

DOUGLAS BOROUGH COUNCIL

Responses to specific questions in the Consultation Document “Elections That Work for Everyone”

Question 1	Yes
Question 2	As well as “obligations” of election officials, their responsibilities and powers need to be precisely set out. Also the obligations and rights of voters should be similarly set out.
Question 3	<p>There should not necessarily be a single piece of legislation covering all elections, and it may be appropriate to keep national and local government elections separate as they are at present, but to bring them more closely into line and to follow similar principles, particularly in respect of expenses and the like.</p> <p>One single piece of primary legislation, covering both national and local elections, could help promote a uniform approach. Secondary legislation for the two forms of election could differ in application but following the same principles.</p> <p>The lack of clear guidance for Returning Officers is a key issue and that guidance should apply to all elections.</p>
Question 4	No. There is no demonstrable benefit in changing the length of terms of office for local authorities.
Question 5	No. And local and national elections should not take place close together but be staggered in order to emphasise the differences.
Question 6	The criteria for all public offices should be consistent and should include a five-year residency qualification.
Question 7	The means of absent voting should be the same and consistent across all elections, including proxy voting.
Question 8	Yes.
Question 9	There is no evidence of need for candidates in local elections to be subject to controls on expenditure and donations, but there should be consistency across all elections for public office.
Question 10	See response to Question 3 – Primary legislation should be the same but secondary legislation can allow for variation.
Question 11	DBC makes no comment on the date of holding the General Election for the House of Keys; the principal factor in deciding must be to optimise turnout.
Question 12	Polling day should not be changed from Thursday until further evidence is gathered that another day would be a better alternative. DBC suggests that a trial at the next General Election for the House of Keys might be a worthwhile exercise.
Question 13	Current hours of opening should be extended to 7.00 a.m. to 8.00 p.m.
Question 14	7.00 a.m. to 8.00 p.m.

Question 15	Tellers and agents should be permitted around, but not inside, the polling station and the election officials should have authority to control behaviour so as to prevent any undue disturbance to electors. The candidate or a representative of the candidate should be entitled to be outside the polling station to respond to any questions electors may have before going in to the station.
Question 16	No; a requirement for proof of identity might deter people from voting.
Question 17	Proxy voting should continue to be permitted and extended to local elections but remain subject to stringent control
Question 18	Straightforward use of the Absent Vote mechanism obviates any need for postal, or advance voting.
Question 19	There should be no restrictions on the use of an absent (or advance) vote.
Question 20	Returning Officers for House of Keys elections need not be advocates.
Question 21	Government or Local Authority Officers could act as Returning Officers for House of Keys elections.
Question 22	It is not appropriate for politicians to act as Returning Officers in local authority elections; if the function is undertaken by Officers they can be held to account more effectively than politicians can, and there is greater consistency across elections. .
Question 23	Acts of omission or breach of official duty by a Returning Officer or any other election official should be a specific offence, as long as those official duties are clearly and unequivocally set out.
Question 24	Candidates should be allowed to provide reasonable refreshments at public meetings organised by them but guidance should be given to the effect that substantial meals and alcoholic drinks are not reasonable.
Question 25	12 months is a reasonable period over which a candidate should declare expenditure and donations.
Question 26	The current limit of £2,500 (or £2,000 in the text) plus 50p per voter, should be retained and increased for each election with inflation.
Question 27	All candidates, successful and otherwise, should be required to declare their expenditure on campaign costs.
Question 28	The payment by Government of costs of postage for manifestos should continue though costs need to be controlled. There should be investigation into alternative means of delivery such as electronic media, with a view to ending the postage payments in future. Electoral registers should be made available in digital form to candidates so that they can use the data to communicate with electors.
Question 29	The definitions of bribery, treating and undue influence are already clear but should at least be reviewed, even if not necessarily changed, and clear guidance issued for candidates and officials on what they can and cannot do.
Question 30	The use of social media by candidates and groups should be encouraged but covered within the law to prevent misuse and tightly regulated.
Question 31	There should be a requirement for any Member of the House of Keys or a local authority who is standing for re-election to declare any donations made to electors in the previous 12 months, in the same way as accounting for election expenses.

Question 32	There should be a statutory code of conduct for candidates for all elections, from which guidance could flow.
Question 33	The code of conduct should be clear about provision, placement and content of posters, other conventional forms of advertising, and social media.
Question 34	It should be the responsibility of a responsible person on behalf of any household to ensure that eligible electors are registered.
Question 35	The Government should be able to use data it already holds to compile the voters list, then to seek confirmation from the responsible person on behalf of the household.
Question 36	A 12-month residential criterion is appropriate so that permanent residency is established prior to registration.
Question 37	Any period longer than 12 months is unnecessary, and less would not really establish permanent residency
Question 38	Electoral Registration should remain compulsory and there should be a criminal penalty for failing to do so. The only exemption should be on medical (mental health) grounds
Question 39	The electoral register should be updated following the annual canvass and then on a rolling basis, names should be added, deleted or changed at any time; (not quarterly as at present). The register as in effect on the day an election is declared should be used throughout that election.
Question 40	There should continue to be an annual canvass, but as the Government should automatically compile the register from data it already holds, including the current register, then it simply needs confirmation from the responsible person on behalf of the household that the information remains correct – or where appropriate, needs to be changed.
Question 41	There should be an edited register as the full register should be strictly controlled.
Question 42	An elector should be deemed to have opted out of the edited register except where they have explicitly agreed.
Question 43	Anonymous registration should be available in cases of personal risk, as set out in court documents and attestation by an appropriate Officer.
Question 44	First-time applicants for registration should be required to show evidence of identity and residency.
Question 45	Objections to additions, changes or deletions should be accepted at any time during the life of the register, with changes being made on a rolling basis.
Question 46	The register to be used during any election should be the one that is current on the day the election is announced, together with any new inclusions. However it should not be possible to make other changes or deletions during the campaign.
Question 47	No, it is impracticable to add to the register on the day of the election except to correct clerical errors. But it should be possible to make additions up to twenty-four hours before.
Question 48	The register should be updated on a rolling basis and when an election is announced the register in effect on that day should be provided to all the parties. Any further additions up to 24 hours prior to the election to be notified to all candidates.

Question 49	Electors should not have the right to “recall” elected members; there should be sufficient provision for prosecution and disqualification in case of malfeasance.
Question 50	There should be no minimum period between an employee leaving employment and being eligible for election to the former employing authority.
Question 51	An individual should not be permitted to stand in more than one constituency or local authority area at the same election.
Question 52	As at present, any qualified Island resident should be able to stand for election in any constituency.
Question 53	There should be universal guidance for the conduct of election counts. Some leeway should be given to the returning officer to choose a method of counting, but there should be standard guidance aimed at maintaining secrecy and carrying out the count as expeditiously as possible.
Question 54	Where election complaints do not fall within the election petition process, legislation should provide for criminal proceedings where appropriate, but there should be no other avenue of complaint.