

**MINUTES OF THE MEETING OF THE ELECTORAL COMMISSIONERS
HELD ON 19 NOVEMBER 2002**

Present: Sam Younger (Chair) (SY)
Pamela Gordon (PG)
Sir Neil McIntosh (NM)
Karamjit Singh (KS)
Professor Graham Zellick (GZ)

In attendance: Roger Creedon (RC)
Jacqui Dixon (JD)
Nicole Smith (NS)
Doug Stewart (DS)
Rael Zackon (RZ)

Apologies: Glyn Mathias

1. Regional Government – Referendum Question

- 1.1 The Commissioners discussed the proposed statement to be issued by the Commission in response to the Referendum Question contained in the draft Bill. The Commission is required to publish a statement of views regarding the intelligibility of the Question. The statement would be a public statement, not a submission to the Government.
- 1.2 **The Commissioners assessed the draft Referendum Question against the Guidelines which they had previously agreed, and came to the following conclusions:**

Guideline 1: The question should prompt an immediate response.

It was agreed that the Question met the criterion but the preamble may need to be read several times to be understood.

Guideline 2: Words and phrases used in the question should not have positive or negative connotations.

It was agreed that both the Question and the preamble met the criteria.

Guideline 3: Words and phrases used in the question should not be leading.

It was agreed that the Question was not leading.

Guideline 4: Words and phrases used in the question should not be loaded.

It was agreed that the Question met the criterion. After a short discussion, it was also agreed that, on balance, the preamble was not misleading.

Guideline 5: The question should not contain 'jargon'.

It was agreed that the Question did not contain jargon. There was concern about the use of the phrase 'single tier' in the preamble, but it was noted that this was defined, or at least put in context, by including reference to Counties and Districts. It was agreed that the phrase 'regional economic development' was not jargon and would be understood by the majority of voters.

Guideline 6: The language used in the question should be consistent.

It was agreed that the Question and the preamble met the criterion. The Commissioners considered whether the preamble should be made clearer by the inclusion of 'directly' before 'elected assembly' and concluded that it was not necessary. However the Question and the preamble should be consistent and refer to an 'elected regional assembly' throughout.

Guideline 7: Words and phrases used in the question should reflect the language should reflect the language used and understood by the voter.

It was agreed that the Question and the preamble met the criteria. There was concern with the use of the phrase 'single tier' as outlined above in respect of Guideline 5.

Guideline 8: The question should not provide too much information.

It was agreed that the Question met the criterion. It was agreed that a preamble was required because the issue was complex. The draft preamble covered the relevant issues. The Commissioners considered whether the preamble could be made shorter without losing essential information and agreed to offer a revised version by way of illustration.

Guideline 9: The question should not be too long.

It was agreed that the Question and the preamble met the criterion. The Government should be given credit for providing a preamble on a complex and unfamiliar topic.

Guideline 10: The question should be well-structured.

It was agreed that the Question and the preamble met the criterion.

- 1.3 **The Commissioners agreed that the overall structure was helpful and that the Question met the criteria set out in the Guidelines. The Commissioners agreed that the detail in the preamble needed further consideration, and that a suggested draft to be included in the statement.**
- 1.4 **The Commissioners agreed the following changes to the draft statement:**
 - 1.4.1 Paragraph 7 of the draft statement, referring to public representations, should be deleted. The Commission had been given a distinct role in offering a view on the draft Question but it was not determining the Question. There had been no 'open' representation process, although the Commission had received representations. The Commissioners agreed that they should not be influenced by unsolicited representations which had been received.
 - 1.4.2 The statement should cite the Commission's role as defined in PPERA.
 - 1.4.3 A reference to the fact that the Commission assumes that a Yes/No answer option would be included in the Question, should be added to the statement.
- 1.5 **It was agreed that the statement should be amended and re-circulated to Commissioners for agreement. The Commissioners authorised SY to sign off the final version before publication. The Commissioners also agreed that a copy of the statement should be sent to the Speaker and to the Deputy Prime Minister.**