

## European Union Referendum Bill 2015 - The Electoral Commission's statutory assessment of the referendum question

1 September 2015

### Introduction and recommendation

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The Political Parties, Elections and Referendums Act 2000 requires the Electoral Commission to publish our assessment of the intelligibility of any question included in a Bill for a UK-wide referendum.

Following the introduction of the European Union Referendum Bill in the House of Commons we assessed the proposed wording of the referendum question (including the Welsh language version) included in the Bill. As a result of our assessment, **the Commission recommends that Clause 1 of the Bill should be amended at Report Stage consideration of the Bill in the House of Commons on 7 September to change the wording of the referendum question.**

**We recommend that the wording of the question to be asked in the referendum currently specified in subsection (4) of Clause 1 should be removed, and that the following question wording should be inserted:**

*“Should the United Kingdom remain a member of the European Union or leave the European Union?”*

**The following answers to the question should also be specified in Clause 1:**

*“Remain a member of the European Union”*

*“Leave the European Union”*

**We recommend that the Welsh language wording of the question currently specified in subsection (5) of Clause 1 should be removed, and that the following question wording should be inserted:**

*“A ddylai'r Deyrnas Unedig aros yn aelod o'r Undeb Ewropeaidd neu adael yr Undeb Ewropeaidd?”*

**The following Welsh language answers to the question should also be specified in Clause 1:**

*“Aros yn aelod o'r Undeb Ewropeaidd”*

*“Gadael yr Undeb Ewropeaidd”*

This briefing summarises the Electoral Commission's assessment of the proposed referendum question. A full copy of our research can be found on our [website](#).

## Recommended referendum question wording

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The wording of the question included in the Bill on its introduction was:

**“Should the United Kingdom remain a member of the European Union?”**

**“A ddylai’r Deyrnas Unedig ddal i fod yn aelod o’r Undeb Ewropeaidd?”**

The response options would be **“Yes” / “Dylai”** and **“No” / “Na Ddylai”**

Whilst our research found that this question is generally easy to understand, we also heard from some campaigners and members of the public that it is not as balanced as it could be. This is because we heard through the consultation and research a perception that the question encourages voters to consider one response more favourably than the other. These views raise concern about the potential legitimacy, in the eyes of those campaigning to leave and some members of the public, of the referendum result – particularly if there was a vote to remain a member of the EU

We have previously recommended both a yes/no and a non-yes/no question for use at a referendum on European Union membership. However, in this assessment we have heard clearer views, particularly from potential campaigners to leave the European Union, about their concerns regarding the proposed yes/no question.

Our assessment suggests that it is possible to ask a question which would not cause comparable concerns about neutrality, whilst also being easily understood.

We therefore recommend that the following question be used at the referendum on the UK’s future in the European Union:

**“Should the United Kingdom remain a member of the European Union or leave the European Union?**

**Remain a member of the European Union**

**Leave the European Union”**

Welsh language question:

**“A ddylai’r Deyrnas Unedig aros yn aelod o’r Undeb Ewropeaidd neu adael yr Undeb Ewropeaidd?**

**Aros yn aelod o’r Undeb Ewropeaidd**

**Gadael yr Undeb Ewropeaidd”**

This would not be the first time that a referendum in part of the UK has not used a ‘yes/no’ question. The most recent national referendums not to use ‘yes/no’ were those held in Scotland and Wales in 1997.

## Referendum question assessment and previous research

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Our guidelines say that referendum questions should be clear and simple, that is, easy to understand; to the point; and not ambiguous. It should also be neutral, which means it should not encourage voters to consider one response more favourably than another or mislead voters. To inform our assessment we carried out research with members of the public to see how well the question in the Bill meets these guidelines and whether it is easy for voters to use and understand. The research included participants from a wide range of backgrounds, of different ages, across the UK who held a range of views on the issues around an EU referendum from both sides of the debate. We also consulted political parties and would-be campaigners, to seek their views and took account of views expressed by other individuals and groups who contacted us, including academics and experts on accessibility and plain language.

The Commission previously assessed the wording of a referendum question on the UK's membership of the EU in a Private Members' Bill introduced in 2013. We recommended then that the proposed question should be amended to reduce the risk of misunderstanding or ambiguity about the current membership status of the UK within the EU. We provided two alternative question wordings for Parliament to consider, the first of which is the question currently included in the Bill, the second is the question that we are now recommending it be amended to.

We provided two options in 2013 because, as highlighted at the time, we had not been able to fully test the question we are now recommending in the time available to us before we reported. We therefore made clear that, if Parliament amended the question in the Bill to include this wording, we would undertake further work to check whether this wording raised any new issues of intelligibility.

Parliament did subsequently amend the Bill to include the version of the question we are now recommending and we carried out this further research in early 2014. Taking into account the results of that, we were satisfied that the amended question wording (using "Remain a member of the European Union" and "Leave the European Union" as response options) was not only clear and straightforward for voters but was, at that time as well as confirmed in this latest research, also the most neutral wording from the range of wording options we had considered and tested.

More information about our previous referendum question assessments and recommendations can be found on our website.<sup>1</sup>

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<sup>1</sup> <http://www.electoralcommission.org.uk/find-information-by-subject/elections-and-referendums/upcoming-elections-and-referendums/eu-referendum/eu-referendum-question-assessment>