

In the Matter of a Local Government Election for the Queens Park Ward of the London Borough of Brent held on 4th May 2006. Synopsis of Faulty Count by Green candidate Dr Shahrar Ali.

On 5th May 2006 the Returning Officer declared that the number of votes received for each candidate was as follows:

ALI, Shahrar	Green	462
DEGAS, Rupert	Green	526
DHILLON, Gurmaj	Con	494
FERNANDEZ, Rocky	Ind	197
FREESON, Reginald	Lab	1055
GLADBAUM, Helga	Lab	1010
KWARTENG, Kwasi	Con	461
LAWSON-TANCREED, Emily	Lib Dem	1284
MOTLEY, William	Lib Dem	1102
NERVA, Neil	Lab	1059
TULLET, Jean	Lib Dem	1184
WEARMOUTH, William	Con	486

and that Emily Clare Lawson-Tancred, William Michael Motley and Jean Enid Tullett were duly elected.

The facts on which this Synopsis of Faulty Count relies are as follows:

Step			Notes
(a)	Ballot Papers Verified	3,642	source Brent
(b)	Potential Votes	10,929	3 potential votes per ballot paper
(c)	Votes Counted	9,320	source Brent
(d)	Votes that Must Not Have Been Used (Unspent)	1,606	10,929 - 9,320
(e)	Votes Unspent on Papers Voting For and Only For Independent Candidate	16	8 ballot papers separated out (2 unspent votes per paper)
(f)	Votes Unspent on Papers Voting For and Only For Two Green Candidates	120	120 ballot papers separated out (1 unspent vote per paper)
(g)	Votes Unspent on Papers Voting for All Three Candidates of a Single Party	0	Three sets of papers separated out for Conservative, Labour and Lib Dem as block votes; therefore no unspent votes here.
(h)	Votes Unspent on Spoilt Papers	57	19 spoilt papers (3 unspent votes per paper). Source: results sheet posted at Town Hall as summing five types of spoilt paper.
(i)	Mixed Ballot Papers	1,308	The near figure of 1,310 can also be obtained by subtracting the number of papers for block voting from the total papers, i.e., 3,642 - 8 [Ind] - 120 [Green] - 398 [Con] - 856 [Lab] - 950 [Lib Dem]. In correspondence of 12 May 2006, Brent gives a figure of 1,308 for the mixed pile and accept a difference of -2 as negligible.
(j)	Valid Papers in the Mixed Pile	1,289	Less 19 spoilt papers.
(k)	Potential Votes from this Pile	3,867	1,289 x 3
(l)	Unspent Votes that Would Have to be Found in this Pile	1,413	1,606 - 16 - 120 - 57
(m)	Therefore, Average Number of Used Votes that Would Have to be Found per Ballot Paper in this Pile	1.90	(3,867 - 1,413) / 1,289

(n) For the Count to be correct would have to mean that, on average, nobody was using their third vote across a run of about 1,300 ballot papers (since 1.90 is at least one vote not used per ballot paper). In addition, we should also have observed that, on average, for every ten ballot papers one and only one candidate was receiving a vote (since 1.90 is less than 2.0 again).

(o) However, (n) is *wildly contrary* to what was observed at the Count and, in particular, across the Mixed Pile. *To the contrary*, the vast majority of ballot papers in that pile contained three votes, not two.

(p) The frequency of Unspent Votes that would have had to occur is sufficiently contrary to what was observed that *beyond reasonable doubt* a miscount must have occurred.

(q) *The most likely explanation* is that *n hundred* ballot papers from the Mixed Pile were left uncounted – as many ballot papers as it would take to render the number of unspent votes by subtraction true to what was observed (to wit, marginal not highly disproportionate) – and that the vote share would be significantly altered on a recount.

(r) On 18 May 2006 Brent Electoral Services, acting in good faith to address the concerns of the Green candidate, did write to all the candidates at this election to concede the following: that it was unable to fault the candidate's calculations; that without recounting the votes it could not be sure if the candidate's conclusions were correct; that it awaited a petition to that end; and that it *regretted the uncertainty that resulted in the meantime*.

In absence of a recount, see next page for a mathematical attempt to compensate for the miscount.

TABLE: Extrapolation for what the results might really be, after making reasonable assumptions about the scale of the miscount and where it occurred. Let it be used as part of a justification for a recount.

Extrapolation of Official Result for Queens Park Ward 2006		(1)	(2)	(3)	(4)
		Block Vote Counted	+ Mixed Pile Counted	+ Mixed Pile Not Counted	Extrapolated Correction for Miscount
ALI, Shahrar	Green	120	+342	+188	650
DEGAS, Rupert	Green	120	+406	+223	749
DHILLON, Gurmaj	Con	398	+96	+53	547
FERNANDEZ, Rocky	Ind	8	+189	+104	301
FREESON, Reginald	Lab	856	+199	+109	1164
GLADBAUM, Helga	Lab	856	+154	+85	1095
KWARTENG, Kwasi	Con	398	+63	+35	496
LAWSON-TANCREED, Emily	Lib Dem	950	+334	+184	1468
MOTLEY, William	Lib Dem	950	+152	+84	1186
NERVA, Neil	Lab	856	+203	+112	1171
TULLET, Jean	Lib Dem	950	+234	+129	1313
WEARMOUTH, William	Con	398	+88	+48	534

Columns (1) and (2) give figures as recorded by Brent electoral services.

Column (3) attempts to correct for the number of votes which must have gone accidentally unrecorded. The claim is that 1,413 votes left to be accounted for in the Mixed Pile (step (l) on page 1) did not in fact consist of unspent votes across the ballot papers on which votes *were* counted – such wastage would have had to have occurred at a phenomenal rate, contrary to everybody's observations – but are instead to be accounted for as votes for candidates across ballot papers which ended up missing a crucial counting step on the night. The figures for this column are calculated as per the following assumptions:

- Only 71 (5%) of the 1,413 votes remaining to be accounted for were actually unspent votes, quite consistent with eye-witness reports of what was observed across that pile;¹
- Therefore, 1,342 votes remain to be counted (1,413 – 71);
- Distribution of votes for each candidate in the Mixed Pile, given a large enough sample, would follow the Pattern already observed for that part of the Pile already counted;
- Votes per candidate Lost as a result of the miscount calculated using the following formula: $1,342/2,460 \times n = 0.55 \times n$; where 2,460 is the total number of votes already counted from the Mixed Pile and n is the number of votes already counted per candidate in the Mixed Pile.

The extrapolated result in column (4) put Nerva and Freeson, respectively, just 15 and 22 votes behind Motley. Either Labour candidate clearly has much to gain from a recount. Moreover, as a proportion of their final vote share, the Greens and the Independent candidate were polling particularly well in the Mixed Pile. The extrapolated result reflects this.

Where to go from here? As a minimum, the ballot papers must not be destroyed after six months but kept indefinitely, so that they may be subject to any legal challenge or future freedom of information request. They contain all the answers. Moreover, Brent has a *duty* to investigate these claims – *proactively* – to ensure that your votes get counted and recorded!

¹ 5% equates to roughly 1 in 7 ballot papers having only two votes used or 1 in 14 with only one candidate voted for. This assumption gives an overall figure for the total number of unspent votes for Queens Park in 2006 as 264. This compares sensibly with 513 unspent votes for Queens Park in 2002 or 387 unspent votes for the adjacent ward of Kensal Green in 2006. One could expect a higher number of unspent votes in these other elections because in 2002 there were only 10 candidates in QP and in 2006 there were only 11 candidates in KG. Having anything other than a multiple of 3 candidates standing is clearly conducive to greater unspent votes (unlike QP in 2006, which was also strongly contested).