INTRODUCTION TO THE CONSULTATION ANALYSIS

1.1 This is an introduction to the Consultation Analysis document which accompanies the publication of our scoping report, *Electoral Law in the United Kingdom*.\(^1\) The report provides an outline of the responses to our consultation with a view to making our recommendations as to the scope of law reform of electoral law in the UK. The Consultation Analysis provides a more comprehensive picture of consultees' responses to our scoping consultation paper.

THE CONSULTATION PROCESS

1.2 Public consultation began with the publication of our scoping paper on 15 June 2012 and continued until 17 September 2012. We are grateful to all those who took part in consultation events and formally submitted responses. We also thank the Electoral Commission, the Association of Electoral Administrators (the “AEA”), the Cabinet Office and Scope for hosting and/or organising these events.

Written responses

1.3 During the consultation period, the Law Commission received 82 written responses. These were received from a wide range of consultees, including:

1. the UK Government (through the Cabinet Office) and non-departmental public bodies, including the Electoral Commission, the Boundary Commission for Wales, the Local Government Boundary Commission for Wales, and the Local Government Boundary Commission for England;

2. public bodies involved in electoral administration including the Electoral Management Board for Scotland and the Chief Electoral Officer for Northern Ireland;

3. political parties and individuals holding elected office;

4. representative bodies of electoral administrators, such as the national AEA, branches of the AEA, the Society of Local Authority Chief Executives (“SOLACE”), and the Scottish Assessors Association;

5. local government officials involved in electoral administration;

6. third sector bodies, including Scope, Mencap, Diverse Cymru and the Electoral Reform Society;

7. legal practitioners and members of the judiciary;

8. legal academics and social scientists interested in electoral law; and

\(^1\) Available at [http://lawcommission.justice.gov.uk/areas/electoral-law.htm](http://lawcommission.justice.gov.uk/areas/electoral-law.htm).
(9) members of the public.

Consultation events
1.4 The Law Commissions’ staff attended 17 events across the UK during the consultation period. These events were attended by a range of electoral stakeholders, including:

(1) electoral administrators;
(2) senior (returning officer level) electoral officials;
(3) oversight bodies;
(4) members of the judiciary;
(5) legal practitioners; and
(6) academics.

THE CONSULTATION ANALYSIS
1.5 The Consultation Analysis document presents the responses received to the Law Commission’s scoping consultation paper. It summarises the views of consultees in relation to the consultation questions putting forward our proposed scope of the substantive electoral law reform project.

How to read the Consultation Analysis document
1.6 The Consultation Analysis consists of a table containing the responses to each consultation question. The consultees, numbering 82 in total, are listed in rows on the left hand side of the table. There are 16 consultation questions in total, each question given a column at the top of the table. Only eight questions appear on any one page, so that consultees’ answers to questions one to eight appear on a first page, and the same consultees’ answers to questions nine to sixteen appear on the next page.

1.7 Readers wishing to browse consultation responses on any one question may follow the relevant column, but must remember to skip the next page in order to rejoin the next set of answers to the same question. Readers wishing to read any particular consultee’s set of responses to various questions can do so by following the entries in rows spread over two sequential pages.

1.8 Consultees wishing to print a copy of our Consultation Analysis are advised to do so in A3 format, in order to keep entries readable. What follows is an outline of consultation responses to each question.
SUMMARY OF VIEWS

1.9 Most consultees responded to each question in the consultation paper, although a significant number made selective responses. Others expressed their broad support for the project. In the following summary, we refer to the number of consultees who responded specifically to a particular question or on a particular issue.

**Question 1: Elections and referendums covered – whether the scope of the reform project should include the elections and referendums listed**

1.10 Our scoping consultation paper described the criteria for including elections and referendums within the scope of reform, then listed the events which we considered satisfied them.

1.11 Our list of elections included those to the UK, EU and Scottish Parliaments; to Assemblies in Wales and Northern Ireland; to local governments in all three UK jurisdictions; to the Greater London Authority; for Mayoralties and Police and Crime Commissioner in England; and to National Parks Authorities, the Crofting Commission, and Health Boards in Scotland.

1.12 Our list of referendums included national referendums held pursuant to the Political Parties, Elections and Referendums Act 2000 and local referendums held under statute (as to local governance, council tax, and neighbourhood plans).

1.13 Of the 58 consultees that responded to this question, 57 agreed that the project should include the elections and referendums we listed in our consultation paper. Many stressed that our list should be open, so as to include polls created during the life of the project. Some consultees, such as SOLACE emphasised that rather than focus on a list of elections, the law reform project should focus on the criteria for including an electoral event within the scope of reform.

1.14 A joint response from the designated election petition judges in Scotland disagreed with our inclusion of devolved elections in Scotland – to National Parks Authorities, the Crofting Commission, and Health Boards. They described these elections as sufficiently *sui generis* to make it expedient to exclude them.

1.15 Many consultees argued that our list should include parish and community polls in England and Wales. Some consultees proposed that we include other electoral events, such as *ad hoc* local polls called by local authorities, and community council elections in Scotland.

1.16 This question is discussed in our scoping report at paragraphs 2.2 to 2.14, where we recommend including all elections to public office and national and local referendums conducted under statute, including those we list in our report.
**Question 2: Legislative framework - whether, with a view to reducing the volume, complexity and fragmentation of the law, to include consideration of the current legislative framework for electoral administration, including the place of rules within the legislative hierarchy**

1.17 There were 68 responses to this question, all of which agreed with our proposal to review the legislative framework for electoral administration, including the place of rules within the hierarchy of primary and secondary legislation. Some of these consultees answered the question specifically. Others, such as Swale Borough Council, particularly emphasised the importance of the legislative framework dimension of the reform project when communicating their broad support for the project. We have therefore taken them to agree with our proposed scope on question 2.

1.18 Many consultees emphasised that the basic approach to reforming the law must be to reduce the number of legal sources that users must consult, thus eliminating the risk of confusion and reducing the burden of managing vast and complex electoral legislation. Some emphasised that the legal approach in the current system was designed in the 19th century, and that there was a need to adopt a more modern and flexible legal framework; one that is able to take into account any changes in electoral systems and policy.

1.19 This question is discussed in our scoping report at paragraphs 2.15 to 2.35, where we maintain our view and recommend the inclusion within scope of a review of the legislative framework.

**Question 3: Core electoral parameters - whether the scope of the project should exclude the franchise, electoral boundaries and voting systems**

1.20 Of the 58 consultation responses to this question, 41 agreed with our preliminary view to exclude the franchise, electoral boundaries and voting systems from substantive reform. Five consultees disagreed that any of the three core parameters should be excluded. Others disagreed with the exclusion of only one or two of them; 11 consultees wanted the franchise included within scope, 11 argued for the inclusion of electoral boundaries, while six sought the inclusion of voting systems.

1.21 Consultees who disapproved of the exclusion of any of the core parameters stressed their fundamental importance to the electoral system, some adding that they should be taken into consideration, even if no recommendations to change the law are made. Others were of the view that some or all of these issues required simplification and reform was required to reduce inconsistencies.

1.22 Many consultees emphasised that, even if excluded, the impact of the law on franchise, electoral boundaries and voting systems had to be taken into account when reviewing electoral administration law. The review should be able to cope with, for example, the different franchises and voting systems.

1.23 We discuss this question in our scoping report at paragraphs 3.2 to 3.33 where we maintain our preliminary view and recommend the exclusion from scope of the reform of the franchise, voting systems and electoral boundaries.
Question 4: Management and oversight – whether to include consideration of management and oversight of elections, but exclude fundamental change to the current institutional framework for electoral administration

1.24 We received 55 responses to this question. Only four rejected outright the inclusion management and oversight of elections within the scope of reform. Of the 51 consultees who agreed with the inclusion of management and oversight within scope, 34 also agreed with our proposal to qualify the scope so as to exclude fundamental change to the current institutional framework for electoral administration. On the other hand, 17 consultees considered that the scope of reform should be unqualified so that fundamental institutional reform would be within scope.

1.25 This was the question which drew the most varied responses, which were the most difficult to categorise. For example, we took the London Borough of Southwark to reject outright the inclusion of this area within scope, although it did not say so in terms. A further example involves our proposed qualification to the scope of reform, concerning fundamental change to the current institutional framework. The AEA Southern Branch and three other consultees agreed with our proposed scope, including the qualification, but expressed their hope that this project will lead to a subsequent review of the role of the Electoral Commission. We took them to agree with our qualified scope. On the other hand, other consultees answered our question in the positive, but – like Wycombe District Council – thought the project should review the role of the Electoral Commission. We took them to be disagreeing with our proposed qualification.

1.26 A common ground between many consultees, whether or not they agreed with our qualified scope, was concern about the viability of divorcing management and oversight powers from fundamental institutional reform. Several consultees considered that roles should be clarified, and the complex accumulation of rules and roles simplified.

1.27 We discuss this question in our scoping report at paragraphs 3.34 to 3.70 where we maintain our preliminary view and recommend the inclusion within scope of management and oversight of elections, excluding fundamental change to the current institutional framework for electoral administration.

Question 5: The register of electors – whether to include electoral registration, and if so, consider the meaning of residence

1.28 Of the 58 consultees who replied to this question, 57 agreed that we should include electoral registration and the meaning of residence within the scope of the project. One consultee agreed with the inclusion of registration within scope but thought that residence was a political rather than a technical matter.

1.29 Many responses thought a holistic approach was important and that the project should take account of the changes brought about by the introduction of individual electoral registration. Many emphasised that the success of the new system would hinge on effective identity requirements and checks.

1.30 Several responses emphasised legislative ambiguity, giving rise to diverse interpretations. The meaning of residence was the most frequently cited example of legislative ambiguity.
1.31 We discuss this question in our scoping report at paragraphs 3.71 to 3.88, whereupon we recommend the inclusion within scope of electoral registration, and consideration of the definition of residence.

**Question 6: Candidates and the campaign - whether the scope of reform should include consideration of the rules on candidates and the campaign**

1.32 We received 55 responses to the question on whether we should include consideration of the rules on candidates and the campaign. All of the consultees agreed with our preliminary view to do so, although some emphasised a different intensity of review depending on which part of the law concerning candidates was concerned.

1.33 Regarding the rules governing qualifications and campaign conduct, many stressed that these were complicated and located in election-specific measures. Some called for a streamlined, standardised and modernised nominations process, making full use of modern telecommunications. Others mentioned the overly strict deadlines for nominations, the purely formal role of returning officers and the definition of “residency” and “place of work” for the purpose of qualifying to stand for election to local authorities.

1.34 Regarding the law on campaign regulation, many stressed the need to clarify some complex measures such as “candidacy”; the difficulty of access to the law for independents was also mentioned. Administrators in particular sought the simplification of the law and clarification of their duties and roles in relation to campaign conduct, in particular on the return of expenses, and answering requests for advice from candidates.

1.35 Several consultees considered in particular the regulation of campaign expenditure (and donations). They considered the matter political and thought the project should focus on clarification and simplification, rather than reviewing the substance of the law (such expense limits or the manner of their calculation). Two consultees in particular mentioned ongoing cross-party talks concerning party funding, which may affect regulation at the campaign level.

1.36 We discuss this question in our scoping report at paragraphs 3.89 to 3.114, whereupon we recommend the inclusion within scope of electoral registration, and consideration of the definition of residence.
Question 7: Political parties and national campaign publicity - whether the scope of the project should exclude political party regulation and national campaign publicity

1.37 There were 44 consultees who responded to this question. Of these, 38 consultees agreed with our preliminary view to exclude political party regulation and national campaign publicity.

1.38 Some consultees thought that the balance between the activities of candidates and party should be addressed, as well as the regulatory role of the Office of Communications considered. Some warned that the distinction between the national and local campaign might not be as precise or clear as supposed. However in general, all but six consultees recognised, albeit some of them reluctantly, that this area of the law was a political matter not suited for a technical law reform project on electoral administration law.

1.39 We discuss this question in our scoping report at paragraphs 3.89 to 3.114, before recommending the exclusion from scope of the law on political parties and national campaign publicity.

Question 8: Manner of voting – whether the scope of the reform project should include consideration of the rules on manner of voting

1.40 All 62 responses to this question agreed with the inclusion within scope of the rules on manner of voting. However some consultees emphasised that such inclusion should not be extend to considering new voting methods, and should focus on the administration and operation of existing methods of in-person, postal and proxy voting.

1.41 Several responses were concerned with striking the right balance between access to the vote and security from fraud. Electoral fraud was mentioned as a particular concern in this context.

1.42 In general, consultees highlighted their concerns with the highly detailed prescription in the law on, for example, the design of ballot papers, or concerning the tactile voting device. As to absent voting, administrators focused on the practical difficulties in the existing law on postal voting, in particular the timetable pressures caused by the deadline for the receipt of applications and the requirements around despatch and receipt of postal ballot papers.

1.43 We discuss this question in our scoping report at paragraphs 3.115 to 3.159, before recommending the inclusion within scope of the law on manner of voting.

Question 9: Polling day - whether the scope of the reform project should include consideration of the rules on polling day

1.44 We received 56 responses to this question, all of which supported the inclusion of the rules on polling day within the scope of the substantive review.

1.45 Several responses questioned the level of detail of provision applicable to polling day, while more emphasised the lack of guidance in some areas. The close of polls was seen by many consultees as one of these issues requiring further clarity. Some also stressed the particular complexity of administering combined polls.
In addition, some administrators called for a review of the rules governing disabled voters with a view to improving access to the polling stations, signage and assistance by polling agents and personal assistants.

Other consultees were concerned with the integrity of the voting process and suggested that the law should require voters to provide identification documents when casting a vote at a polling station.

We discuss this question in our scoping report at paragraphs 3.160 to 3.180 and recommend the inclusion within scope of the rules on polling day.

**Question 10: Determining and declaring the result - whether the scope of the reform project should include consideration of the rules for determining and declaring the result**

All 53 consultees responding to this question agreed with the inclusion within scope of the rules for determining and declaring the result. Most responses cited the variation in rules across elections and the inconsistency in the detail of the rules as key issues for reform. Many called for greater clarity in the legal guidance in some areas, such as rejected ballot papers.

Elsewhere, some consultees insisted that more flexibility was required, for example concerning the ability of the returning officer to correct counting errors after the result has been declared.

We discuss this question in our scoping report at paragraphs 3.181 to 3.198 and recommend the inclusion within the scope of the reform project of the rules on determining and declaring the result.

**Question 11: Election timetables - Should the scope of the reform project include consideration of the timetables for elections?**

We received 55 responses to this question. All agreed that consideration of election timetables should be within scope. Consultees overwhelmingly supported the harmonisation of timetables across different elections, many pointing in particular to the risk of errors during combined polls. Some stakeholders also suggested that the reform project consider the inclusion of deadlines which are not currently within the statutory timetable, such as the registration and absent voting deadlines, or the deadline for the appointment of polling and counting agents.

Some mentioned that the impact on the election timetable of the implementation of individual electoral registration will need to be considered.

We discuss this question in our scoping report at paragraphs 3.199 to 3.210, whereupon we recommend that the substantive project should consider the reason for inconsistencies in timetables with a view of reducing or eliminating them.
Question 12: Combination of polls - whether the scope of the reform project should include the combination of elections?

1.55 There were 55 responses to this question. All of the consultees agreed with our preliminary view to include the combination of polls within scope. Most responses emphasised the increasing number of combined elections and referendums and the resulting difficulty for those administering and those participating in polls.

1.56 In this context, it was felt that the law should provide in detail and in a clear way for all the possible combination of elections and focus on the diverse consequences of these combinations, with a view to dispelling any confusion for all those involved in the events.

1.57 After discussing this question in our scoping report, we recommend the inclusion of the combination of elections within the scope of the reform project (see paragraphs 3.211 to 3.226).

Question 13: The election petition and election courts - Should the scope of the reform project include the process of challenging elections?

1.58 Of the 53 consultation responses to this question, 52 agreed with the inclusion of challenge processes within the scope of reform. Many took the view that the petition process is outdated, complex, not flexible enough, especially in terms of time limits, out of step with modern requirements and unable to deal with simple administrative errors or bad management of the poll where they do not affect the outcome of an election.

1.59 Moreover, a number of consultees emphasised that the public interest should not be made dependent upon a costly and onerous private action – although some responses stressed that preventing frivolous challenges should remain a key concern.

1.60 This question is discussed in our scoping report at paragraphs 4.2 to 4.40. Our conclusion is that the current means of challenging the result of elections should be included in the scope of the project.

Question 14: Electoral offences – whether the scope of the reform project should include consideration of electoral offences

1.61 We received 56 responses to this question. All of the consultees agreed with the inclusion of electoral offences within the scope of reform. Many responses described the law in this area as incoherent, complex and outdated. In particular, some thought reform was required regards the classification of offences, the wording of the law and the legal concepts involved. Others added that reform could assist in improving the fight against electoral fraud, both in terms of prevention and prosecution.

1.62 In our scoping report, at paragraphs 4.41 to 4.61, we discussed this question and recommend that the scope of the project should include modernising and rationalising electoral offences.
Question 15: National referendums - whether the scope of the reform project should include consideration of the electoral administration of national referendums

1.63 We received 56 answers to this question. All supported the inclusion of national referendums within scope, mostly on the grounds that they share many similarities with elections and are frequently combined with other polls. A clear and consistent set of generic rules governing in a predictable way the administration of referendums was highlighted by a number of consultees as a key aim. Other consultees questioned the role of the Electoral Commission as both a central administrator and the body reporting on the administration of referendums.

1.64 Our proposal to exclude from substantive reform core referendums parameters (franchise, referendum question, thresholds and supermajorities) was met with agreement, consultees sharing our views that these policy issues are to be dealt with by the Government and Parliament.

1.65 At paragraphs 5.1 to 5.26 in our scoping report, we presented the issues raised by the question and the views gathered, before recommending the inclusion of national referendums within the scope of the project.

Question 16: Local referendums - whether the scope of the reform project should include consideration of the electoral administration of local referendums

1.66 We received 55 responses to this question. All of the consultees agreed to include local referendums held under statute (often referred to as the “localism act” referendums), such as mayoral (or local governance) referendums in England. Consultees noted that such referendums are part of a growing feature of the democratic system and are often combined with other polls.

1.67 Many consultees, particularly electoral administrators, mentioned that parish polls should be included in the review, saying that the conduct rules governing them were outdated and in need of reform.

1.68 This question is discussed in our scoping report at paragraphs 5.27 to 5.55. We recommend that the scope of the reform project should include consideration of the electoral administration of local referendums conducted under statute, including parish and community polls.
| Q 01 | Polling day. Should the scope of the reform project include consideration of the rules on polling day? | No comment. | No comment. |
| Q 10 | Determining the result. Should the scope of the reform project include consideration of the rules for determining and declaring the result? | Yes. | No comment. |
| Q 11 | Election timetables. Should the scope of the reform project include consideration of the timetables for elections? | No comment. | No comment. |
| Q 12 | Combination of polls. Should the scope of the reform project include consideration of the combination of elections? | No comment. | No comment. |
| Q 13 | Legal challenge. Should the scope of the reform project include consideration of the legal challenges? | Yes. | No comment. |
| Q 14 | Electoral offences. Should the scope of the reform project include consideration of the electoral offences? | No comment. | No comment. |
| Q 15 | National referendums. Should the scope of the reform project include consideration of the electoral administration of national referendums? | No comment. | No comment. |
| Q 16 | Local referendums. Should the scope of the reform project include consideration of the electoral administration of local referendums? | No comment. | No comment. |

**Gareth Randall (Councillor)**
- No comment.
- Yes. The rules for determining the result should be reviewed with a view to reducing the risk of fraud and mistakes in the count. The practice of counting in “legal” rings of polls can make it difficult for candidates to observe the accuracy of the count. The desk to count the votes “as soon as practicable after the close of the poll” should be examined.

**Robin Poller (Councillor)**
- Yes. See answer to Q 8.
- Yes. There is a need for harmonisation of such rules across different elections so that there is less scope for error and challenge.

**Richard Mawrey QC (Elections Commissioner)**
- Yes. The span of the 2019 election was entirely the fault of a well-meaning but fallible attempt by the Electoral Commission to micro-manage the election. This whole question needs firm legislative rules and not a hundred pages of ‘Guidance’.

**Borough of Poole**
- No comment.
- Yes. Parish polls should be included.

**West Dorset District Council (Mike Hickman)**
- No comment.
- Yes. This area needs clarification.

**Weymouth & Portland Borough Council (Mike Hickman)**
- No comment.
- Yes. Consider replacing the outdated phrase “does not” with a more modern equivalent like “weekends and public holidays” or “working days”.

**Cherwell District and South Northamptonshire Councils (Sue Smith)**
- Yes. See Q 8.
- Yes. An area of risk for returning officers, guided mostly by case law. The process for return of the writ following a Parliamentary election is particularly archaic.

**EA Southern Branch (Frances Claxton)**
- Yes, see Q 8.
- Yes. Consider delay caused by postal voters being handed in at polling stations, and the process for return of the writ after a Parliamentary election.

**AEA Southern**
- Yes, see Q 8.
- Yes. Consider replacing the outdated phrase “does not” with a more modern equivalent like “weekends and public holidays” or “working days”.

**Borough of Poole**
- No comment.
- Yes. In particular, review is needed to consider whether a “leeway” for the grounds of challenge across elections consideration of more proportionate means of relief where complaints do not challenge the validity of outcome is also supported.

**Whitestone (Ben Whittington)**
- No comment.
- Yes. Consider delay caused by postal votes.

**Barrow in Furness Council**
- Yes. This is another of the vital components of the review. The current system is inadequate in several respects.

**Dorset Council (Paul Morris)**
- Yes. Yes.
- Yes. This is a major feature of the day that is about whether the new system will work or not. There should be another look at the rules for determining the result.

**Greater Manchester (Sue Minter)**
- No comment.
- Yes. The restriction of local referendums to those that happen to be registered to vote on the local areas on the day of the local poll will produce distorted results.
Q 10: Determining the result. Should the scope of the reform project include consideration of the rules for determining and declaring the result?

Yes. The arrangements for proxies are ripe for review, as is the question of evidence of identify and the continued practice of presided questions absent an official at the polling station. A number of outdated restrictions on candidates should also be reviewed (eg where preventing one of the candidates from voting). 

EL 010: Aberdeen City Council (Crawford Langley)

Yes. The arrangements for proxies are ripe for review, as is the question of evidence of identify and the continued practice of presided questions absent an official at the polling station. A number of outdated restrictions on candidates should also be reviewed (eg where preventing one of the candidates from voting).

EL 011: Greater London Returning Officer (John Bennett)

Yes. Voting has become an issue because of proportional voting systems and combined polls and pieces of evidence to support the system. Consideration should be given to the powers of the local and regional returning officers in polls where there is an element of proportionality or a vote needs to be cast across different areas.

EL 012: West Berkshire Council (Nick Carter)

Yes. See Q 8.

EL 013: Worcestershire District Council (Karen Satterford)

Yes. See Q 11. The process for return of the seal after a Parliamentary election.

EL 014: Gloucester City Council (Julian Win)

Yes. Clearer guidance is needed on the time to return seals and the process for the return of the seal after a Parliamentary election.

EL 015: Elections, Referendums and Registration Working Group (Bob Posner)

Yes.

EL 016: Sevenoaks District Council (Ian Bigwood)

Yes.

EL 017: Elections and Referendums Steering Group (Peter Warde)

No comment.

EL 018: Wyrig Roberts

No comment.

EL 019: T.A. Furness

No comment.

EL 020: Trafford Council (Theresa Grant)

Yes.
Q 2 Legislative Framework. Should the scope of the reform project include consideration of the current legislative framework for electoral administration including the place of rules within the legislative hierarchy?  
Yes. The current rules should not only be consolidated existing regulation, but also to provide a consistent and effective legislative hierarchy.

Q 3 Core electoral parameters. Do you agree the scope of the project should exclude the franchise, electoral boundaries and voting systems?
Yes.

Q 4 Management and oversight. The scope of the reform project includes consideration of the current institutional framework for electoral administration?
Yes. The current centralized system works well. Suppose proposals to create a centralized body to oversee or direct elections more closely as use of local authority experience, local knowledge, staff and resources in critical in the success of an election, so use of local authority experience, local knowledge, staff and resources is critical to the success of an election.

Q 5 Electoral registration. Should the scope of the reform project include consideration of the rules on candidates and the campaign?
Yes. As it is in the administration of elections. Disproportionation of the meaning of registration would be beneficial. The public should also look at each in particular it should be considered to restrict its use strictly to electoral purposes.

Q 7 Political parties and national campaign publicity. Do you agree the scope of the project should exclude political party regulation and national campaign publicity?
No comment.

Q 8 Manner of voting. Should the scope of the reform project include consideration of the rules on manner of voting?
Yes. Standardizing these rules across election type would be beneficial. It is preferable to have a defined and prescriptive template for ballot papers that will not be changed regularly. A review of the existing ballot paper requirements would be welcome, but the final standard should be set in legislation. Some anomalies with the legislation regarding postal votes should also be considered.

EL 021 Cononbridge & Sailing Borough Council (Richard Beasley)
Yes, but parish polls should be included. Poll cards should be delivered to electors at parish by-elections.

EL 022 Bristol City Council (Stephen McMamara)
Yes, but future elections should be considered.

EL 023 Local Government Boundary Commission for Wales (Steve Haislip)
Yes. Electoral administration across Wales have seen their workload increase substantially, in particular since the advent of the devolved administration. Such proposal would improve the situation.

EL 024 London Borough of Hounslow (Angela Holden)
Yes.

EL 025 Suffolk Coastal District Council (Ingrid Aske)
Yes. Current electoral law and rules are various, fragmented and complex and need total reform. The volume of rules requires containing.

EL 026 East Sussex Elections Officers' Group (David Robinson)
Yes. Yes. Not administrative and technical arrangements for their application must of course form part of the review.

EL 027 South Lanarkshire Council (Lindsay Freeland)
Ongoing support for scope of project.

EL 028 London Borough of Basildon (Will Tuckley)
Yes, so as to achieve uniformity of administration across all types of elections.

EL 029 Somerset Association of Local Councils (Peter Lacey)
Yes, but parish polls should be included.

EL 030 Wales Political party Panel
Ongoing support for scope of project.
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<td><strong>EL 027</strong></td>
<td>South Lanarkshire Council (Lindsay Freeland)</td>
<td>Yes.</td>
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EL 031
Stephen Lowrey

No comment.

EL 032
Crown Prosecution Service (Simon Dims)

No comment.

EL 033
Local Government Boundary Commission for England (Alan Cogbill)

No comment.

EL 034
Paul Gibbons, CB

Yes.

EL 035
Electoral Commission (Bob Posner)

Yes, as well as any other elections or referendums provided for by the relevant parliamentary enactments in primary legislation that is to be amended in the course of the project.

Yes. The return report should include the following:

a) The basic structure for the administration and delivery of electoral events across the UK, as set out in a draft model, potentially resulting in national consistency. The historic solution of prescribing detailed rules for the administration of parliamentary elections in primary legislation (in particular those established by the IRA and the Venice Commission) – which ensured the existing rules were to sit within a new framework for electoral law. As a point of interest, the Local Government Boundary Commission (Scotland) Act 2011, conferred on the Electoral Commission the powers to select and monitor performance standards for local government elections in Scotland.

b) No.

c) No.

EL 036

No comment.

EL 037

No comment.
EL 031  Stephen Lowrey  No comment.  No comment.  No comment.  No comment.  Q 15  Broad support for scope of project.

EL 032  Crown Prosecution Service (Simon Orms)  Broad support for scope of project.  Broad support for scope of project.  Broad support for scope of project.  Q 14  Yes. It is appropriate to include both PPERA rules on campaign spending by political parties and third party campaigners at elections, and donations at referendums should be share many features with elections. The issues they consider are of significant importance. A generic set of rules for referendums is needed, both at the national and local level. The PPERA rules on regulating campaign spending by political parties and third party campaigners at elections, which are politically sensitive and highly likely to be affected by current debate on reforms to party funding, Trade are the clearest and often initiated referendums that become part of the democratic process in the UK should also be included within the scope of the reform project. See Q15.

EL 033  Local Government Boundary Commission for England (Alan Cogbill)  No comment.  No comment.  No comment.  Q 10  Q 11  Q 12  Q 13  Q 14  Yes.  No comment.  Q 9  Q 8  Q 7  Q 6  Q 5  Q 4  Q 3  Q 2  Q 1  Yes.  Q 15  National referendums. Should the scope of the reform project include consideration of the electoral administration of national referendums?


EL 035  Electoral Commission (Bob Posner)  Yes. The scope of the reform project should include consideration of the rules for the allocation and review of polling places, the issue of ballot papers, identification requirements and, if the law has not already been amended by PPERA, close of poll. The law could be simplified and reinterpreted and much of what is currently contained in legislation could be moved to statutory guidance. See Q15.  Q 15  National referendums. Should the scope of the reform project include consideration of the electoral administration of national referendums?
Yes. Yes. Yes.

Yes. Yes. Yes.

Yes. Yes. Yes.

Yes. Yes. Yes.

Yes. Yes. Yes.

Yes. Yes. Yes.
### Q 10: Determining the result.

**Should the scope of the reform project include consideration of the rules for determining and declaring the result?**

<table>
<thead>
<tr>
<th>EL 036</th>
<th>Professor Ron Johnson, University of Bristol</th>
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<tbody>
<tr>
<td>Yes</td>
<td>The problems at some polling stations at the 2010 general election indicate that the absence of clear rules should be addressed.</td>
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<tr>
<td>Yes</td>
<td>Query whether counting in a timely manner insures the practice for results to be announced as soon as possible after close of polls. This seems unnecessary and is an ineffective technique.</td>
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<tr>
<td>No</td>
<td>Voter secrecy is known unnecessarily further than in other countries. Eg mixing ballot papers from 2+ polling stations before the court seems a very effective way to ensure higher turnout.</td>
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### Q 11: Election timetables.

**Should the scope of the reform project include consideration of the timetables for elections?**

<table>
<thead>
<tr>
<th>EL 037</th>
<th>The Labour Party (Ian McNicol)</th>
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<tbody>
<tr>
<td>Yes</td>
<td>No comment.</td>
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<td>Yes</td>
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### Q 12: Combination of polls.

**Should the scope of the reform project include the combination of elections?**

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<tr>
<th>EL 038</th>
<th>Dartford Borough Council (Alan Treymann)</th>
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<td>Broad support for scope of project.</td>
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### Q 13: Legal challenge.

**Should the scope of the reform project include consideration of the process of challenging elections?**

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<tr>
<th>EL 039</th>
<th>Elmbridge Council (Robert Moran)</th>
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<td>Broad support for scope of project.</td>
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### Q 14: Electoral offences.

**Should the scope of the reform project include consideration of electoral offences?**

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<tr>
<th>EL 040</th>
<th>Hastings Borough Council (Karena Silverston)</th>
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### Q 15: National referendums.

**Should the scope of the reform project include consideration of the electoral administration of national referendums?**

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<tr>
<th>EL 041</th>
<th>Dr. Toby James, University of East Anglia</th>
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<tbody>
<tr>
<td>Yes</td>
<td>Law should be simplified and rationalised and voting made more convenient for the voter. For example, evidence shows that electronic held on holidays generates higher turnout. A consultation agreement may be difficult to reach, however, on this issue.</td>
</tr>
<tr>
<td>No comment.</td>
<td>Work should be undertaken to provide for one single electoral timetable for electoral administrators and the public that conflicting timetables confusing.</td>
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<tr>
<td>No comment.</td>
<td>Consulted elections are likely to be more common. Although they are also good for electoral turnout and should be encouraged, they pose problems for electoral administrators.</td>
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</table>

### Q 16: Local referendums.

**Should the scope of the reform project include consideration of the electoral administration of local referendums?**

<table>
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<tr>
<th>EL 042</th>
<th>Canterbury City Council (Lynda McCloud)</th>
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<tr>
<th>EL 043</th>
<th>South East Branch of AEA (Steven Andrews)</th>
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<th>EL 044</th>
<th>Bournemouth Borough Council (Matt Pitcher)</th>
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<td>No comment.</td>
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EL 045

Exeter City Council

Helen Chalk

Yes.

Yes. However, any consolidation is likely to be

Yes. This is absolutely crucial as there are a

New Forest District

North West Branch

Yes.

Yes.

Yes. In addition, parish polls should

Yes. The Parliament Act (rather than refer to other Acts). The electoral

London Branch of AEA

New Forest District

Rutland

New Forest District Council (Rosemary

Yes.

Yes.

Yes. These are political matters and should be

Yes.

Yes. Whilst considering the legislative

Elphicke

Victoria Hughes)

Hughes)

Randles)

Randles)

Society (Darren

Alison Rutins)

Karen Rutins)

Ian Miller)

EL 050

EL 051

EL 052

North West Branch of AEA (Karen

Randles)

EL 046

Wyre Forest

District Council

Ian Miller

Yes.

Yes. There is a strong case for a single set of

Yes.

Yes.

Yes. Student residency and defining

Yes.

Yes.

Yes. Consider in particular the implications of

EL 047

London Branch of AEA (George

Cooper)

Yes.

Yes. In addition, parish polls part of the

Yes.

Yes.

Yes. There should be a consolidation of the

EL 048

Hackney Borough of London (Gilly

Edia)

Yes.

Yes.Student residency and defining

Yes. These are political matters and should be

EL 049

Philip Hardy

Yes.

Yes.

Yes. To the extent that it is difficult to see how the project

EL 050

New Forest District

Council (Rosemary

Rutland)

Yes.

Yes.

Yes. Consideration of management and

EL 051

North West Branch of AEA (Karen

Randles)

Yes.

Yes. Included electoral boundaries and voting

EL 052

Electoral Reform

Society (Darren

Hughes)

Yes.

Yes.

Yes.

Yes.

Yes.

Yes. Consideration of the legislative

Yes. Consideration of the legislative

Yes. Yes and no. Given that the development of

Yes.

Yes. There should be a consolidation of the

Yes.

Yes. In addition, parish polls should be

Yes.

Yes. You can anticipate that the advantages

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Yes. You can anticipate that the advantages

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Yes.
EL 045 Exeter City Council (Jeff Chalk) Yes. Simplification of legislation that provides for a less consistent approach is a sensible goal.

EL 046 Wyre Forest District Council (Ian Miller) Yes. Project should consider moving away from holding the poll on one day, as it can happen overnight and into the early hours of the morning.

EL 047 London Branch of AEA (George Cooper) Yes. As these are part of the count, but they are possibly not as problematic as might at first appear.

EL 048 Hackney Borough of London (Giffy Edika) Yes. Definitions are no longer routine matters and are more complex when they are combined. While 90 canvassers were mentioned as having experienced major challenges in May 2010, in reality the vast majority of authorities found those complex combined elections extremely challenging. Managing close of poll requires special attention to get the balance right.

EL 049 Philip Hardy Broad support for scope of project

EL 050 New Forest District Council (Rosemary Rutina) Yes. See Q 9.

EL 051 North West Branch of AEA (Karen Randles) Yes. In particular, the reform project should look at the rules governing parish elections and referendums. The ballot voting device which is rarely used, the possibility to issue standardised ballot papers, and it would assist in reducing cost; the issue arising particularly during combined polls regarding the second ballot box when the first one is full.

EL 052 Electoral Reform Society (Darren Hughes) Yes. In particular, it is important that the issue of counting at close of poll and other polling day rules are considered.

Q 01 Election timetables. Should the scope of the reform project include consideration of the rules for determining and declaring the result?

Q 02 Determining the result. Should the scope of the reform project include consideration of the rules for determining and declaring the result?

Q 03 Eligibility, should the scope of the reform project include consideration of the rules for determining and declaring the result?

Q 04 Combination of polls. Should the scope of the reform project include consideration of the rules for determining and declaring the result?

Q 05 Legal challenge. Should the scope of the reform project include consideration of the rules for determining and declaring the result?

Q 06 Electoral offences. Should the scope of the reform project include consideration of the rules for determining and declaring the result?

Q 07 National referendums. Should the scope of the reform project include consideration of the rules for determining and declaring the result?

Q 08 Local referendums. Should the scope of the reform project include consideration of the rules for determining and declaring the result?

Q 09 Should the scope of the reform project include consideration of the rules for determining and declaring the result?

Q 10 Should the scope of the reform project include consideration of the rules for determining and declaring the result?

Q 11 Should the scope of the reform project include consideration of the rules for determining and declaring the result?

Q 12 Should the scope of the reform project include consideration of the rules for determining and declaring the result?

Q 13 Should the scope of the reform project include consideration of the rules for determining and declaring the result?

Q 14 Should the scope of the reform project include consideration of the rules for determining and declaring the result?

Q 15 Should the scope of the reform project include consideration of the rules for determining and declaring the result?

Q 16 Should the scope of the reform project include consideration of the rules for determining and declaring the result?
**Q1** Elections and referendums. Should the scope of the project include consideration of the rules of voting on matters other than whether elections and referendums should be held on the same day? Should the electoral register include details of the place(s) of residence within the legislative hierarchy? Should the electoral register include information used for electoral purposes, including the present address and previous addresses of electors? Should the electoral register include details of the place(s) of residence within the legislative hierarchy? Should the electoral register include information used for electoral purposes, including the present address and previous addresses of electors?

**Q2** Legislative Framework. Should the scope of the reform project include consideration of the constitutional and statutory requirements for the establishment of a legislative framework for electoral purposes? Should the scope of the reform project include consideration of the constitutional and statutory requirements for the establishment of a legislative framework for electoral purposes? Should the scope of the reform project include consideration of the constitutional and statutory requirements for the establishment of a legislative framework for electoral purposes? Should the scope of the reform project include consideration of the constitutional and statutory requirements for the establishment of a legislative framework for electoral purposes?

**Q3** Core electoral parameters. Do you agree with the scope of the project to include reconsideration of core electoral boundaries and voting systems? Do you agree with the scope of the project to include reconsideration of core electoral boundaries and voting systems? Do you agree with the scope of the project to include reconsideration of core electoral boundaries and voting systems? Do you agree with the scope of the project to include reconsideration of core electoral boundaries and voting systems?

**Q4** Management and oversight. Does the scope of the reform project include consideration of the need for a more flexible, more modern legislative framework for elections and referendums? Does the scope of the reform project include consideration of the need for a more flexible, more modern legislative framework for elections and referendums? Does the scope of the reform project include consideration of the need for a more flexible, more modern legislative framework for elections and referendums? Does the scope of the reform project include consideration of the need for a more flexible, more modern legislative framework for elections and referendums?

**Q5** Electoral registration. Should the scope of the reform project include electoral registration? Should the scope of the reform project include electoral registration? Should the scope of the reform project include electoral registration? Should the scope of the reform project include electoral registration?

**Q6** Candidates and the campaign. Should the scope of the reform project include consideration of the rules on candidates and the campaign? Should the scope of the reform project include consideration of the rules on candidates and the campaign? Should the scope of the reform project include consideration of the rules on candidates and the campaign? Should the scope of the reform project include consideration of the rules on candidates and the campaign?

**Q7** Political parties and national campaign publicity. Do you agree the scope of the project should exclude political party registration and national campaign publicity? Do you agree the scope of the project should exclude political party registration and national campaign publicity? Do you agree the scope of the project should exclude political party registration and national campaign publicity? Do you agree the scope of the project should exclude political party registration and national campaign publicity?
EL 045 London Borough of Enfield (Peter Stanyon)

Yes. The role of tellers, delivery of posted ballot papers and the ability to challenge voters and lack of voter identification all need to be included.

Yes. In particular, necessity of ROs to correct previous administrative errors at the count. The process for the issue and return of the poll should also be considered in light of technology.

Yes. There should be two standard procedures, one for Mayoral elections and another for all other elections. Elections should all operate on a 20 day timetable with a 30 day alternative for Mayoral election in order to deal with the backlog. In addition, all election events should be in the same place in time.

Yes. The process is currently very time-consuming, confusing and costly.

Yes. The project should consider modernising and codifying relevant electoral offences, and clearly set out the processes to be followed and the responsibilities of the respective parties in identifying and acting on potential breaches of the rules.

Yes, especially in view of the likely increase in the number of local referendums through legislation such as the Localism Act 2011.

EL 046 Gresham Borough Council (David Hughes)

Broad support for scope of project.

Broad support for scope of project.

Broad support for scope of project.

Broad support for scope of project.

Yes, except for electoral offences. The rules should be consistent and as simple as possible.

No comment.

Yes.

EL 047 Guildford Borough Council (David Hill)

Broad support for scope of project.

Broad support for scope of project.

Broad support for scope of project.

Broad support for scope of project.

Yes. The resulting legislative solution should be flexible enough to take account of future developments in criminal law.

Yes. Certain electoral offences could be reviewed. While the terminology of “corrupt practice” and “illegal practice” may be outdated, a distinction can be drawn between those which are serious enough to result in the deposition of an elected candidate and/or disqualification, and those which simply merit a fine or imprisonment. Offences should be flexible enough to take account of future developments in criminal law.

Yes. The RO must be left with discretion to decide whether the result is valid or not.

EL 058 Electoral Office Northern Ireland

Some issues that should be considered include: (a) role of the telling poll officer at an STV election and not used; (b) use of internal ballot papers as a means to reduce the risk of fraud.

Yes. The resulting legislative solution should also be future-proofed, for example by being capable of accounting for developments like e-voting. The legislation for postal votes and the categories of rejection should be retained.

Yes. The deadline for late registration should be defined (currently it is therefore midnight on 11th day but it is accepted on the following day). Also, there is a limitation in law between the deadline day and late registration (11 days).

Yes. The role and functions of the person involved in combined polls should be considered. Complex arrangements to multiple pieces of legislation should be avoided and legislation issued in sufficient time.

Yes. The right to challenge elections is integral to fair elections.

Yes.

Yes.

Yes.

EL 059 Scottish Assessors Association

Yes. The current role work is on a registration point of view but perhaps a look at the wording would be useful. The Local Government (Scotland) Act 2003 allows for the preselection of assessors to use the ERO.

No comment.

No comment.

No comment.

No comment.

Yes. Offences and their consequences/remedies should be included.

Yes. Modesty of information should be for different body or bodies than those charged with reporting on its administration.
EL 060  
Richard Price OBE QC and Dominic Spanner Underhill  
Yes. There have been constructive constructive amendments to the statute and regulatory frameworks that are the foundation of electoral law, particularly since 2000. They have been grafted onto the 1883 Act. Many of the amendments do not sit happily with the language and concepts that originated over 120 years ago. The sheer volume of statute law and regulations is vast and complex. This cannot be reorganised, clarified and simply the law, making it readily comprehensible to those who need to understand it, and fit for purpose in the 21st century.

EL 061  
Loughton Residents Association (David Lionell)  
No comment.

EL 062  
Stockport Council (Steve Calendar)  
The project should exclude electoral boundaries and voting systems. It should consider the impact of combined electoral districts, which are significantly more complicated in scale and management than a single constituency. The project should also be required to assess the question of whether the use of..

EL 063  
Waverley Borough Council (Tracey Stanbridge)  
Yes. Electoral law is a much needed more flexible framework that will enable us to take forward the legislation moving forward.

EL 064  
Richard Price OBE QC and Dominic Spanner Underhill  
Yes. There have been constructive constructive amendments to the statute and regulatory frameworks that are the foundation of electoral law, particularly since 2000. They have been grafted onto the 1883 Act. Many of the amendments do not sit happily with the language and concepts that originated over 120 years ago. The sheer volume of statute law and regulations is vast and complex. This cannot be reorganised, clarified and simply the law, making it readily comprehensible to those who need to understand it, and fit for purpose in the 21st century.

EL 065  
Michael Heseltine  
No comment.

EL 066  
David Blunkett  
Yes. We can support the concept.

EL 067  
Richard Price OBE QC and Dominic Spanner Underhill  
Yes. There have been constructive constructive amendments to the statute and regulatory frameworks that are the foundation of electoral law, particularly since 2000. They have been grafted onto the 1883 Act. Many of the amendments do not sit happily with the language and concepts that originated over 120 years ago. The sheer volume of statute law and regulations is vast and complex. This cannot be reorganised, clarified and simply the law, making it readily comprehensible to those who need to understand it, and fit for purpose in the 21st century.

EL 068  
Michael Heseltine  
No comment.

EL 069  
David Blunkett  
Yes. We can support the concept.

EL 070  
Richard Price OBE QC and Dominic Spanner Underhill  
Yes. There have been constructive constructive amendments to the statute and regulatory frameworks that are the foundation of electoral law, particularly since 2000. They have been grafted onto the 1883 Act. Many of the amendments do not sit happily with the language and concepts that originated over 120 years ago. The sheer volume of statute law and regulations is vast and complex. This cannot be reorganised, clarified and simply the law, making it readily comprehensible to those who need to understand it, and fit for purpose in the 21st century.

EL 071  
Michael Heseltine  
No comment.

EL 072  
David Blunkett  
Yes. We can support the concept.
Q 13
No comment.

Q 12
Yes.
Yes.

Q 11
Yes.
Yes.

Q 15
Yes.
Yes.
Yes.
Waverley Borough Council
Yes.
No comment.
Yes. because they use the same electoral administration of elections.

 rawData:  "EL 060

Richard Price OBE QC and Dominic Spanner Underhill
Yes. When votes refer to a cast ballot or a polling, they should be required to provide visual ID, such as a driving licence, or an electronic identification card, as applicable in NL. Such requirements are seen across almost every walk of modern life and are effective. This safeguard would strengthen the integrity of the voting process.
Yes. Yes. The election petition process must ensure that the process of challenging elections is transparent and immediately ascertainable, and that all elections, the public benefit can only occur if a private action is brought.
Yes. The election petition process requires various and detailed scrutiny. Rightful and informal timelines, and unjustified and exact procedures abound. From a practical point of view, the bringing and defending of petitions are unnecessarily difficult, and, in particular, expensive. As regards in particular the vote-tracing procedure, its efficiency would be in the interest of justice.

EL 062

Loughton Residents Association (David Lonnell)
No comment.
No comment.
No comment.

EL 063

Stockport Council (Steve Calendar)
Yes.
Yes. Consideration needs to be given to the implications of the significant increase in demand for postal votes on the administration of elections.
Yes, because these are more common at different voting systems are being used.

EL 064

Waverley Borough Council (Tracey Stanbridge)
Yes.
Yes. To reduce inconsistencies and the risk of administrative error.
Yes. see Q11.

EL 065

Association of Electoral Administrators (AEA) (Karen Quinlivan)
Yes. In particular, the arrangements for the close of the poll requires careful consideration. Allowing all eligible voters access to a polling station on the day of the election or the day before ensures the correct number of registered voters to be able to vote in some constituencies. In general, any change must be clear, their practical application must be straightforward, capable of being communicated, understood and accepted by voters and applied consistently and fairly by polling staff. The potential impact on the processes which follow the close of poll would have to be thoroughly examined and tested to ensure that any changes would not result in unintended consequences.
Yes. A great deal is made of the timing of election counts and the length of time taken to declare results. However, accuracy of the announcements and the checking of documents will only be as good as the conduct of the staff in these circumstances. So, the principle of fairness, transparency and the accountability have to be clear and applicable. An example is the conduct of the poll must be clear, understood, and accountable clearly communicated. The legislative framework must allow sufficient time for such decisions to be taken well in advance of the events to which they relate. Where there are complex combinations, the arrangements for the legislative framework should recognize the complexities of the voting process is a key area. In general, the legislative framework should be sufficiently flexible to allow for the potential range of technology, particularly those dealing with multi-member vacancies (eg parish councils).

EL 066

Q 3 Polling day. Should the scope of the reform project include consideration of the rules on polling day?
Yes.
Yes. The relationship between the various deadlines within the timelines for all elections and referendums should be consistent. Where deadlines are incompatible, work for all parties, and deliverables for the effective administration of the poll. This is also an opportunity to draw together the various deadlines that currently do not appear in the timetable in various election rules, such as the registration and absent voting deadlines, and the deadline for the appointment of polling and counting agents. The impact of the implementation of ID will also need to be considered, including the relationship between the deadlines (both dates and times) for registration and postal vote applications. This will need to take account of any additional period which currently results in some postal votes being required to be received just five working days before polling day.

Q 10 Determining the result. Should the scope of the reform project include consideration of the rules for determining and declaring the result?
Yes.
Yes. There are two interests, which are often not reconcilable: the interest of the population as a whole in ensuring an electoral system which they can have faith in, the interest of individuals (and often particular and even the election period may want to question the election of others). There is an interest in ensuring the results of elections are not challenged or the public interest: The public interest in reducing any inconsistencies in the conduct of the count should be underpinned by the principles of timeliness, transparency, accountability and consistency. Moreover, there is a need to ensure that any changes would not result in unintended consequences.

Q 11 Election timetables. Should the scope of the reform project include consideration of the rules for elections?
Yes.

Q 12 Combination of polls. Should the scope of the reform project include the combination of elections?
Yes.

Q 15 Legal challenge. Should the scope of the reform project include consideration of the rules for challenging elections?
Yes.

Q 14 Electoral offences. Should the scope of the reform project include consideration of electoral offences?
Yes.

Q 13 National referendums. Should the scope of the reform project include consideration of the electoral administration of national referendums?
Yes.

Q 16 Local referendums. Should the scope of the reform project include consideration of the electoral administration of local referendums?
Yes.
**Q 2 Legislative framework. Should the scope of the reform project include consideration of the current institutional legislative framework for electoral administration in the context of legitimate scrutiny of the rules within the legislative hierarchy?**

**Yes.**

**Q 3 Core electoral parameters. Do you agree the scope of the project should exclude the franchise, electoral boundaries and voting systems?**

**Yes.**

**Q 4 Management and oversight. Should the scope of the reform project include consideration of the current institutional framework for electoral administration and, if so, the meaning of “inclusion”?**

**Yes.**

**Q 5 Electoral registration. Should the scope of the reform project include electoral registration and, if so, the meaning of “inclusion”?**

**Yes.**

**Q 6 Candidates and the campaign. Should the scope of the reform project include consideration of the rules on candidates and the campaign?**

**Yes.**

**Q 7 Political parties and national campaign publicity. Do you agree the scope of the reform project should include political party registration and national campaign publicity?**

**Yes.**

**Q 8 Manner of voting. Should the scope of the reform project include consideration of the rules on manner of voting?**

**Yes.**
| Q 9 | Polling day. Should the scope of the reform project include consideration of the rules on polling day? | Yes. The current rules for the polling station result in a lot of paperwork for returning officers. Other areas for consideration include the rules around dealing with elections at a polling station who have not received postal ballots, papers or who have claimed not to have applied to vote by post. Close of the polling place of the corresponding numbers list. | Yes. In particular, the inability of ROs to correct obvious administrative errors at the count should be questioned. | Yes. The cross-referencing of election rules necessary when running combined elections is very complex and time consuming. The writing out in full of the combination rules is worthy of consideration. | Yes. A more accessible system of appeals could be considered, but the project should be mindful of not encouraging frivolous challenges. | Yes. The current offences are out of date. Further, the role of the ROs should be clarified and the agencies with power should be clearly identified, as candidates and election officials often wrongly assume that ROs have sweeping powers concerning the conduct of the election. | Yes. Most referendums will be run by the same people who run elections, so that it makes sense to include them within the scope of the review. | Yes. See Q15. |

| Q 10 | Determining the result. Should the scope of the reform project include consideration of the rules for determining and declaring the result? | Yes. Any proposal that seeks to create consistency around polling day and grant returning officers clear and precise functions on polling day should be supported. | Yes. A task that often takes guidance is given and the processes around determining and declaring the result can vary hugely between authorities. | Yes. This should be done in a manner which looks as much as possible to allow elections to be carried out in the most consistent way possible in the medium term. The focus needs to be on simplifying the elections process for the voter to increase participation. | Yes. Combination elections are becoming more likely “single” elections. Simplifying the process for the voter must be at the heart of this review. | Yes. This is an area that is long overdue for reform and there is a pressing need for an effective, transparent and proportionate system. | Yes. Very little has been done on this so far. All the recent updates and much of the new of what were offences either bring into line with modern times and technology, or are the result of bad legislation. | Yes. Because local referendums are increasingly likely to be combined with other polls, they should fall within the scope of the reform project. |

| Q 11 | Election timetables. Should the scope of the reform project include consideration of the timetables for elections? | Yes. This project should consider those areas that the law is silent or unclear, like campaigning in the vicinity or displaying material around polling stations. | Yes. In particular, the project should look at the timing of the count as the 4 hours requirement places intolerable burdens on the RO and their staff, particularly as combined polls. | Yes. This should be done in a manner which looks as much as possible to allow elections to be carried out in the most consistent way possible in the medium term. | Yes. The RO’s powers have been referred to in the context of national referendums. | Yes. Referendums are featuring more heavily in the election timetable and if they are to be combined with existing elections, must be compatible. | Yes. Because local referendums are increasingly likely to be combined with other polls, they should fall within the scope of the reform project. | |

| Q 12 | Combination of polls. Should the scope of the reform project include consideration of the process of challenging elections? | Yes. The current rules for the polling station result in a lot of paperwork for returning officers. Other areas for consideration include the rules around dealing with elections at a polling station who have not received postal ballots, papers or who have claimed not to have applied to vote by post. Close of the polling place of the corresponding numbers list. | Yes. In particular, the inability of ROs to correct obvious administrative errors at the count should be questioned. | Yes. The cross-referencing of election rules necessary when running combined elections is very complex and time consuming. The writing out in full of the combination rules is worthy of consideration. | Yes. A more accessible system of appeals could be considered, but the project should be mindful of not encouraging frivolous challenges. | Yes. The current offences are out of date. Further, the role of the ROs should be clarified and the agencies with power should be clearly identified, as candidates and election officials often wrongly assume that ROs have sweeping powers concerning the conduct of the election. | Yes. Most referendums will be run by the same people who run elections, so that it makes sense to include them within the scope of the review. | Yes. See Q15. |

| Q 13 | Legal challenge. Should the scope of the reform project include consideration of electoral offences? | Yes. This project should consider those areas that the law is silent or unclear, like campaigning in the vicinity or displaying material around polling stations. | Yes. In particular, the project should look at the timing of the count as the 4 hours requirement places intolerable burdens on the RO and their staff, particularly as combined polls. | Yes. This should be done in a manner which looks as much as possible to allow elections to be carried out in the most consistent way possible in the medium term. | Yes. The RO’s powers have been referred to in the context of national referendums. | Yes. Referendums are featuring more heavily in the election timetable and if they are to be combined with existing elections, must be compatible. | Yes. Because local referendums are increasingly likely to be combined with other polls, they should fall within the scope of the reform project. | |

| Q 14 | Electoral offences. Should the scope of the reform project include consideration of the electoral administration of national referendums? | Yes. This project should consider those areas that the law is silent or unclear, like campaigning in the vicinity or displaying material around polling stations. | Yes. In particular, the project should look at the timing of the count as the 4 hours requirement places intolerable burdens on the RO and their staff, particularly as combined polls. | Yes. This should be done in a manner which looks as much as possible to allow elections to be carried out in the most consistent way possible in the medium term. | Yes. The RO’s powers have been referred to in the context of national referendums. | Yes. Referendums are featuring more heavily in the election timetable and if they are to be combined with existing elections, must be compatible. | Yes. Because local referendums are increasingly likely to be combined with other polls, they should fall within the scope of the reform project. | |

| Q 15 | National referendums. Should the scope of the reform project include consideration of the electoral administration of local referendums? | Yes. This project should consider those areas that the law is silent or unclear, like campaigning in the vicinity or displaying material around polling stations. | Yes. In particular, the project should look at the timing of the count as the 4 hours requirement places intolerable burdens on the RO and their staff, particularly as combined polls. | Yes. This should be done in a manner which looks as much as possible to allow elections to be carried out in the most consistent way possible in the medium term. | Yes. The RO’s powers have been referred to in the context of national referendums. | Yes. Referendums are featuring more heavily in the election timetable and if they are to be combined with existing elections, must be compatible. | Yes. Because local referendums are increasingly likely to be combined with other polls, they should fall within the scope of the reform project. | |

| Q 16 | Local referendums. Should the scope of the reform project include consideration of the electoral administration of local referendums? | Yes. This project should consider those areas that the law is silent or unclear, like campaigning in the vicinity or displaying material around polling stations. | Yes. In particular, the project should look at the timing of the count as the 4 hours requirement places intolerable burdens on the RO and their staff, particularly as combined polls. | Yes. This should be done in a manner which looks as much as possible to allow elections to be carried out in the most consistent way possible in the medium term. | Yes. The RO’s powers have been referred to in the context of national referendums. | Yes. Referendums are featuring more heavily in the election timetable and if they are to be combined with existing elections, must be compatible. | Yes. Because local referendums are increasingly likely to be combined with other polls, they should fall within the scope of the reform project. | |
Q 2
Legislative Framework. Should the scope of the reform project include consideration of the current legislative framework for electoral administration?
No comment.

Q 3
Core electoral parameters. Do you agree the scope of the project could include consideration of electoral boundaries and voting systems?
No comment.

Q 4
Management and oversight. Should the scope of the reform project include consideration of the current institutional framework for electoral administration?
Yes. The law should be simpler, more flexible and responsive to future political change. Some disabled and older people find it difficult or impossible to provide a signature. Also any requirement to present identification at voting should be accompanied by their accessible, simple information about how to register. In the absence of proper consideration the law should be given to allow for greater access to the disabled. The equally important legislative reform should be established through comprehensive evidence-based equally impact assessments.

Q 5
Electoral registration. Should the scope of the reform project include electoral registration, and if so, the meaning of residence?
Yes. Consideration should be given to the general framework that even within the legislative framework and to reducing these barriers as part of the vision for disabled people and those whose first language is not English have significant barriers understanding of what is required of them to stand as a candidate in elections or to vote in them. Ethical issues exist in respect of whether the ability or disability of someone can be used as a criterion of worth or status. This is compounded not just by the use of legislation which is particularly connected up with the relevant consultation paper.

Q 6
Candidates and the campaign. Should the scope of the reform project include consideration of the rules on candidates and the campaign?
No comment.

Q 7
Political parties and national campaign publicity. Can you see the scope of the project should exclude political party regulation and national campaign publicity?
No comment.

Q 8
Manner of voting. Should the scope of the reform project include consideration of the rules on manner of voting?
Yes. The current system, which follows the format of the ballot papers are “overly restrictive and does not meet voters needs.” The requirements regulating in specific size and font of the language to voters contribute significantly to the issues that many disabled people have difficulty in understanding how to vote and not being able to vote. The current system is already overstretched and is putting off voters. We need to ensure that overly prescriptive legislation regarding access requirements and aids, such as the description of the tactile voting device to be used down to the last detail, prevent the adoption of secure new technology as it develops and therefore improvements that are required that would ensure that as many disabled people as possible are enabled to vote.
<table>
<thead>
<tr>
<th><strong>Q 3</strong></th>
<th><strong>Polling day. Should the scope of the reform project include consideration of the rules on polling day?</strong></th>
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<tbody>
<tr>
<td><strong>EL 072</strong></td>
<td>Diverse Cymru (Elle Hicks)</td>
</tr>
<tr>
<td>Yes.</td>
<td>In particular, the language in the statute that refers to &quot;electors with disabilities&quot; should be changed to reflect modern acceptable language, such as &quot;disabled voters.&quot; Consider also how the rules applicable to polling stations can be made more suitable for voters who require assistance beyond &quot;blind, disabled, or illiterate&quot; electors. The project should also take the opportunity to include consideration of the rules on touching the voting device.</td>
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<td>No comment.</td>
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<tr>
<th><strong>Q 10</strong></th>
<th><strong>Determining the result. Should the scope of the reform project include consideration of the rules for determining and declaring the result?</strong></th>
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<tbody>
<tr>
<td><strong>EL 073</strong></td>
<td>East Lindsey District Council (John Medler)</td>
</tr>
<tr>
<td>Yes.</td>
<td>Broad support for scope of project</td>
</tr>
<tr>
<td>No comment.</td>
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<tr>
<th><strong>Q 11</strong></th>
<th><strong>Election timetables. Should the scope of the reform project include consideration of the timetables for elections?</strong></th>
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</thead>
<tbody>
<tr>
<td><strong>EL 074</strong></td>
<td>Eastern Branch of AEA (Laura Lock)</td>
</tr>
<tr>
<td>Yes.</td>
<td>Broad support for scope of project</td>
</tr>
<tr>
<td>No comment.</td>
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<tr>
<th><strong>Q 12</strong></th>
<th><strong>Combination of polls. Should the scope of the reform project include the combination of elections?</strong></th>
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<tbody>
<tr>
<td><strong>EL 075</strong></td>
<td>Scott East &amp; Yorkshire Branch AEA (Mags Evers)</td>
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<tr>
<td>Yes.</td>
<td>Yes.</td>
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<th><strong>Q 13</strong></th>
<th><strong>Legal challenge. Should the scope of the reform project include consideration of the process of challenging elections?</strong></th>
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<tbody>
<tr>
<td><strong>EL 076</strong></td>
<td>Professor Bob Watt, University of Buckingham</td>
</tr>
<tr>
<td>Yes.</td>
<td>Yes.</td>
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<tr>
<th><strong>Q 14</strong></th>
<th><strong>Electional offences. Should the scope of the reform project include consideration of the electoral administration of national referendums?</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>EL 077</strong></td>
<td>Scope and Mencap (Cristina Sarbi)</td>
</tr>
<tr>
<td>Yes.</td>
<td>The rules on polling staff are critical to ensuring the inclusiveness of elections. This is likely to include issues like ensuring each polling station has large print ballot papers and tactile voting devices. The project should take this opportunity to clarify the nature of existing duties, line training requirements relating to the tactile voting device.</td>
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<th><strong>National referendums. Should the scope of the reform project include consideration of the electoral administration of local referendums?</strong></th>
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<tr>
<td><strong>EL 078</strong></td>
<td>No comment.</td>
</tr>
<tr>
<td>Yes.</td>
<td>No comment.</td>
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**Note:** Yes. In particular, a review of parish poll legislation is vital, if only to update the rules to reflect changes under the Electoral Administration Act 2006 regarding voting instruments and correspondences.
Yes. Any resulting legislation should be flexible enough to encompass any future polls. Consideration should also be given to including local authority referrals, community buy-out polls, ROI polls and Scottish community council elections.

Yes. Most current election legislation is based in mid-19th century legislation and does not include the modernisation agenda set out by the Electoral Commission. The expectations of voters have changed and election processes have not kept pace with technological developments.

Yes. This framework needs consideration because inconsistencies exist as to the placement of rules in primary or secondary legislation and this leads to much repetition. It also creates problems with access to the law and other forms of evidence.

Yes. The division between political and technical aspects is crucial to the success of the review.

Yes and No. Management and oversight should be included within the scope of the project and the return of candidates’ expenditure, simplification of the forms for nomination procedure, clarification and rationalisation of the rules governing candidates and the campaign. In particular, residence is a key issue that should be within scope of the review. However we need to consider carefully what scope of the review should not be included. We may need a staged approach to the review.

Yes. Any resulting legislation should be flexible enough to encompass any future polls. Consideration should also be given to including local authority referrals, community buy-out polls, ROI polls and Scottish community council elections.

Yes. The framework needs consideration because inconsistencies exist as to the placement of rules in primary or secondary legislation and this leads to much repetition. It also creates problems with access to the law and other forms of evidence.

Yes. The project should also take account of the modernising agenda for electoral rules. The Law Commission has a role, as the introduction of new rules for Scottish local government elections and GLA elections.

Yes. But it is not the case that franchise issues raise policy matters which are properly for the executive to determine. Thus, the current legal provisions on policy matters such as boundaries should be included within the scope of the project to the extent of being, consolidated into the eventual reformed legislative framework.

Yes. The chief purpose of the review should be to simplify and consolidate the legal framework for current elections and to ensure that the rules governing elections are modern, fit for purpose and create the expectations of voters that they are fit for purpose. Fundamental change to the current institutional framework is a matter of public policy for Ministers to formulate and Parliaments to legislate upon, concerning the extent to which, if any, the management of elections should be centralised. The review should include the legal framework, statutory duties to ROs and EROs, supplementary guidance to which ROs and EROs must have regard, and purely advisory guidance. The review needs to produce clarity concerning the roles of those involved in the management of elections.

Yes. The scope should include a simplification of the legislation between what is required to public administration in the legislative hierarchy a key part of the project. For example, the key principles should lie in the primary legislation, i.e. what information should be included in the ballot paper and in what order such information should appear on the ballot paper. Secondary legislation should deal with the detailed rules on how the required information is to be set out, eg font size, use of headings and capital letters, spacing for and between headings.
Dr Caroline Morris, University of London

Yes. Attending a polling station can be a daunting and intimidating experience for voters, especially in cases where there are multiple polling stations or where the hours of voting are limited. The practice of folding the ballot paper is a crucial step in the voting process, as it ensures the secrecy of the vote and prevents any potential tampering or interference. This is important in maintaining the integrity of the electoral process and ensuring the legitimacy of the results.

No. The practice of folding the ballot paper is an integral part of the voting process and should not be changed. It is a necessary step to protect the secrecy of the vote and prevent any potential manipulation or interference. This is important in ensuring the integrity of the electoral process and the legitimacy of the results.

The reform is long overdue. The language and concepts in the current electoral legislation are outdated and do not adequately reflect the modern political landscape. It is essential that the reform process includes consideration of the legal status of the Electoral Commission, including the procurement of post-election voting information.

No. The current electoral legislation does not clearly define the extent of vicarious liability of candidates, parties, and local authorities. This is important in ensuring accountability and transparency in the electoral process. The reform should include consideration of the extent of vicarious liability of candidates, parties, and local authorities.

The review should cover the electoral administration of national referendums. The reasons for this include the potential for combined polls in these elections and the need for a clear division between operational and regulatory responsibility. The current electoral legislation largely mirrors the statutory framework for elections, and it is essential that the balance is struck appropriately between simplifying operations and facilitating challenges where the result has been declared.

It is a fundamental principle that all elections should be reviewed taking into account the impact on voters, the financial implications, and the retention and inspection of election documents. This is important in ensuring that the electoral process is transparent and accountable. The reform should include consideration of the retention and inspection of election documents.

SOLAR and the Electoral Management Board for Scotland (Gordon Blair)

Yes. This is a core principle of the electoral process, and it is essential that all elections are subject to the same rules. The current electoral legislation is specific to the Scottish context, and it is important that the reform process includes consideration of the possible subjects for standard separate rules for combined polls.

Yes. The provision of post-election voting information is an integral part of the electoral process and should be retained. The reform should include consideration of the provision of post-election voting information.

Yes. This is a fundamental principle of the electoral process, and it is essential that all elections are subject to the same rules. The current electoral legislation is specific to the Scottish context, and it is important that the reform process includes consideration of the possible subjects for standard separate rules for combined polls.

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