

## Commission Board - decision by correspondence, 16 August 2010

### Handling of the Question Assessment report to the Secretary of State for Wales

1. Commissioners received a paper (EC 65/10) on Monday 9 August, seeking their view on whether or not to accede to a request by the Secretary of State for Wales to be sent the Commission's report on its assessment of the proposed Wales referendum question early.
2. The Commission planned to send its report to the Secretary of State on the question assessment on or around 1 September 2010, and to publish it shortly thereafter. This was the established practice of the Commission when putting reports to the government into the public domain, and ensured transparency. The independence of the Commission's role in the question assessment process was a key element in engendering public confidence and in maintaining the integrity of the process.
3. In addition, it was noted that the press and media in Wales was aware of the relevant deadlines and would undoubtedly press for a response ten weeks after receipt of the question.
4. This information had been communicated to the Secretary of State for Wales, who had asked for a copy of the report five working days before publication. The views of the Board were sought in response to the Secretary of State's repeated request for earlier sight of the report.
5. In their responses, Commissioners endorsed the suggestion to provide the report to the Secretary of State at 11am and then publish the following day at the same time. This would balance the reasonable expectation of the Secretary of State that she should get some advance warning of the advice, while making sure that it was done in a way that did not compromise the Commission's transparency or independence.
6. Responses were received by email from all Commissioners.

**Agreed:** That the Commission's report and advice on the assessment of the Wales referendum question be embargoed and given to the Secretary of State for Wales 24 hours before publication (on or around 1 September 2010).

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Chair