

# GENERAL PURPOSES COMMITTEE

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Thursday, 24 September 2015 at 7.00 p.m.  
MP701, 7th Floor, Mulberry Place, 5, Clove Crescent, London E14  
2BG

## SUPPLEMENTAL AGENDA

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<b>3.1 Elections 2014/2015 Legacy</b>	1-5

Report of the Returning Officer/Electoral Registration Officer

### **RECOMMENDATION**

That the Committee note and comment on the draft Elections 2015 – Legacy Report (at Appendix A, to be circulated)

### **REASONS FOR URGENCY**

This report was not circulated with the Committee agenda and was unavailable for inspection within the timescales set out in the Authority's constitution as it was not possible to collate the necessary information prior to agenda despatch. The report is nevertheless recommended for consideration at this meeting in order to enable the committee to have the opportunity to note and comment on the draft legacy report before it is completed.

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Committee <b>General Purposes Committee</b>	Date <b>24 September 2015</b>	Classification <b>Unrestricted</b>	Report No.	Agenda Item No.
Report of: <b>Returning Officer/Electoral Registration Officer</b>  Originating Officer(s): <b>John Williams</b>		Title: <b>Elections 2015 in Tower Hamlets – Legacy Report</b>  Ward(s) affected: <b>All</b>		

### REASONS FOR URGENCY

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#### **1. SUMMARY**

- 1.1 The Returning Officer/Electoral Registration Officer is working with the partner agencies involved in the delivery of the elections held in Tower Hamlets in May and June 2015 and other interested parties, to prepare a legacy report from those elections.
- 1.2 The General Purposes Committee has responsibility on behalf of the Council for certain functions in relation to the holding of elections and the maintenance of the electoral register
- 1.3 This report provides information on the work to prepare the legacy report and the areas and issues to be covered.
- 1.4 A ‘work in progress’ draft of the legacy report (Appendix A, to follow) will be circulated as soon as possible for the Committee’s information and any comments.

#### **2. RECOMMENDATION**

- 2.1 That the Committee note and comment on the draft Elections 2015 – Legacy Report (at Appendix A, to be circulated).

### **3. BACKGROUND**

#### **3.1 Elections took place in Tower Hamlets during May and June 2015 as follows:-**

7<sup>th</sup> May 2015 – UK Parliamentary General Election, constituencies of Bethnal Green & Bow and Poplar & Limehouse.

11<sup>th</sup> June 2015 – Tower Hamlets Mayoral by-election and Stepney Green Ward by-election.

3.2 The preparatory work and planning for the delivery of the 7<sup>th</sup> May elections drew on a range of experience and lessons learnt at previous elections in Tower Hamlets, including the London Mayor and Assembly elections plus two Council ward by-elections in April and May 2012, which were the subject of a report by the Electoral Commission in relation to a number of allegations of electoral fraud; and the combined European Parliamentary, Tower Hamlets Mayor and Council elections on 22<sup>nd</sup> May 2014, which were also subject to some allegations, following which the Mayoral election was avoided by the Election Court on 23<sup>rd</sup> April 2015. A range of initiatives were developed to ensure a free and fair contest, efficient delivery of the elections and an orderly poll and count in each case.

3.3 In turn the planning work for the 11<sup>th</sup> June 2015 elections drew on further lessons learnt in the process of delivering the 7<sup>th</sup> May polls.

3.4 The result of the above work was more successful election which have attracted positive feedback from a number of sources and which have not been subject to any challenge.

3.5 A new Chief Executive will take up post with the Council in October 2015, who will become the Returning Officer and Electoral Registration Officer for Tower Hamlets. The existing Returning Officer is progressing a review of the delivery of the May and June 2015 elections, lessons learnt, improvements identified etc, in order to provide a legacy for future elections in Tower Hamlets. It is considered that the review is likely also to provide useful recommendations for Returning Officers, Police forces and partner agencies elsewhere in the UK.

3.6 The Committee will be aware that The Rt Hon Eric Pickles MP, in his capacity as UK Government Ant-Corruption Champion, is currently leading an Electoral Fraud Review and has issued a call for evidence in connection with that review with a deadline of 8<sup>th</sup> October 2015. The Returning Officer expects that the legacy report on the Tower Hamlets elections may be able to make a useful contribution to that review.

### **4. THE REVIEW AND LEGACY REPORT**

4.1 The Returning Officer has held discussions with the partner agencies that were involved in delivering or overseeing the 2015 elections locally, including the Metropolitan Police (both Tower Hamlets Police and the Special Enquiry

Team at Scotland Yard), the Electoral Commission, the DCLG Commissioners and their appointed representative Mr Barry Quirk and others, with a view to drafting a joint 'legacy' report. The Returning Officer has also consulted the Election Agents of candidates at the 2015 elections for their views on how the elections were conducted – i.e. what went well, what could have been improved and what suggestions would they make for future elections.

4.2 The draft legacy report is currently in preparation with a view to being completed by the end of September 2015. This will enable any relevant matters to be submitted as evidence to the Electoral Fraud Review by 8<sup>th</sup> October and the report as a whole to be available to the incoming Returning Officer when he takes up post. The latest working draft of the report will be circulated to the Members of the General Purposes Committee for their meeting on 24<sup>th</sup> September.

4.3 The main areas to be covered in the legacy report will be:-

- Context and background
- Description of the elections in Tower Hamlets 2014 and 2015, together with the issues raised in the Election Court judgement in April 2015
- An assessment of the actions taken in respect of each element of the elections, i.e.:-
  - o Joint working
  - o Registration
  - o Integrity measures
  - o Postal Votes
  - o Polling Stations
  - o Verification and count.
- Outcomes, issues for consideration, continuing challenges

4.4 In relation to conclusions and recommendations, these will be presented in three categories as set out below:-

(i) Tower Hamlets-specific issues

Those of the anti-fraud and other measures utilised at the elections in May 2015 that were introduced in response to specific issues that had arisen at previous elections in Tower Hamlets and conditions locally. Which of these worked particularly well; any that were unsuccessful or left room for further improvement; and any that would require revision in order to be repeated in future years because of resource restrictions or any other reason?

(ii) Lessons and recommendations for general application

Those initiatives or actions taken locally that were successful and would be of interest more generally to agencies and authorities in other areas of the country. Also elements of electoral delivery that were problematic despite the measures taken and any recommendations that Tower Hamlets can make for improved guidance nationally on best practice.

(iii) The legal framework

Any areas in which the current legislative framework could have impeded the efforts to ensure an efficient and free and fair election; and any recommendations to propose to government for possible changes to the law, for example:-

- Is the current range of election offences, corrupt and illegal practices still useful and appropriate in the context of a modern election?
- Are the powers of the Returning Officer or the Police sufficient to address the threat of electoral fraud or malpractice, prevent false registration or personation?
- Does the statutory election timetable adequately allow for complaints to be investigated prior to the poll or in good time afterwards; and any fraud to be remedied in a timely fashion after the result of the election is declared?
- What factors work against the swift investigation and prosecution of offenders?
- Is the current method of challenging an election result (the Election Petition) still the most suitable process?

4.5 The matters at (iii) above will be most relevant for consideration by the Government's Electoral Fraud Review and/or the Law Commission's ongoing review of electoral law.

## **5. LEGAL CONSIDERATIONS**

5.1 The UK Parliamentary General Election on 7<sup>th</sup> May 2015 and the Mayoral and Stepney Green by-elections on 11<sup>th</sup> June 2015 were conducted in accordance with the provisions of the Representation of the People Acts 1983, 1985 and 2000; the Political Parties, Elections and Referendums Act 2000; the Electoral Administration Act 2006; the Political Parties and Elections Act 2009 and the Electoral Registration and Administration Act 2013; and associated regulations.

5.2 The (Acting) Returning Officer is also required to have regard to the public sector equality duty contained in Section 149 of the Equality Act 2010 when carrying out his duties.

## **6. COMMENTS OF THE CHIEF FINANCIAL OFFICER**

6.1 There are no direct financial implications arising from this report. Grant allocations will be made by the Cabinet Office in relation to the costs of the UK Parliamentary General Election. The cost of local Mayoral and Council

elections are met from within budget allocations in the Law, Probity and Governance Directorate.

## **7. IMPLICATIONS FOR ONE TOWER HAMLETS**

7.1 The aim of the elections project plan is to ensure that the election is conducted in a fair and transparent manner in accordance with the law and that all residents are able to cast their vote conveniently and without interference.

## **8. APPENDIX**

8.1 The draft Elections 2015 Legacy Report is at Appendix A to this report (to follow).

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### **LIST OF “BACKGROUND PAPERS” USED IN THE PREPARATION OF THIS REPORT**

**Brief description of “background paper”**

**Name and telephone number of holder and address where open to inspection**

No unpublished background papers have been relied upon to a material extent in the preparation of this report.