

Jane Hutt AM
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

15 September 2016

Dear Jane

Thank you for your letter, dated 20 July 2016, highlighting your concerns about the publication of election candidates' personal data on ballot papers. I was shocked and deeply saddened by the tragic death of Jo Cox and believe the safety of candidates in elections is paramount. In response to your letter, I asked Assembly officials to look into the legal position regarding the publication of personal data.

For principal authority elections (i.e. county or county boroughs) the relevant Rules are The Local Elections (Principal Areas) (England and Wales) Rules 2006 (SI 2006/3304) ("Principal Areas Election Rules"). For Parish and Community Councils the rules are the Local Elections (Parishes and Communities) England and Wales Rules 2006 (SI 2006/3305) ("The Parish and Community Elections Rules").

The advice that I have received suggests that a candidate must provide their home address in full, and the returning officer must include the address in full on the statement of persons nominated as per the nomination paper. This information is also reproduced on the ballot paper. As such it would appear that it would not be possible to redact certain information from publication without amendments to the relevant legislation. I understand that, under the current settlement, the Cabinet Secretary would not be able to make the necessary amendments as the power to do so lies with the Secretary of State. However, this may change once the Wales Bill has been enacted if that power is transferred to the Cabinet Secretary through the relevant Transfer of Functions Order.

You will be aware that, if enacted as currently drafted, the Wales Bill will provide the Assembly with legislative competence in respect of local government elections, which would allow the introduction of a Bill to change the law relating to the publication of personal data of election candidates.

While I acknowledge the concern raised in your letter about the publication of personal data of candidates for election and the potential security risk associated with this, I believe that a review of the existing legislative arrangements and practices is something that would better be undertaken



by the Cabinet Secretary for Finance and Local Government, with executive responsibility for local government electoral arrangements.

Kind regards

A handwritten signature in black ink that reads "John". The letter 'J' is large and stylized, with a long horizontal stroke extending to the left.

John Griffiths AC / AM
Cadeirydd / Chair

CC: Cabinet Secretary for Finance and Local Government

