- Determine whether the intention of the vote clearly appears on the ballot paper. As part of this, LROs will need to:
    - consider the whole of the ballot paper
    - consider whether the way a ballot paper has been marked means that a vote for one candidate is clearly apparent

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[8]Para 56, Schedule 3, The Police and Crime Commissioner Elections Order 2012..

4   Examples

4.1   The examples provided here under 'allowed' and 'rejected' are based on previous case law or are taken from the specific rules for Police and Crime Commissioner elections.

4.2   Ultimately, the decision on any particular ballot paper, including the question as to whether an intention to vote for a particular candidate appears, rests with the LRO.

Case law references

4.3   Abbreviated case law references have been used throughout this booklet. The following table lists the full case law references.

Abbreviation	Full reference
Berwick-upon-Tweed case	Berwick-upon-Tweed case [1880] 3 O'M&H 178
Buckrose case	Buckrose case, Sykes v. McArthur [1886] 5 O'M&H 110
Cirencester case	Lawson v. Chester Master [1893]
Cornwell v. Marshall	Cornwell v. Marshall [1977] 75 LGR 676 DC
Ely v. Durant	Ely v. Durant [1900] 4SJ 430
Levers v. Morris	Levers v. Morris [1971] 3 All ER QBD
Richmond case	Richmond London, Election, Re [1976] Times, 6 August
Rowe v. Cox	Rowe v. Cox [2001] QBD, Case M/294/01
Ruffle v. Rogers	Ruffle v. Rogers [1982] QB 1220
South Newington case	South Newington case, Lewis v. Shepperdson [1948] 2 All ER 503
West Bromwich case	West Bromwich case, Hazel v. Viscount Lewisham [1911] 6 O'M&H 256
Woodward v. Sarsons	Woodward v. Sarsons [1875] LR10 CP 733

Allowed votes

The following are suggested examples of allowed votes.

Example 1

Election of Police and Crime Commissioner for [*insert name of police area*] **police area**

Vote for **only one candidate** by putting a cross ☒ in the box next to your choice.

BARBER, Ali 5 Anytown Close, Anytown, AT34 6CY **Pelican Party**	◆ ◆◆	
BOOTS, Dusty 63 Acacia Avenue, Anytown, AT33 5XZ **League of Line Dancers**	⌘	✗
CLOVER, Elizabeth Mary 9 Seymour Court, Anytown, AT12 E34 **Independent**		
GREY, Earl (address in [relevant area]) **Mad Hatter's Tea Party**	✴	▨
HOOD, Robin 64 Purple Road, Anytown, AT12 7HT **The Forest Party**	△	
MILLER, Windy 7 Daisy Drive, Anytown, AT98 7RK **Alternative Power Forum**	🕸	

Allow for Boots – Cirencester case, *Ely v. Durant* and PCCEO 2012 Sch 3 para 53(2)(c)

Example 2

Election of Police and Crime Commissioner for [*insert name of police area*] **police area**

Vote for **only one candidate** by putting a cross ☒ in the box next to your choice.

BARBER, Ali
5 Anytown Close, Anytown, AT34 6CY
Pelican Party

BOOTS, Dusty
63 Acacia Avenue, Anytown, AT33 5XZ
League of Line Dancers

CLOVER, Elizabeth Mary
9 Seymour Court, Anytown, AT12 5~~~
Independent

GREY, Earl
(address in [relevant area])
Mad Hatter's Tea Party

HOOD, Robin
64 Purple Road, Anytown, AT12 7HT
The Forest Party

MILLER, Windy
7 Daisy Drive, Anytown, AT98 7RK
Alternative Power Forum

Allow for Miller – *Woodward v. Sarsons* and PCCEO 2021 Sch 3 para 53(2)(c)

Example 3

Election of Police and Crime Commissioner for [*insert name of police area*] **police area**

Vote for **only one candidate** by putting a cross ☒ in the box next to your choice.

BARBER, Ali
5 Anytown Close, Anytown, AT34 6CY
Pelican Party

BOOTS, Dusty
63 Acacia Avenue, Anytown, AT33 5XZ
League of Line Dancers

CLOVER, Elizabeth Mary
9 Seymour Court, Anytown, AT12 E34
Independent

GREY, Earl
(address in [relevant area])
Mad Hatter's Tea Party

HOOD, Robin
64 Purple Road, Anytown, AT12 7HT
The Forest Party

MILLER, Windy
7 Daisy Drive, Anytown, AT98 7RK
Alternative Power Forum

Allow for Hood – PCCEO 2012 Sch 3 para 53(2)(c)

Example 4

Election of Police and Crime Commissioner for [*insert name of police area*] police area

Vote for **only one candidate** by putting a cross ☒ in the box next to your choice.

BARBER, Ali
5 Anytown Close, Anytown, AT34 6CY
Pelican Party

BOOTS, Dusty
63 Acacia Avenue, Anytown, AT33 5XZ
League of Line Dancers

CLOVER, Elizabeth Mary
9 Seymour Court, Anytown, AT12 E34
Independent

GREY, Earl
(address in [relevant area])
Mad Hatter's Tea Party

HOOD, Robin
64 Purple Road, Anytown, AT12 7HT
The Forest Party

Hood The Forest Party!

MILLER, Windy
7 Daisy Drive, Anytown, AT98 7RK
Alternative Power Forum

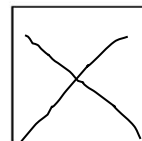Allow for Hood – *Ruffle v. Rogers* and PCCEO 2012 Sch 3 para 53(2)(b)

Example 5

Election of Police and Crime Commissioner for [*insert name of police area*] **police area**

Vote for **only one candidate** by putting a cross ☒ in the box next to your choice.

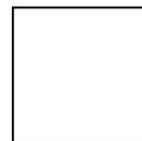|		
BARBER, Ali 5 Anytown Close, Anytown, AT34 6CY **Pelican Party**	◆◆ ◆	
BOOTS, Dusty 63 Acacia Avenue, Anytown, AT33 5XZ **League of Line Dancers**	⌘	
CLOVER, Elizabeth Mary 9 Seymour Court, Anytown, AT12 E34 **Independent**		
GREY, Earl (address in [relevant area]) **Mad Hatter's Tea Party**	★	
HOOD, Robin 64 Purple Road, Anytown, AT12 7HT **The Forest Party**	△	
MILLER, Windy 7 Daisy Drive, Anytown, AT98 7RK **Alternative Power Forum**	⊗	

Allow for Miller – West Bromwich case and PCCEO 2012 Sch 3 para 53(2)(a)

Example 6

Election of Police and Crime Commissioner for [*insert name of police area*] **police area**

Vote for **only one candidate** by putting a cross ☒ in the box next to your choice.

BARBER, Ali
5 Anytown Close, Anytown, AT34 6CY
Pelican Party

BOOTS, Dusty
63 Acacia Avenue, Anytown, AT33 5XZ
League of Line Dancers

CLOVER, Elizabeth Mary
9 Seymour Court, Anytown, AT12 E34
Independent

✓

GREY, Earl
(address in [relevant area])
Mad Hatter's Tea Party

HOOD, Robin
64 Purple Road, Anytown, AT12 7HT
The Forest Party

MILLER, Windy
7 Daisy Drive, Anytown, AT98 7RK
Alternative Power Forum

Allow for Clover – PCCEO 2012 Sch 3 para 53(2)(b)

Example 7

Election of Police and Crime Commissioner for [*insert name of police area*] **police area**

Vote for **only one candidate** by putting a cross ☒ in the box next to your choice.

BARBER, Ali
5 Anytown Close, Anytown, AT34 6CY
Pelican Party

BOOTS, Dusty
63 Acacia Avenue, Anytown, AT33 5XZ
League of Line Dancers

CLOVER, Elizabeth Mary
9 Seymour Court, Anytown, AT12 E34
Independent

GREY, Earl
(address in [relevant area])
Mad Hatter's Tea Party

HOOD, Robin
64 Purple Road, Anytown, AT12 7HT
The Forest Party

MILLER, Windy
7 Daisy Drive, Anytown, AT98 7RK
Alternative Power Forum

Allow for Barber – Berwick-upon-Tweed case and PCCEO 2012 Sch 3 para 53(2)(a)

Example 8

Election of Police and Crime Commissioner for [*insert name of police area*] **police area**

Vote for **only one candidate** by putting a cross ☒ in the box next to your choice.
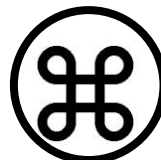
BARBER, Ali
5 Anytown Close, Anytown, AT34 6CY
Pelican Party

BOOTS, Dusty
63 Acacia Avenue, Anytown, AT33 5XZ
League of Line Dancers

CLOVER, Elizabeth Mary
9 Seymour Court, Anytown, AT12 E34
Independent

GREY, Earl
(address in [relevant area])
Mad Hatter's Tea Party

Yes

HOOD, Robin
64 Purple Road, Anytown, AT12 7HT
The Forest Party

MILLER, Windy
7 Daisy Drive, Anytown, AT98 7RK
Alternative Power Forum

Allow for Grey – PCCEO 2012 Sch 3 para 53(2)(b)

Example 9

Election of Police and Crime Commissioner for [*insert name of police area*] police area

Vote for **only one candidate** by putting a cross ☒ in the box next to your choice.

BARBER, Ali 5 Anytown Close, Anytown, AT34 6CY **Pelican Party**	◆◆ ◆	
BOOTS, Dusty 63 Acacia Avenue, Anytown, AT33 5XZ **League of Line Dancers**	⌘	
CLOVER, Elizabeth Mary 9 Seymour Court, Anytown, AT12 E34 **Independent**		
GREY, Earl (address in [relevant area]) **Mad Hatter's Tea Party**	★	
HOOD, Robin 64 Purple Road, Anytown, AT12 7HT **The Forest Party**	△	
MILLER, Windy 7 Daisy Drive, Anytown, AT98 7RK **Alternative Power Forum**	🕸	

Allow for Miller – PCCEO 2012 Sch 3 para 53(2)(a) and (b)

Example 10

Election of Police and Crime Commissioner for [*insert name of police area*] **police area**

Vote for **only one candidate** by putting a cross ☒ in the box next to your choice.

BARBER, Ali
5 Anytown Close, Anytown, AT34 6CY
Pelican Party

BOOTS, Dusty
63 Acacia Avenue, Anytown, AT33 5XZ
League of Line Dancers

CLOVER, Elizabeth Mary
9 Seymour Court, Anytown, AT12 E34
Independent

GREY, Earl
(address in [relevant area])
Mad Hatter's Tea Party

HOOD, Robin
64 Purple Road, Anytown, AT12 7HT
The Forest Party

MILLER, Windy
7 Daisy Drive, Anytown, AT98 7RK
Alternative Power Forum

Allow for Boots – PCCEO 2012 Sch 3 para 53(2)(a) and (b)

Example 11

Election of Police and Crime Commissioner for [*insert name of police area*] **police area**

Vote for **only one candidate** by putting a cross ☒ in the box next to your choice.

BARBER, Ali
5 Anytown Close, Anytown, AT34 6CY
Pelican Party

BOOTS, Dusty
63 Acacia Avenue, Anytown, AT33 5XZ
League of Line Dancers

CLOVER, Elizabeth Mary
9 Seymour Court, Anytown, AT12 E34
Independent

GREY, Earl
(address in [relevant area])
Mad Hatter's Tea Party

HOOD, Robin
64 Purple Road, Anytown, AT12 7HT
The Forest Party

MILLER, Windy
7 Daisy Drive, Anytown, AT98 7RK
Alternative Power Forum

ELECT BARBER

Allow for Barber – *Ruffle v. Rogers* and PCCEO 2012 Sch 3 para 53(2)(a) and (b) [provided there is no other candidate by the name of Barber].

Example 12

Election of Police and Crime Commissioner for [*insert name of police area*] **police area**

Vote for **only one candidate** by putting a cross ☒ in the box next to your choice.

BAR~~BE~~R, Ali
5 Anytown Close, Anytown, AT34 6CY
Pelican Party

BOOTS, Dusty
63 Acacia Avenue, Anytown, AT33 5XZ
League of Line Dancers

CLOVER, Elizabeth Mary
9 Seymour Court, Anytown, AT12 E34
Independent

GREY, Earl
(address in [relevant area])
Mad Hatter's Tea Party

HOOD, Robin
64 Purple Road, Anytown, AT12 7HT
The Forest Party

MILLER, Windy
7 Daisy Drive, Anytown, AT98 7RK
Alternative Power Forum

Allow for Barber – *Levers v. Morris* and PCCEO 2012 Sch 3 para 53(2)(a)

Example 13

Election of Police and Crime Commissioner for [*insert name of police area*] **police area**

Vote for **only one candidate** by putting a cross ☒ in the box next to your choice.

BARBER, Ali
5 Anytown Close, Anytown, AT34 6CY
Pelican Party

BOOTS, Dusty
63 Acacia Avenue, Anytown, AT33 5XZ
League of Line Dancers

CLOVER, Elizabeth Mary
9 Seymour Court, Anytown, AT12 E34
Independent

GREY, Earl
(address in [relevant area])
Mad Hatter's Tea Party

HOOD, Robin
64 Purple Road, Anytown, AT12 7HT
The Forest Party

MILLER, Windy
7 Daisy Drive, Anytown, AT98 7RK
Alternative Power Forum

Allow for Clover – *Levers v. Morris* and PCCEO 2012 Sch 3 para 53(2)(b) and (c). See also *Schofield's Election Law,* Volume 5, Appendix E, E20 (Shaw & Sons, 2008 as updated by supplement issue no.1).

Example 14

Election of Police and Crime Commissioner for [*insert name of police area*] **police area**

Vote for **only one candidate** by putting a cross ☒ in the box next to your choice.

BARBER, Ali
5 Anytown Close, Anytown, AT34 6CY
Pelican Party

BOOTS, Dusty
63 Acacia Avenue, Anytown, AT33 5XZ
League of Line Dancers

☒

CLOVER, Elizabeth Mary
9 Seymour Court, Anytown, AT12 E34
Independent

GREY, Earl
(address in [relevant area])
Mad Hatter's Tea Party

HOOD, Robin
64 Purple Road, Anytown, AT12 7HT
The Forest Party

MILLER, Windy
7 Daisy Drive, Anytown, AT98 7RK
Alternative Power Forum

Allow for Boots – *Levers v. Morris* and PCCEO 2012 Sch 3 para53(2)(c). See also *Schofield's Election Law,* Volume 5, Appendix E, E20 (Shaw & Sons, 2008 as updated by supplement issue no.1).

Example 15

Election of Police and Crime Commissioner for [*insert name of police area*] **police area**

Vote for **only one candidate** by putting a cross ☒ in the box next to your choice.

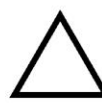|		
BARBER, Ali 5 Anytown Close, Anytown, AT34 6CY **Pelican Party**	❖	6
BOOTS, Dusty 63 Acacia Avenue, Anytown, AT33 5XZ **League of Line Dancers**	⌘	3
CLOVER, Elizabeth Mary 9 Seymour Court, Anytown, AT12 E34 **Independent**		1
GREY, Earl (address in [relevant area]) **Mad Hatter's Tea Party**	✴	2
HOOD, Robin 64 Purple Road, Anytown, AT12 7HT **The Forest Party**	△	5
MILLER, Windy 7 Daisy Drive, Anytown, AT98 7RK **Alternative Power Forum**	🕸	4

Allow for Clover – vote marked otherwise than by means of a cross. PCCEO 2012 Sch 3 para 53(2)(b)

Rejected votes

The following are suggested examples of rejected votes.

Example 16

Election of Police and Crime Commissioner for [*insert name of police area*] **police area**

Vote for **only one candidate** by putting a cross ☒ in the box next to your choice.

BARBER, Ali 5 Anytown Close, Anytown, AT34 6CY **Pelican Party**		
BOOTS, Dusty 63 Acacia Avenue, Anytown, AT33 5XZ **League of Line Dancers**		
CLOVER, Elizabeth Mary 9 Seymour Court, Anytown, AT12 E34 **Independent**		
GREY, Earl (address in [relevant area]) **Mad Hatter's Tea Party**		X
HOOD, Robin 64 Purple Road, Anytown, AT12 7HT **The Forest Party**		
MILLER, Windy 7 Daisy Drive, Anytown, AT98 7RK **Alternative Power Forum**		

Reject – voter's intention uncertain. Buckrose case and PCCEO 2012 Sch 3 para 53(1)(e)

Example 17

Election of Police and Crime Commissioner for [*insert name of police area*] **police area**

Vote for **only one candidate** by putting a cross ☒ in the box next to your choice.

BARBER, Ali
5 Anytown Close, Anytown, AT34 6CY
Pelican Party

☒

BOOTS, Dusty
63 Acacia Avenue, Anytown, AT33 5XZ
League of Line Dancers

F. Brown 97 Poppy Drive

CLOVER, Elizabeth Mary
9 Seymour Court, Anytown, AT12 E34
Independent

GREY, Earl
(address in [relevant area])
Mad Hatter's Tea Party

HOOD, Robin
64 Purple Road, Anytown, AT12 7HT
The Forest Party

MILLER, Windy
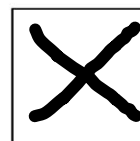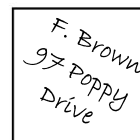7 Daisy Drive, Anytown, AT98 7RK
Alternative Power Forum

Reject – voter can be identified. *Woodward v. Sarsons*, South Newington case and PCCEO 2012 Sch 3 para 53(1)(c)

Example 18

Election of Police and Crime Commissioner for [*insert name of police area*] **police area**

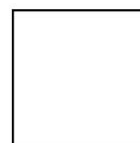Vote for **only one candidate** by putting a cross ☒ in the box next to your choice.

BARBER, Ali
5 Anytown Close, Anytown, AT34 6CY
Pelican Party

BOOTS, Dusty
63 Acacia Avenue, Anytown, AT33 5XZ
League of Line Dancers

CLOVER, Elizabeth Mary
9 Seymour Court, Anytown, AT12 E34
Independent

GREY, Earl
(address in [relevant area])
Mad Hatter's Tea Party

HOOD, Robin
64 Purple Road, Anytown, AT12 7HT
The Forest Party

MILLER, Windy
7 Daisy Drive, Anytown, AT98 7RK
Alternative Power Forum

Reject – voter's intention is uncertain. *Rowe v. Cox* and PCCEO 2012 Sch 3 para 53(1)(e)

Example 19

Election of Police and Crime Commissioner for [*insert name of police area*] police area

Vote for **only one candidate** by putting a cross ☒ in the box next to your choice.

BARBER, Ali
5 Anytown Close, Anytown, AT34 6CY
Pelican Party

BOOTS, Dusty
63 Acacia Avenue, Anytown, AT33 5XZ
League of Line Dancers
☒

CLOVER, Elizabeth Mary
9 Seymour Court, Anytown, AT12 E34
Independent
☒

GREY, Earl
(address in [relevant area])
Mad Hatter's Tea Party
☒

HOOD, Robin
64 Purple Road, Anytown, AT12 7HT
The Forest Party
☒

MILLER, Windy
7 Daisy Drive, Anytown, AT98 7RK
Alternative Power Forum
☒

Reject – voting for more than one candidate. PCCEO 2012 Sch 3 para 53(1)(b)

Example 20

Election of Police and Crime Commissioner for [*insert name of police area*] **police area**

Vote for **only one candidate** by putting a cross [X] in the box next to your choice.

BARBER, Ali 5 Anytown Close, Anytown, AT34 6CY **Pelican Party**	◆◆◆	
BOOTS, Dusty 63 Acacia Avenue, Anytown, AT33 5XZ **League of Line Dancers**	⌘	
CLOVER, Elizabeth Mary 9 Seymour Court, Anytown, AT12 E34 **Independent**		
GREY, Earl (address in [relevant area]) **Mad Hatter's Tea Party**	✶	
HOOD, Robin 64 Purple Road, Anytown, AT12 7HT **The Forest Party**	△	✗ *M.Jones AB 561*
MILLER, Windy 7 Daisy Drive, Anytown, AT98 7RK **Alternative Power Forum**		

Reject – voter can be identified. *Woodward v. Sarsons* and PCCEO 2012 Sch 3 para 53(1)(c)

Example 21

Election of Police and Crime Commissioner for [*insert name of police area*] **police area**

Vote for **only one candidate** by putting a cross ☒ in the box next to your choice.

BARBER, Ali
5 Anytown Close, Anytown, AT34 6CY
Pelican Party

BOOTS, Dusty
63 Acacia Avenue, Anytown, AT33 5XZ
League of Line Dancers

CLOVER, Elizabeth Mary
9 Seymour Court, Anytown, AT12 E34
Independent

GREY, Earl
(address in [relevant area])
Mad Hatter's Tea Party

HOOD, Robin
64 Purple Road, Anytown, AT12 7HT
The Forest Party

MILLER, Windy
7 Daisy Drive, Anytown, AT98 7RK
Alternative Power Forum

None of the above ✔

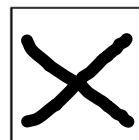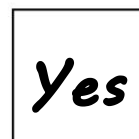Reject – void for uncertainty. PCCEO 2012 Sch 3 para 53(1)(e)

Example 22

Election of Police and Crime Commissioner for [*insert name of police area*] **police area**

Vote for **only one candidate** by putting a cross ☒ in the box next to your choice.

BARBER, Ali
5 Anytown Close, Anytown, AT34 6CY
Pelican Party

BOOTS, Dusty
63 Acacia Avenue, Anytown, AT33 5XZ
League of Line Dancers

CLOVER, Elizabeth Mary
9 Seymour Court, Anytown, AT12 E34
Independent

GREY, Earl
(address in [relevant area])
Mad Hatter's Tea Party

HOOD, Robin
64 Purple Road, Anytown, AT12 7HT
The Forest Party

MILLER, Windy
7 Daisy Drive, Anytown, AT98 7RK
Alternative Power Forum

Reject – voting for more than one candidate. PCCEO 2012 Sch 3 para 53(1)(b)

Example 23

Election of Police and Crime Commissioner for [*insert name of police area*] police area

Vote for **only one candidate** by putting a cross ☒ in the box next to your choice.

BARBER, Ali
5 Anytown Close, Anytown, AT34 6CY
Pelican Party
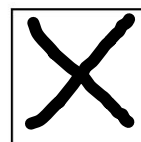
BOOTS, Dusty
63 Acacia Avenue, Anytown, AT33 5XZ
League of Line Dancers

CLOVER, Elizabeth Mary
9 Seymour Court, Anytown, AT12 E34
Independent

GREY, Earl
(address in [relevant area])
Mad Hatter's Tea Party

HOOD, Robin
64 Purple Road, Anytown, AT12 7HT
The Forest Party

MILLER, Windy
7 Daisy Drive, Anytown, AT98 7RK
Alternative Power Forum

Reject – voting for more than one candidate. PCCEO 2012 Sch 3 para 53(1)(b)

Annex - Legislation

The Police and Crime Commissioner Elections Order 2012

The relevant rules for PCC elections are as follows:

Rejected ballot papers

Para 53. –

(1)   Any ballot paper –

    (a)   which does not bear the official mark, or
    (b)   on which more than one vote is given, or
    (c)   on which anything is written or marked by which the voter can be identified (except the printed number and other unique identifying mark on the back), or
    (d)   which is unmarked, or
    (e)   which is void for uncertainty

is, subject to paragraph (2), be void and not to be counted.

(2)   A ballot paper on which the vote is marked –

    (a)   elsewhere than in the proper place, or
    (b)   otherwise than by means of a cross, or
    (c)   by more than one mark, or

is not for that reason void if [the condition in paragraph (4)] is met

    […]

(4)   The condition is that - –

    (a)   an intention that a vote is for only one of the candidates clearly appears, and
    (b)   the way the paper is marked does not itself identify the voter and it is not shown that the voter can be identified from it.
    […]

(6)   The local returning officer must endorse the word "rejected" on any ballot paper which under this rule is not to be counted, and must add to the endorsement the words "rejection objected to" if any objection is made to the officers' decision by a counting agent.

(7)   The returning officer must draw up a statement showing the number of ballot papers rejected, under the several heads of—
    (a)   want of official mark;
    (b)   voting for more than one candidate

(c)   writing or mark by which the voter could be identified;
(d)   unmarked
(e)   void for uncertainty

[…]

Decisions on ballot papers

Para 56.   The decision on any question arising in respect of a ballot paper which is made by the local retuning officer is final, but may be subject to review on a PCC election petition.

[…]