

(NAME AND ADDRESS DELETED)

8 August 2011

Thank you for your email of (DATE DELETED), enquiring how many visits have been made to our online guidance pages for candidates seeking election to the Assembly. I provide this information below, along with relevant context.

Your understanding that we have software that registers the numbers of views/downloads to our website is correct. We have a website analytics tool, 'WebTrends', which we regularly use to measure and interpret user behaviour on the Commission's website.

In summary, I can confirm that WebTrends registered no visits or downloads of the Welsh language version of our guidance for candidates and agents that contained a link to the Disqualification Order, on 24 March 2011 or at any time from when the guidance was published on our website on 21 February, up to and including 4 May. The context is as follows.

As you know, on 19 May, South Wales Police commenced an investigation into whether Aled Roberts and John Dixon, returned at the Assembly election on 5 May 2011 as AMs, had committed electoral offences. It is an offence for a candidate, in consenting to nomination, knowingly to sign a false statement that they are qualified to be elected.

From 15-17 June, we gave information to the police, having used the WebTrends software to retrieve the number of views/downloads to our website for pages for candidates seeking election to the Assembly, over a specified time period. The information we supplied to the police contained a short explanation of what WebTrends could retrieve, together with 'screenshots' of specified documents over specified timeframes.

Again as you will be aware, on 23 June, the Crown Prosecution Service announced that, following investigation by the police, and consideration of the evidence by the CPS, neither John Dixon nor Aled Roberts were to be prosecuted for any criminal offence arising out of their nomination and return as AMs when disqualified.

On 24 June, following the CPS announcement, we were informed that the Assembly's Commissioner for Standards, Mr Elias, would resume an investigation earlier requested by the Assembly's Presiding Officer. The Presiding Officer had originally requested an investigation into the circumstances when the disqualifications came to light on 17 May, but that had to be suspended whilst the police investigation was in progress.

We provided a summary of the information that we had given to the police about views/downloads of relevant documents on our website to Mr Elias. We summarised the number of views/downloads but did not provide copies of all the 'screenshots'.

Mr Elias' report was presented to Assembly Members on 5 July. He reported that Aled Roberts said he consulted the first of two links in an email sent to him by Denbighshire electoral services on 24 March, following through to such a point that indicated that disqualifications still fell under the link to the 2006 Order. Mr Elias concluded that it was clear that the Welsh version would erroneously still have been signposting the 2006 Order at that time and that the Electoral Commission was unable to confirm or deny that its Welsh website pages were visited that day.

It was of course for the police/CPS and Mr Elias to consider all relevant information available to them from individuals and bodies and to reach their conclusions. We had made clear to them that WebTrends is an analytics tool, not a forensic tool, and therefore we drew no conclusions from the analysis. We made clear that we are not able to conduct conclusive or definitive analysis of our website usage, using the website tools available to us. As we said at the time that Mr Elias' report was published, we fully accept Mr Elias' conclusions and having nothing further to add to what we have already said about the report.

We had of course made clear to the Assembly's Chief Legal Adviser, handling the investigation for the Presiding Officer and Mr Elias, that we would be ready to provide information about use of our website when asked - we have already made mention of the information in answering specific questions by a presenter on an S4C programme, CF99.

In answer to your specific questions, then, I am repeating information that we supplied to the police and subsequently in summary form to Mr Elias.

Our website includes a 'home' page for candidates standing for election, in English and Welsh language versions. In both versions, the home page contains links to a number of other documents that contain our guidance for candidates, along with other resources, such as standard forms used for candidate nominations. The home pages themselves do not contain any text giving specific guidance to candidates - users have to follow a particular link from the home page to the relevant guidance itself. The links to the home pages for candidates, in English and Welsh, are below, along with the links to the relevant documents.

Using the WebTrends software, we retrieved for the police the following information, set out for your use in tabular form:

1. Candidate home page – English version	From 1 February (first published on website) to 4 May 2011:		On 24 March 2011:	
	1051 Visits	2580 Views	Visits: 26	Views: 61
2. Candidate home page – Welsh version	From 17 February (first published on website) to 4 May 2011:		On 24 March 2011:	
	51 Visits	124 Views	Visits: 2	Views: 4
3. Candidates' guidance – English version (<i>Can you stand for election?</i>)	From 5 February (first published on website) to 4 May 2011:		On 24 March 2011: Figures not requested by police for this date – see totals for whole period	
	Downloads: 143	Visits: 118		
4. Candidates' guidance – Welsh version (<i>Allwch chi sefyll mewn etholiad?</i>)	From 21 February (first published on website) to 4 May 2011:		On 24 March 2011: Figures not requested by police for this date – see totals for whole period	
	Downloads: 0	Visits: 0	Downloads: 0	Visits: 0
5. Copy of the printed guidance supplied to Returning Officers to give out to candidates – English version: (<i>Standing for National Assembly for Wales elections; Selected key guidance documents</i>)	From 21 March (first published on website) to 4 May 2011:		On 24 March 2011: Figures not requested by police for this date – see totals for whole period	
	Downloads: 0	Visits: 0	Downloads: 0	Visits: 0
6. Copy of the printed guidance supplied to Returning Officers to give out to candidates – Welsh version: (<i>Sefyll ar gyfer etholiadau i Gynulliad Cenedlaethol Cymru: Dogfenni arweiniol allweddol dethol</i>)	From 21 March (first published on website) to 4 May 2011:		On 24 March 2011: Figures not requested by police for this date – see totals for whole period	
	Downloads: 0	Visits: 0	Downloads: 0	Visits: 0

Notes:

1. Our candidates' guidance 'Can you stand for election?' (English version) 'Allwch chi sefyll mewn etholiad?' (Welsh version) contained a hyperlink to the Assembly's Disqualification Order. As we have previously made clear, until 11 March, the hyperlink in both the English and Welsh versions of the guidance was to the (out of date) Disqualification Order 2006. Welsh Government officials drew our attention to the new 2010 Order on 10 March, and from 11 March the hyperlink in the English version of the guidance was to the 2010 Order. Unfortunately, the hyperlink in the Welsh version of the guidance was not updated and continued to link to the out of date 2006 Order.
2. The printed guidance (items 5 & 6 above) was a larger document that included the material at items 3 & 4 above. Since this document was primarily intended for use by Returning Officers in printed form, it has since been removed from our website.
3. 'Visits': the number of visits to a specified file/webpage (ie, when you click on a link). A 'visit' is a series of actions that begins when a website visitor views their first page, and ends when they leave the site (or remains idle beyond 30 minutes).
4. 'Views': A 'view' is the number of times the page was viewed by website visitors. Because some visitors may view the same page several times during their visit, the number of 'views' can be higher than the number of 'visits'.
5. 'Downloads': A 'download' occurs when a specified file is 'saved' by a website visitor – that is, the file is transferred by a website visitor from their browser to their own computer by 'saving' the file. If an error occurred during the file transfer, the transfer is not counted as a download, but we would expect to see a 'visit' count.

Links to relevant pages of our website

Candidate homepage (English):

<http://www.electoralcommission.org.uk/guidance/resources-for-those-we-regulate/candidates-and-agents/guidance-for-candidates-and-agents-standing-for-election/standing-for-National-Assembly-for-Wales-elections>

Candidate homepage (Welsh):

<http://www.electoralcommission.org.uk/cymru/primary-navigation/guidance/adnoddau-ir-rheiny-yr-ydym-yn-eu-rheoleiddio/ymgeiswyr-ac-asiantau/guidance-for-candidates-and-agents-standing-for-election/standing-for-National-Assembly-for-Wales-elections>

English version of guidance containing hyperlink to Disqualification Order

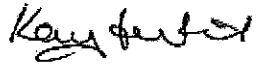
http://www.electoralcommission.org.uk/_data/assets/electoral_commission_pdf_file/0003/108597/Can-you-stand-for-election.pdf

Welsh version of guidance containing hyperlink to Disqualification Order

http://www.electoralcommission.org.uk/_data/assets/pdf_file/0018/109233/NAW-Can-you-stand-for-election_Welsh.pdf

I trust this answers your queries.

With best wishes

A handwritten signature in black ink, appearing to read 'Kay Jenkins', written in a cursive style.

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