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## Background

The Government made commitments to review the range of new voting systems in the UK in manifestos dating back to 2001.

This publication of 24 January 2008 meets that manifesto commitment by reviewing the experience of the Welsh, Scottish and London elections under AMS (MMP), the European Parliament elections under closed list PR, Northern Ireland assembly elections under STV, and the London Mayoral elections under SV. It also looked at the implications for using an alternative system than FPTP for Westminster.

## What the review says

The content of the Ministry of Justice's Review of Electoral Systems is, in the main, a fair and detailed treatment of the issues around electoral systems. It did not commission new research and consultation but is a synthesis of existing published evidence and arguments.

The review demolishes some of the arguments most cherished by opponents of electoral reform. It is no longer possible, without contradicting the government's research findings, to argue that PR leads to unstable government; that PR does not give people more choice and more power to elect; that PR is too confusing for voters; or that STV destroys the relationship between representative and constituent.

- **“We do not find a difference between PR systems and FPTP in terms of delivering stable and effective government** although, with a greater number of parties involved under PR, the political landscape can be more dynamic. In the experience of the UK, coalition governments can be just as stable as single-party governments.” (para 6.168)
- **“We do not find, on balance, any evidence to suggest that voters find one voting system easier or more confusing than another voting system.”** (para 6.170). The report goes on to note that ‘combined election with different voting systems have caused voter confusion and problems of invalid votes, largely due to the design of ballot papers and information provided to voters, with some evidence of a greater impact in socially deprived areas.’ The actual finding on this point utterly contradicts some claims that have been made in the media.
- **“In conclusion, FPTP has the simplest direct relationship between representative and constituent. STV also allows for a direct relationship, but there are a number of potentially competitive representatives and greater choice for the electorate...** Whether the connection between constituents and representative is stronger under FPTP or STV (both candidate based systems)

depends on one's perspective about whether there should be single or multi-member constituencies and representatives' (Para 6.113 p118)

It also provides support, although carefully phrased, for arguments favoured by reformers.

- **“One of the main benefits of PR, and in particular STV, is that voters have a greater degree of choice in elections and a greater chance of their vote counting in terms of who gets elected.”** (para 6.169)
- **“On the criteria of social representation, the newly introduced voting systems have improved the situation of women,** although Labour's positive action policies have also been an important contributory factor. There has been very little improvement in the representation of BME groups across all voting systems and it is clear that for both ethnic and gender representation, party behaviour in terms of selecting candidates is more critical than the voting system alone.” (para 6.172) The report therefore clearly states that PR has in fact helped, although everyone would concede that it is not the only factor involved.
- The report, correctly, is cautious about making claims relating to the effect of electoral systems on **turnout** at the different levels of government in the UK. But because we are dealing with different (sometimes new) institutions and contexts, there are too many different factors to make direct conclusions from the UK evidence. The UK evidence leaves the question open (a 'no evidence' finding here does not mean that an effect does not exist once you allow for other variables).
- However, the report does find that using systematic international comparisons PR systems tend to have 5 percentage points or so higher turnout than majoritarian (including FPTP) systems. “Five percent is probably a reasonable average differential worldwide in the 1990s.” (para 7.92, page 164). The press release belittles this by referring to the effect as 'marginal', but 5 per cent is actually quite significant – and certainly does better than the gimmicky changes in voting techniques that the government seems to favour.

It should be noted that, although there are occasional references to the Alternative Vote (AV), because it is not used in the UK it was not a core element of the Review. The Review did not go into the pros and cons of that system.

The review document is therefore a useful contribution, but it does not purport to be the end of the discussion. It does not refute the arguments most generally used by reformers, and it does refute some arguments commonly made by critics of PR.

## **What is missing?**

### **Appraisal of AV**

The possibility of introducing the Alternative Vote for Westminster elections was not covered, presumably because it lay outside the brief given to the authors of the report. AV has been given some attention as a possible reform at Westminster level and the government's views about the system would be of interest. AV shares many of the characteristics of FPTP that are discussed in the report, although it has some properties of its own because it uses preferential voting. The report sets up an opposition between FPTP and PR systems without exploring some of the possibilities, such as AV or a majoritarian version of PR such as the Jenkins Commission's AV+, which will feature in the continuing debate.

## **Appraisal of local government**

English (and Welsh) local government did not feature in the report's analysis because they were outside the remit of the report. This exclusion means that an important part of the immediate debate does not feature, and also some of the treatment of FPTP in the report leaves out some context on how it works in practice in the UK. The report (para 6.113) is approving of STV as a system for choosing representatives when there are multi-member seats. The recent report of the Councillors' Commission was favourable towards the use of STV in local elections in England, and STV has been used successfully for local elections in Northern Ireland and now Scotland.

## **How the review was presented**

Despite the positive implications for policy development within the report, the politics surrounding its publication was disappointing. The ERS has concerns that the presentation of the review detracted from the overall positive and balanced message of the review.

### **Written statement**

We were initially disappointed that the review was announced via a Written Ministerial Statement, rather than a statement to the House allowing for an immediate debate.

### **Press release**

The press release issued by the Ministry of Justice failed to give an accurate version of what is in the report, and consequently the media coverage that followed it was seriously misleading.

For example the press release states that "there is no clear causal relationship between proportional representation and a range of desirable outcomes." However, the report finds that there is a direct correlation between PR systems and proportionality, voter control of the election and voter choice.<sup>1</sup>

Perhaps more worrying for the future was the statement in the release that 'We hope this review will inform that ongoing debate but we do so in the firm belief that the current voting system for UK general elections works well' as this appears to close down the debate on reform for the commons.

The overall tone of the press release unfortunately lead to some negative and misleading media coverage, which concluded that PR had been rejected for general elections<sup>2</sup>.

## **Where now?**

### **No debate**

The report is not intended to be the end of the process and the comment by Michael Wills that the review will 'inform that ongoing debate' is welcome.

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<sup>1</sup> On proportionality the report states: "All the new systems have achieved a higher degree of proportionality in outcome than FPTP" (Para 6.20). On effectiveness the report states "STV provides ordinal choices and greater scope for voters to select between candidates and parties, with greater potential to choose the winner, and fewer 'wasted' votes." (Para 6.82) On choice the report states "STV also allows for a direct relationship, [between constituent and representative] but there are a number of potentially competitive representatives and greater choice for the Electorate" (Para 6.113)

<sup>2</sup> [http://news.bbc.co.uk/1/hi/uk\\_politics/7206721.stm](http://news.bbc.co.uk/1/hi/uk_politics/7206721.stm)

Nor was the report intended to set out how that debate will continue; that is a matter for the Government at least initially. However, it is a pity that the Government seems so reluctant to do anything to foster that debate.

As mentioned above, the manner of the announcement of the review was disappointing in that it did not allow for a statement debate on the floor of the House. On the same day the Liberal Democrat Shadow Leader of the House, Simon Hughes, asked during business questions for a debate on the review. The response was that no debate on government time was being considered and that any discussion should be an adjournment or opposition day debate.<sup>3</sup>

### **No Forum for discussion**

It has also been made clear by the Minister that the proposed Speaker's conference which has been anticipated to look at issues of engagement will not be looking at electoral reform

### **No move before House of Lords reform**

Perhaps the most damaging obstacle presented however was the assertion that no progress could be made before decisions had been taken about an elected House of Lords. The Written Ministerial Statement stated that "at this point, it would be premature to seek to reform the electoral system for the Commons while the voting system for a reformed and substantially or fully elected House of Lords is still to be determined."

In terms of a timeline for progress we have worries that the decision has therefore been postponed indefinitely. A White Paper on House of Lords reform has been promised for the first half of this year, but the Government has acknowledged that any moves towards reform will not take place until the next parliament. Electoral reform for Westminster then has to wait its turn while an issue that has been unresolved and unfinished for a hundred years rumbles on.

Having said this, the content of the review remains sound, and will remain on the record for many years as the Government's contribution to the debate. We welcome this and are confident that in terms of policy, the report moves us towards reform.

### **Our ask for government**

Government has consistently stated that, if there is a case for reform of elections to Westminster, this should be decided through a public referendum. The case for reform of the House of Commons has been cogently argued in many analyses and reports, and they in turn made up the bulk of the Government's own review. So the question now is who decides whether there is a case - and how is a referendum question chosen?

The Electoral Reform Society favours a process that opens out this decision, and does not think it is satisfactory that the main beneficiaries of the current system are in control of the process.

### **Constitutional Convention**

A suggestion for such a process is a constitutional convention, including members of the public, allowing them to have their say on the review and the wider debate on electoral reform. The convention would draw up a referendum question which could be put to the public in line with Labour's 1997 manifesto commitment.

***The ERS is asking for the establishment of a constitutional convention that would allow the case for electoral reform to be assessed outside of Westminster***

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<sup>3</sup> <http://www.publications.parliament.uk/pa/cm200708/cmhansrd/cm080124/debtext/80124-0006.htm>

## **Governance of Britain**

The Governance of Britain process begun in September 2007 has delivered some positive developments in engagement. Numerous consultations have been launched, a series of regional consultative meetings have been initiated, there are plans to involve members of the public in formulating a statement of values and the website provides a good overview of the debates surrounding the constitution and democracy.

Though the Government Review of Voting Systems was branded with the Governance of Britain logo and advertised on the site there are no apparent plans to invite public responses. We would like to see the Government use this platform to summarise and advertise the findings of the review to participants in the process and invite responses.

***The ERS is calling on the Government to invite opinion and analysis of our electoral systems as a central plank of the Governance of Britain process.***

### **Electoral Reform Society 2008**

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