

Our approach to assessing the intelligibility of referendum questions

Our responsibilities

A referendum gives the public the opportunity to vote on a proposal put forward by government.¹ If a referendum is going to take place, a piece of legislation is written containing the proposed question. The law requires us to publish our views on the intelligibility of proposed questions for UK-wide, national or regional referendums.² The UK Government must also consult us on the intelligibility of proposed questions for local referendums in England and Wales on the way local authorities are run.³

This statement sets out the approach we will take to assess the intelligibility of referendum questions, including the timetable for this work.

Our aim and approach

Our aim is to look at a proposed question from the perspective of voters,⁴ to see if it is written in a way that means they are likely to understand it. This includes whether or not they can understand how to answer it. It is important that voters can mark their ballot papers easily, and that they are confident that they

have voted the way they intended to. Governments may make important decisions based on the outcome of a referendum, and so that outcome needs to be an accurate reflection of what voters want. This means that the question should present the options to voters clearly, simply and neutrally.

We have produced some referendum question guidelines that set out the criteria we will use to assess how intelligible a question is (see our referendum question guidelines).⁵ As well as looking at the question ourselves, we will gather evidence to help us with our assessment. This will include:

- carrying out research with the public (see next section for more details)
- asking for advice from experts on accessibility and plain language
- talking to other people, for example political parties and campaign groups associated with the referendum, and other key groups or individuals who have an interest in the referendum and its outcome

We will publish the research reports and a summary of the other evidence we have gathered and used in our assessment.

Research with the public

Because we want to look at whether or not voters can understand a proposed referendum question, we would need to get evidence of this from voters themselves. The best way for us to get this evidence is by carrying out research to see how people react to and understand the question, and we would want to do this for any referendum question we are asked to assess.

The research would usually be done through focus groups and one-to-one interviews. This type of research will help us to find out people's understanding of a proposed referendum question, their attitudes towards it, and the reasons why they think or feel the way they do about it. It also helps to explain why people may find a question easy or difficult to understand, and to

explore how the question could be made more intelligible. The research would focus on the question itself and how it is written, rather than on how people would vote.

We would include a wide range of people in the research, so that we can get the views of people with different backgrounds (e.g. people of different ages, gender, and levels of education), or people who live in different places.

Timetable

We should be able to publish our views on the intelligibility of a proposed referendum question around 10 weeks after finding out what the question is. This includes eight weeks to carry out public opinion research, based on getting at least two weeks' notice of the date when we will be given the exact wording of the question. We will do as much advance preparation as we can for the research – which is the part of our evidence-gathering that will take the longest – so that we can make sure it is completed as quickly as possible.

- 1 This statement only covers referendums on proposals put forward by governments, although referendums can be held on other issues. By 'government' we mean the UK Government, the Scottish Government, the Welsh Assembly Government or the Northern Ireland Executive.
- 2 The requirement is set out in the Political Parties, Elections and Referendums Act 2000 (PPERA). Our responsibility relates to referendums held under the framework of PERA.
- 3 Under Section 45 (8A)–(8D) of the Local Government Act 2000, inserted by Schedule 21 of PERA.
- 4 By 'voters' we mean people who would be eligible to vote in that referendum.
- 5 We produced our original guidelines in 2002 and have recently reviewed and updated them. The guidelines are available at www.electoralcommission.org.uk/elections/referendums

Feedback

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