

Appendix – Manchester City Council’s Response to the Consultation

Q1. Do you agree that an individual who is subject to the notification requirements set out in the Sexual Offences Act 2003 (i.e. who is on the sex offenders register) should be prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor?

Response – The City Council agrees that an individual subject to the notification requirements should be prohibited

Q2. Do you agree that an individual who is subject to a Sexual Risk Order should not be prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor?

Response – The City Council does not agree that an individual who is subject to a Sexual Risk Order should not be prohibited.

Q3. Do you agree that an individual who has been issued with a Civil Injunction (made under section 1 of the Anti-Social Behaviour, Crime and Policing Act 2014) or a Criminal Behaviour Order (made under section 22 of the Anti-Social Behaviour, Crime and Policing Act 2014) should be prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor?

Response – The City Council agrees with the question where the issuing of a Civil Injunction (‘the Injunction’) or Criminal Behaviour Order (‘the Order’) relates to an adult. The City Council is of the view that the proposal should not be retrospective and such Injunctions and Orders should only be taken into account where made in respect of an individual who was an adult at the time the Injunction or Order was made.

Q4. Do you agree that being subject to a Civil Injunction or a Criminal Behaviour Order should be the only anti-social behaviour-related reasons why an individual should be prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor?

Response – The City Council agrees with the question i.e. that being subject to a Civil Injunction or a Criminal Behaviour Order should be the only anti-social behaviour-related reasons why an individual should be prohibited.

Q5. Do you consider that the proposals set out in this consultation paper will have an effect on local authorities discharging their Public Sector Equality Duties under the Equality Act 2010?

Response – The City Council does not consider that the proposals set out in the consultation paper would have an effect on local authorities discharging their Public Sector Equality Duties under the Equality Act 2010.

Q6. Do you have any further views about the proposals set out in this consultation paper?

Response - The City Council believes the scope of the consultation should be widened so that:-

- *consideration can be given to re-instating the powers local authorities had to impose the range of sanctions which were available prior to the changes implemented by the Localism Act 2011, on members who breach a council's Members Code of Conduct; and*
- *all members and prospective members should be able to demonstrate that they could pass Disclosure and Barring ('DBS') checks or a similar regime.*