

National Assembly for Wales

Elections for Police and Crime Commissioners

June 2012

This paper provides information about the first ever elections for Police and Crime Commissioners due to take place on the 15 November 2012.

Research
Service



The National Assembly for Wales is the democratically elected body that represents the interests of Wales and its people, makes laws for Wales and holds the Welsh Government to account.

The Research Service provides expert and impartial research and information to support Assembly Members and committees in fulfilling the scrutiny, legislative and representative functions of the National Assembly for Wales.

Research Service briefings are compiled for the benefit of Assembly Members and their support staff. Authors are available to discuss the contents of these papers with Members and their staff but cannot advise members of the general public. We welcome comments on our briefings; please post or email to the addresses below.

An electronic version of this paper can be found on the National Assembly's website at: www.assemblywales.org/research

Further hard copies of this paper can be obtained from:

**Research Service
National Assembly for Wales
Cardi. Bay
CF99 1NA**

Email: Research.Service@wales.gov.uk

Twitter: [@NAWRResearch](https://twitter.com/NAWRResearch)

© National Assembly for Wales Commission Copyright 2012

The text of this document may be reproduced free of charge in any format or medium providing that it is reproduced accurately and not used in a misleading or derogatory context. The material must be acknowledged as copyright of the National Assembly for Wales Commission and the title of the document specified.

Enquiry no: 11/2029

National Assembly for Wales

Elections for Police and Crime Commissioners

June 2012

Alys Thomas

Paper number: 12/025

Research
Service



Contents

1. Introduction	1
2. The Police and Crime Commissioner (PCC).....	1
3. Police and Crime Panels	3
4. Timing	4
5. Voting system.....	6
6. The Electorate.....	6
7. Candidates.....	6
7.1. Conservatives.....	7
7.2. Labour	8
7.3. The Liberal Democrats	8
7.4. Plaid Cymru	9
7.5. Potential Candidates	9
7.6. Police Foundation Research	11
8. Police and Crimes Commissioner Elections Order 2012.....	13

Elections for Police and Crime Commissioners

1. Introduction

The [*Police Reform and Social Responsibility Act*](#)¹ became law in September 2011. It makes provision for elected police and crime commissioners in Wales and England. The first elections will take place on 15 November 2012. This paper provides information about Police and Crime Commissioners and Police and Crime Panels; arrangements for the elections and possible candidates.

2. The Police and Crime Commissioner (PCC)

The PCC has a mandate to hold the police to account on behalf of the public. The PCC is the recipient of **all funding**, including the government grant and precept, related to policing and crime reduction. How this money is allocated is a matter for the PCC, except in relation to a small number of specific grants such as those for counter-terrorism, in consultation with the Chief Constable, who may provide professional advice and recommendations.

The PCC has the legal power and duty to:

- set the strategic direction and objectives of the force through the **Police and Crime Plan** (“the Plan”), which must have regard to the Strategic Policing Requirement set by the Home Secretary;
- monitor the overall performance of the force including against the priorities agreed within the Police and Crime Plan;
- hold the Chief Constable to account for the performance of the force’s officers and staff;
- decide the budget, allocating assets and funds to the Chief Constable;
- appoint, and where necessary, remove the Chief Constable;
- maintain an efficient and effective police force for the police area;
- provide the local link between the police and the public, working to translate the legitimate desires and aspirations of the public into action on the part of the Chief Constable to cut crime and antisocial behaviour;
- hold the Chief Constable to account for the exercise of the functions of the office of Chief Constable and the functions of the persons under the direction and control of the Chief Constable but not to fetter the operational independence of the police force and the Chief Constable that leads it;

¹ [*The Police Reform and Social Responsibility Act 2011 \(c.13\)*](#)

- publish information specified by the Home Secretary and information that the PCC considers necessary to enable the people who live in the force area to assess the performance of the PCC and Chief Constable;
- comply with all formal requests from **the Police and Crime Panel** to attend their meetings;
- prepare and issue an annual report to the Police and Crime Panel on the PCC's delivery against the objectives set within the Plan;
- keep abreast of all complaints made against senior officers and staff, whilst solely acting to determine how best to manage complaints against the Chief Constable.

The PCC has wider responsibilities than those relating solely to the police force, namely:

- a responsibility for the delivery of community safety and the ability to bring together Community Safety Partnerships at the force level;
- the ability to make crime and disorder reduction grants within their force area;
- the ability to enter into collaboration agreements between other PCCs and forces that benefit their force area and deliver better value for money and enhanced policing capabilities;
- a responsibility for the enhancement of the delivery of criminal justice in their area.²

In May 2012 the WLGA and the Local Government Association published [*Police and Crime Commissioners' Association: the Prospectus*](#) establishing the national representative body for police and crime commissioners - PaCCA. In respect of Wales it states:

While policing and criminal justice is a reserved matter to the UK Government, responsibility for local government is devolved to the National Assembly for Wales, who also have a key role in relation to community safety. Police and crime commissioners in Wales will therefore operate within a devolved government setting and it will be necessary for them to establish relationships with the Welsh Government and the Welsh Local Government Association (WLGA), among others. The WLGA currently includes the four Welsh Police Authorities as associate members and will wish to discuss with police and crime commissioners in Wales, once appointed, the opportunity to offer them membership of the WLGA.

Partnership working is an important element in how Welsh public services operate, with the opportunity through Local Service Boards and Regional Partnership Boards to identify and pursue shared aims and priorities. Membership of the WLGA for police and crime commissioners in Wales would therefore be logical, bearing in mind the previous

² [*Policing Protocol Order 2011*](#) [accessed 21 December 2011]

relationship with Police Authorities, in ensuring that the new governance structures build a similar relationship with the WLGA. This would offer many benefits including establishing positive relationships with Welsh local authorities and in ensuring that one of the strongest lobbying and influential bodies in Wales could assist in providing 'a strong voice' for the work of police and crime commissioners.³

The prospectus offers pre-election support to candidates:

We will provide briefings which will help candidates understand the wider context of their role - for example how police need to work with agencies on many agendas such as children at risk, families with complex needs, community disorder and reducing re-offending. This offer can be generic or party specific, to enable candidates standing on political platforms to meet with other candidates from their party to discuss shared approaches.⁴

3. Police and Crime Panels

The Minister for Social Justice and Local Government, Carl Sargeant AM, made a statement in October 2010 which set out the opposition of the Welsh Government to the proposals for the creation of police commissioners. The Bill included proposals to set up joint committees of local authorities in each police area (known as Police and Crime Panels) in order to scrutinise the Police Commissioners. The Assembly already had the legislative competence to make law to provide for local authority joint committees to be established for particular purposes, which is why a Legislative Competence Motion was required.

The Welsh Government, therefore, found itself bringing forward an LCM with which it was not in agreement. The Minister stated:

This is the final legislative consent motion for today, on the more difficult issue facing us, relating to the proposals for police and crime commissioners. Members will be aware that the Police Reform and Social Responsibility Bill currently before Parliament will abolish police authorities and replace them with directly elected police and crime commissioners. Members will also know that the Welsh Assembly Government is fundamentally opposed to these proposals in principle. I made our position clear in my statement to Members in October last year, and do not intend to repeat our objections in detail today, except to say that it remains our view that the case for change has not been made by the Westminster Government.⁵

The motion stated:

To propose that the National Assembly for Wales, in accordance with Standing Order 26.4, agrees that those provisions relating to Police and Crime Panels in Part 1 of the Police Reform and Social Responsibility Bill, as introduced into the House of Commons on 30 November 2010, so far as they fall within the legislative competence of the National Assembly for Wales, should be considered by the UK Parliament.⁶

³ [LGA, *Police and Crime Commissioners' Association: the prospectus*, 14 May 2012 \[accessed 30 May 2012\]](#)

⁴ Ibid.

⁵ RoP, 8 February 2011

⁶ Ibid.

The vote was For 17, Abstain 15, Against 23. The Cabinet and Deputy Ministers abstaining.

Following the refusal of legislative consent by the Assembly⁷ in respect of local authority appointments to Police and Crime Panels (PCPs), the UK Government amended the Bill to give the Home Secretary, rather than local authorities, the power to form PCPs within Wales. These panels will be established separately from local government structures. A PCP will be a free-standing body, formed and maintained by the Home Secretary.

PCPs in Wales will have identical functions, powers and duties to those in England it will just be the way in which they are formed and maintained that will differ.

The Home Secretary will invite local authorities across a police area to nominate members for the PCP. In the absence of nominations, the Home Secretary will select members of the local authorities who she will invite to take part.⁸

A Transition Project Board for Wales was established in February 2012. It heard that the Welsh Government Minister for Social Justice and Local Government, Carl Sargeant AM, had written to local authorities in Wales asking them to develop a process for nominating councillors to Police and Crime Panels. The Home Secretary wrote to English councils inviting them to collectively agree PCP membership, host authorities and PCP arrangements at the end of January 2012. A similar letter to Welsh councils will follow shortly, following discussions between the two Governments.⁹

4. Timing

The Bill originally provided that the election of PCCs would take place in May 2012. However, there were concerns about timing from the outset by the Electoral Commission given that they are a new set of elections:

An important factor in the delivery of well-coordinated and well-run polls will be clear legislation. We continue to highlight our firm recommendation following the Scottish Parliament elections in 2007 that the rules relating to any elections must be clear from at least six months in advance. This is so that campaigners, Returning Officers and the Commission are not left with uncertainty about their respective roles and responsibilities and can undertake the necessary planning and preparation.

⁷ [Research Service, *Welsh Provisions in Westminster Bills: An Update*, Research Paper, 11/047, July 2011 \[accessed 20 December 2011\]](#)

⁸ [Home Office, *Police and Crime Panels in Wales*, FAQs \[accessed 15 May 2012\]](#)

⁹ [Home Office, *Wales PPC Bulletin*, No.5, February 2012 \[accessed 15 May 2012\]](#)

The proposed PCC elections on 3 May 2012 will be conducted under an entirely new electoral system and on untested boundaries, so adherence to this principle is more important than ever.¹⁰

During the Bill's passage MPs and Peers were concerned that if the PCC elections were held on the same day as local government elections then issues would be obscured.

The House of Lords approved an amendment to the Bill before Royal Assent to change the date of the first elections for PCCs to November 2012. The Electoral Commission stated:

Whilst the need for reform is urgent, and the preparations for elections in May 2012 were on track, the tight timescales for planning and holding elections means a November election will allow proper time for preparations to be made to ensure the elections are properly administered. This additional time will also allow good quality independent candidates to benefit from additional time to plan and campaign for these elections.¹¹

The UK Government subsequently agreed to move the elections to **15 November 2012**.¹² The Electoral Commission commented on the new date that:

A November election will coincide with the annual canvass of electors. While there will be a number of options available to each Electoral Registration Officer (ERO) in updating their registers during this period, it is possible that different approaches may be adopted across different areas of the country, possibly resulting in inconsistent practice within a single force area. This could present risks to the accuracy and integrity of registers used for the PCC elections and for the elections in May 2013. The Government should therefore make clear how it intends to ensure consistency of approach in managing this process.

There are almost half as many daylight hours on 15 November compared with early May and there is also the increased likelihood of inclement weather. It is possible (though not proven) that such conditions could discourage some electors from participating in the election and limit campaign activities by candidates. We would therefore be interested to know what the Government's assessment of this issue has been in selecting this date.

Stand alone elections will incur greater costs than elections combined with other elections. The Government should quantify the additional expense and ensure that Returning Officers are adequately resourced to ensure that the elections are well-run.¹³

PCCs will be elected for fixed four-year terms, although the understanding is that the first term will be three-and-a-half years long, so that future PCC elections do coincide with local elections.¹⁴

¹⁰ [Electoral Commission, *Police Reform and Social Responsibility Bill: House of Lords Second Reading, Briefing*, 27 April, 2011 \[accessed 20 December 2011\]](#)

¹¹ *Ibid.*

¹² ['Police Authorities slam commissioner election delays', *Public Finance*, 8 September 2011 \[accessed 20 December 2011\]](#)

¹³ [Electoral Commission, *Police Reform and Social Responsibility Bill: Lords Consideration of Commons Amendments, Briefing*, 14 September, 2011 \[accessed 20 December 2011\]](#)

Following the first election in November 2012 elections, the next election will take place in May 2016 and every subsequent four years.

5. Voting system

The **supplementary vote system** is to be used for PCC elections. This is currently the system used to elect mayors in England. Under the supplementary vote system, a voter is asked to indicate first and second preferences, if no candidate has 50 per cent of the first preference votes, the two candidates with the highest number of first preference votes go forward to a second round.

In the second round of counting ballots indicating a first preference for a candidate that lost the first round are reallocated according to the second preference indicated in the ballot paper.

6. The Electorate

The electorate is the same as that used for local and Assembly elections, namely:

- a British citizen living in the UK or registered to vote as a crown servant or member of the armed services;
- a European Union citizen living in the UK;
- a Commonwealth citizen who either does not need leave to be resident in the UK, or has the necessary leave and is legally resident in the UK.

7. Candidates

A person is eligible to stand as a PCC if:

- they are 18 or over;
- they are a British, Commonwealth or EU citizen;
- they are registered to vote in the force area in which they wish to stand.

A person may not stand as a PCC if they have been convicted of an imprisonable offence. Public servants are also disqualified, including:

- civil servants
- judges
- police officers

¹⁴ [Institute of Government, *Who Chose the Sheriff?: finding quality candidates for the police and crime commissioner elections*, November 2011](#) [accessed 9 January 2012]

- members of the regular armed forces
- employees of councils within the force area
- employees of a police related agency
- employees of other government agencies
- politically restricted post-holders
- members of police staff (including Police Community Support Officers) or
- members of a police authority.

AMs, MPs and MEPs will be able to stand as PCCs but will need to stand down from their existing post before being able to accept the post.

The Home Office has provided a leaflet for interested candidates: [Police and Crime Commissioners: Have you got what it takes?](#)

The legislation requires that candidates are resident in the electoral area at the time of nomination and on election day itself. In November 2011 the Institute of Government published an ideas paper about selecting candidates for the PCC elections. It stated:

This residency restriction rules out anyone based in London, which includes many senior figures in all parties. But also, it may prove difficult for the parties to find suitable candidates in areas where they are less strong – such as much of the south for Labour, and much of the north for the Conservatives. This rule may increase the likelihood of independents being given a free or less contested run by the parties. This restriction also means that the parties cannot draw up a single national list of potential candidates in the way that all do for parliamentary elections. Instead there will need to be separate long and short lists created separately for each area.¹⁵

7.1. Conservatives

The Conservatives listed the criteria that they were looking for in police commissioner candidates:

- Very high calibre candidates for what will be high profile and public roles.
- Police and Crime Commissioners will have to be leaders.
- Commissioners will need to work with the police as well as with other local agencies while engaging with the public and the media.

The party said that it “would be casting the net widely and certainly will look beyond those who have previously worked on police authorities”. It added that

¹⁵ [Institute of Government, *Who Chose the Sheriff?: finding quality candidates for the police and crime commissioner elections*, November 2011 \[accessed 23 March 2012\]](#)

Commissioners could come with experience as business leaders, from military or policing backgrounds, from national as well as local politics, or from other fields.¹⁶

7.2. *Labour*

Labour listed its criteria in a similar way, saying that candidates should:

- Be committed to building on Labour's record falls in crime and action to tackle anti-social behaviour in their local area;
- Have the strategic vision to both support and hold to account the Chief Constable in building confidence in the police, promoting community safety, reducing crime and antisocial behaviour, determining local policing priorities and contributing to action on national priorities such as organised crime and prevention of terrorist activity;
- Be champions for the communities in which they live;
- Engage with the public and local communities and work to protect neighbourhood policing – a flagship Labour reform – which is being threatened by the scale of the Government's cuts;
- Be committed to working in partnership with other criminal justice agencies, local government, voluntary agencies and community groups to strengthen community safety and to prevent crime;
- Have the skills to lead a dynamic, complex, forward-looking organisation, accountable to local people;
- Be able to offer strategic lead on policing issues;
- Have a commitment to the values and ideals of the Labour Party;
- At all times recognising and respecting the operational independence of the Chief Constable and fully-sworn officers.¹⁷

7.3. *The Liberal Democrats*

In October 2011 the Liberal Democrat Federal Executive (FE) decided that the federal party will not be providing any financial backing to Liberal Democrats wishing to stand for election as Police and Crime Commissioners. The expectation is that instead the party will end up backing independent candidates, although it has been made clear that local areas can decide to field candidates if they wish to – albeit without any financial backing from the central party.

¹⁶ [Conservative Party, Police and Crime Commissioner Elections 2012 webpage \[accessed 28 March 2012\]](#)

¹⁷ [Labour Party, Police and Crime Commissioner Elections 2012 webpage \[accessed 28 March 2012\]](#)

The strong preference given, however, is for Liberal Democrats to back independent candidates. As FE chair and Party President Tim Farron MP wrote to regional parties:

Individual Liberal Democrats may support non party candidates. This is a continuation of the view that Liberal Democrats in government and parliament have been expressing as the legislation has gone through Westminster: that whilst effective accountability of the police is essential, it is imperative that operational policing does not become a political football.¹⁸

7.4. *Plaid Cymru*

In January 2012 Elfyn Llwyd MP published an article on Plaid Cymru's website which rehearsed the party's opposition to Police and Crime Commissioners but concluded:

Plaid Cymru have several criteria for what would make a good police commissioner in Wales. They should be people who support Welsh control of the criminal justice system from start to finish, should put the welfare of the wider community first and should be against the politicisation of the police force.

We would welcome making contact with any candidate who meets these criteria and wants to stand for election as police and crime commissioners as an independent, non-partisan candidate.

If four such candidates can be found around Wales, one for each police force area, then Plaid Cymru would support these candidates.

If, however, such candidates did not come forward, then we will put forward our own candidate so that electors would have the opportunity to support the above aims that must be represented on the ballot paper.

We therefore invite members of the public who support our aims on policing to come forward and help ensure effective and improved policing for our communities.¹⁹

7.5. *Potential Candidates*

Potential candidates have started to express interest in standing as Police and Crime Commissioners. The Police Foundation is **monitoring** the situation across Wales and England but the situation in the Welsh police areas, as at 19 June 2012, is shown below. Labour announced their selected candidates on 18 June 2012.²⁰

¹⁸ [Liberal Democrat Voice, *Liberal Democrats decide to pass up on fighting police commissioner elections \(mostly\)*, 27 October 2011 \[accessed 28 March 2012\]](#)

¹⁹ [Elfyn Llwyd MP, *Police Commissioners – the way forward*, 14 January 2012, Plaid Cymru website \[accessed 23 March 2012\]](#)

²⁰ [BBC News, *Welsh Labour names Police Commissioner candidates*, 18 June 2012 \[accessed 19 June 2012\]](#)

Dyfed-Powys

Nick Bourne, the former leader of the Welsh Conservatives is considering seeking the Conservative nomination in Dyfed-Powys.²¹

John Davies, the Independent leader of Pembrokeshire council announced he would be seeking election but still has to decide if he will run for commissioner representing a political party or as an Independent.²²

Former Conservative AM **Rod Richards** is also considering standing as **Independent**.²³

Former AM **Christine Gwyther** is the **Labour** candidate.

Gwent

Solicitor and former Parliamentary candidate **Hamish Sandison** is the **Labour** candidate.

Former Welsh Secretary and First Minister **Ron Davies** was planning to stand, probably as an **Independent**²⁴ but his comments following his defeat in the recent council elections suggest he may be reconsidering:

Mr Davies admitted he had considered standing as an Independent for police commissioner this November but said: "In the current mood of the country, that will go to Labour. But I won't be sitting back and doing nothing."²⁵

Chris Wright, a former police officer, is running as an **Independent** and already has a [campaign website](#).

Ian Johnston is also standing as an **Independent**.

North Wales

Tal Michael former Chief Executive of the North Wales Police Authority, is the **Labour** candidate.²⁶

Also standing as an **Independent**, is [Richard Hibbs](#).²⁷

²¹ [Western Mail, 'Nick Bourne considers a comeback in police commissioner role', 12 January 2012 \[accessed 28 March 2012\]](#)

²² [Western Telegraph, Former Leader goes for police role, 19 May 2012 \[accessed 30 May 2012\]](#)

²³ [Western Mail, 'Former Conservative Assembly Leader Rod Richards may oppose Nick Bourne in police commissioner race' 13 January 2012 \[accessed 28 March 2012\]](#)

²⁴ [Caerphilly Observer, 'Ron Davies confirms interest in police commissioner role', 30 January 2012 \[accessed 29 March 2012\]](#)

²⁵ [Wales Online, Election 2012: Ron Davies swept away as Labour brush off Plaid, 4 May 2012 \[accessed 15 May 2012\]](#)

²⁶ [BBC News, Police chief Tal Michael seeks commissioner nomination, 13 January 2012 \[accessed 29 March 2011\]](#)

²⁷ [Police Foundation, Police and Crime Commissioners: Who's running? \[accessed 29 March 2012\]](#)

South Wales

Former Wales First Secretary (before the job was called First Minister) and Home Office minister **Alun Michael** is the **Labour** candidate.²⁸ There will now be a by-election in his seat of Cardiff South and Penarth.

Michael Baker is standing as **Independent**.

7.6. *Police Foundation Research*

The **Police Foundation** has calculated the level of support for each political party in each police force area, based on the 2010 General Election results and using the 2010 British Election Study to estimate voters' second preferences (as PCC elections will use the supplementary vote system).²⁹ In addition to this, given that the polls have changed considerably since the 2010 election, they used recent opinion polling data to calculate the change in support for each party and its consequences. Given that the Liberal Democrats are not expected to put forward candidates in most areas, they also calculated what support the remaining parties would have if this were to be the case. The results for Welsh police areas, as calculated by the Police Foundation, in the different scenarios are:

- The party which would have the most support in each area, based on the **2010 General Election results** and using second preferences to replicate the supplementary voting system: **Labour to win North Wales, South Wales and Gwent. Liberal Democrats to win Dyfed-Powys.**
- The party which would have the most support in each area, based on the **2010 General Election results** and using second preferences to replicate the supplementary voting system, **but not including the Liberal Democrats**: **Labour wins all four** police areas.
- The party which would have the most support in each area, **based on recent opinion polling** and using second preferences to replicate the supplementary voting system. **Labour wins all four** police areas.
- The party would have the most support in each area, **based on recent opinion polling** and using second preferences to replicate the supplementary voting system but **not including the Liberal Democrats**. The researchers were not able to calculate who would have the most support in the four Welsh constituencies in this scenario, as the necessary data is not available

²⁸ [BBC News, Alun Michael seeks nomination for commissioner election, 5 January 2012 \[accessed 28 March 2012\]](#)

²⁹ [Police Foundation, Police and Crime Commissioners: Political Support, March 2012 \[accessed 2 April 2012\]](#)

The Police Foundation researchers acknowledge that there are substantial caveats to this analysis, namely:

- it takes no account of any impact that independent candidates may have on the election;
- it does not take into account that these are single-issue elections for a local leader, not a general election which may affect turnout while the electorate may vote differently in a locally-focused election;
- it assumes that, when calculating the swing since 2010, the change will be the same across Wales and England and that second preferences will not have changed in the meantime;
- finally, the analysis assumes that all the parties that stood in the 2010 General Election will stand in all the PCC elections, other than where they have specifically removed the Liberal Democrats.

In the context of Wales, there is substantial evidence that voting patterns change in local elections and people are more likely to vote for independents – in fact, in 2008 the independent candidates had the largest share of the vote with 28 per cent, although the 2008 local elections were notably bad for Labour.³⁰ In 2012 Labour made a considerable come back but independents are still second in terms of councillor numbers.³¹ Voting patterns also vary in Assembly elections with Plaid Cymru's vote outstripping its performance in UK general elections. What is unknown is how the Welsh electorate will view these elections: will the electorate see it as form of local election and be more ready to vote for independents or will party preference prevail? And what impact will the decision of the Liberal Democrats and Plaid Cymru not to put forward candidates have?

Another unknown factor is the possibility of a low turnout. A poll held in early May 2012 found that 57 per cent of respondents did not know anything about the elections and a further 24 per cent had heard about the elections but "do not know much about them". 71 per cent of women said that they have not heard anything about the upcoming elections. Such levels of disengagement lead to worries that turnout will be low.³²

³⁰ [Research Service, *Local Election Results 2008 \(updated\)*, Research Paper 08/039, June 2008 \[accessed 2 April 2012\]](#)

³¹ [Wales Online, *Data -2012 Local Election Results* \[accessed 15 May 2012\]](#)

³² [Guardian, *Police commissioner elections leave voters baffled and indifferent, says poll*, 15 May 2012 \[accessed 15 May 2012\]](#)

8. Police and Crimes Commissioner Elections Order 2012

The UK Government has laid the [*Police and Crime Commissioner Elections Order*](#)³³ before Parliament for approval. The Order contains rules for the first elections. The rules cover standing for election, the limits on spending by candidates and other campaigners at the election, which donations candidates can accept, which donations have to be reported, and how the election will be run.

The Electoral Commission has produced [*guidance*](#)³⁴ for candidates and agents, and other organisations affected by these rules. The Guidance covers:

- who can stand for election and the nomination process;
- the appointment of election agents;
- campaigning do's and don'ts;
- what to expect and do at key election proceedings including postal vote opening sessions, polling stations and the count;
- the limits on candidates' campaign spend between 8 October 2012 and polling day in each police area. Each police area will have a maximum spending limit instead of a formula;
- which donations candidates can accept and which have to be reported. For instance, candidates will only be able to accept donations over £50 from certain types of donor, such as individuals on an electoral register. These rules will apply to all donations that fund campaigning from 8 October 2012 onwards;
- potential candidates may also need to tell the Electoral Commission about other donations made before 8 October 2012 to their campaign if they are also a member of a political party, or an elected councillor, an elected mayor, a Member of one of the UK's Parliaments and Assemblies, or a Member of the European Parliament;
- how to record and report these donations after the election in the candidates' expenses return. All candidates' returns are made public after the election and are available for inspection.
- The limits on spending by other people and organisations campaigning for or against particular candidates between 8 October 2012 and polling day

Key points in the Draft Order:

- The nomination paper must be subscribed by **two electors** as **proposer** and **second**, and by 98 other electors as assenting to the nomination;

³³ [Draft Police and Crimes Commissioner Elections Order 2012 \[accessed 21 May 2012\]](#)

³⁴ [Electoral Commission, Standing at a Police and Crime Commissioner Election, June 2012 \[accessed 19 June 2012\]](#)

- Candidates require a **deposit of £5,000**. If the candidate does not get 5 per cent of the vote the deposit is lost;
- The limitation on candidate expenses is set on a per police area basis.
- 300 word official election addresses can be written and will be posted on a **central national website**.
- Candidates will be able to keep their home addresses secret; those that do will have to declare they live in the relevant force area.
- No member of a police force for any police area may by word, message, writing or in any other manner, endeavour to persuade any person to give, or dissuade any person from giving, his or her vote, whether as an elector or as proxy at a PCC election.

The limits on candidates' campaign spend between 8 October 2012 and polling day in each Welsh police area, as laid out in the draft Order, are:

Police Area	Maximum Amount £
Dyfed-Powys	72,622
Gwent	78,422
North Wales	95,241
South Wales	174,179

There are also limits on spending by other people and organisations campaigning for or against particular candidates between October 2012 and polling day. For the Welsh police areas these, as laid out in the draft Order, are:

Police Area	Maximum Amount £
Dyfed-Powys	2,035
Gwent	2,199
North Wales	2,674
South Wales	4,904

There is no spending limit on national campaigning by political parties, or by non-party campaigners who support or oppose a group of candidates at these elections.³⁵

A timetable for the elections can be seen below.

Date	Event
8 October 2012	Deadline to apply to register a new party to contest elections
8 October 2012	Last date for publication of notice of election
12 noon on 19 October 2012	Close of nominations
6/7 December 2012*	Last day for receipt of invoices for election spending
13/14 December 2012*	Last day for payment of invoices for election spending
24/25 January 2013*	Last day for submitting election spending return
7 working days from the day the candidate's spending return is submitted	Last day for receipt of candidate's declaration
22 November 2012	PCCs take office

Source: Electoral Commission.

* depends on whether the election result is declared before midnight on 15 November or on 16 November

³⁵ [Electoral Commission, Police and Crime Commissioner Elections webpage \[accessed 21 May 2012\]](#)