

# Referendums are different: Reflections from the Electoral Commission on 5 May

## Introduction

Thank you for the introduction, Robert and for the opportunity to talk to the Constitution Unit after what has been a very busy time for everyone involved in the elections and referendums of the past few months. As I'm sure I hardly need to remind this audience, on 5 May we had the first UK-wide referendum since 1975. It was only the second UK-wide referendum ever and the first UK-wide referendum under the framework established by the Political Parties, Elections and Referendums Act (2000).

There were also scheduled national elections in Scotland, Wales and Northern Ireland, and local elections in many parts of England and all of Northern Ireland. 5 May was, as our public information campaign reminded people, a big day for voters. I would like to thank local authority staff who worked so hard to deliver for voters.

Before that we had a referendum on the law-making powers of the National Assembly for Wales on 3 March, which was – like the UK-wide referendum – held under the PPERA framework. The only PPERA referendum prior to 2011 had been the North-East Assembly referendum in 2004.

Under PPERA, unlike at elections where Returning Officers are independently accountable for the polls in their own local area, for referendums as Chair of the Commission I was the Chief Counting Officer, responsible for their overall conduct and ensuring the accuracy of the overall result. This brings with it powers that I was able to exercise at the referendum that are currently available to others at only a limited number of elections, the Electoral Management Board for local government elections in Scotland, regional returning officers at the European Parliament elections and the Greater London Returning Officer for elections for the Mayor of London and Greater London Assembly. Put simply at elections the Electoral Commission can only issue guidance, but at a referendum the Chief Counting Officer can issue binding and enforceable 'directions', which makes it much easier to ensure voters get a consistent service.

We have a real opportunity to learn the lessons from the referendums and elections earlier this year, and to make sure these lessons are taken on board in time for the next set of polls. Some of the lessons are specific to referendums, but many of them apply just as well to elections – if we can make referendums work better for voters, why shouldn't they expect the same at elections?

It isn't always easy to generate political interest in these issues so I'll be keen to hear your reaction to them and thoughts on how we can move this agenda forward.

## How the referendum was set up

It feels like a long time ago now that we were studying the Coalition Agreement, published on 11 May last year. The referendum was, of course, part of a wider programme of constitutional reform that included bringing forward proposals for

elections to the House of Lords, the election of Police and Crime Commissioners in England and Wales, a power of recall for MPs and local referendums.

In relation to the referendum the agreement simply said:

“We will bring forward a Referendum Bill on electoral reform, which includes provision for the introduction of the Alternative Vote in the event of a positive result in the referendum, as well as the creation of fewer and more equal sized constituencies.”

The Government’s intention to do this was confirmed in July through the publication of the Parliamentary Voting System and Constituencies (PVSC) Bill.

The legislation, as promised, contained two elements: the referendum on the UK Parliamentary Voting System and plans to reduce the number of MPs in time for the General Election in 2015. It was first introduced in July 2010 and it’s worth remembering that throughout the seven-month period of Parliamentary consideration of the Bill, which concluded with Royal Assent on 16 February, we were planning for a referendum that might not actually have happened. Although a lot of the debate, particularly in the Lords, was not about the merits of holding a referendum but on the planned reduction of MPs that was contained in the same Bill.

It’s not easy, or you could argue the best use of public resources, to plan for such a long time period for a poll without the certainty it will happen.

The date was set as the 5 May – the same day as scheduled elections – so from the outset we said that all those involved in running the polls should approach them from the point of view of voters, many of whom would be voting in one or more important elections as well as the referendum. To give you a sense of the scale of this, voters across Scotland and Wales were given two ballot papers for the Parliament or National Assembly elections as well as the referendum ballot paper; in Northern Ireland there were ballot papers for the Assembly and local government elections – both counted using STV – and the referendum ballot paper; in most parts of England voters were given ballot papers for local government and parish elections, and for the referendum. In Leicester South voters were able to vote in local elections, a mayoral election, a Parliamentary by-election and the referendum. This high number of potential votes to cast in a single day made it even more important than ever that voters’ interests should come first and the impact on them of the various combinations of polls was taken into account.

We considered carefully whether or not it was possible to hold the elections and referendum on 5 May in a way that would work for voters. We set out a number of tests that would have to be met to ensure the polls could be delivered successfully. These included:

- Government had to work with the Commission to ensure planning for the 5 May took account of the different impact of the range of polls right across the UK.
- The rules on how the referendum was to be conducted had to be clear from at least 6 months before polling day, that is by early November for a 5 May poll.

- Adequate provision must be made for appropriate public awareness activities to ensure voters understood the election and referendum process
- Appropriate funding must be made available to deliver the referendum and scheduled elections together

And

- The legal framework for the referendum must make provision for it to be formally combined with the scheduled elections.

Having set these tests, I was very pleased that Parliament and Government took them seriously and that in November 2010 we were able to say that they had been met to our satisfaction. We then focused on making sure Counting and Returning officers played their part and were well prepared for what was to come. To ensure this happened we established a group attended by all the Regional Counting Officers, as well as the civil servants working on the PVSC Bill and the scheduled elections in the Scotland Wales and Northern Ireland, and used this to drive the planning for the referendum and elections.

The Commission is also required to assess the intelligibility of questions held under PPERA to ensure that people understand what they are voting on, and we needed to do this before Parliament started debating the legislation. We started our public consultation and in-depth focus group research with voters as soon as the referendum question was published, and reported at the end of September. To do this properly we had been clear for some time that ten weeks would be needed and we were just able to conclude our research in time for Commons Committee stage. The timetable was very tight and left little margin for error – had Parliament not accepted our alternative, and instead proposed a new question that required further testing, it is difficult to see how proper research could have been carried out within the time remaining for Parliament to debate and pass the Bill. As it was, our changes were taken on board and I was confident the referendum had a question that was easy to understand and didn't favour one side over the other.

What our research had also shown was that public awareness of both voting systems, but particularly the 'alternative vote', was extremely low. We did, however, find that when voters had more information about how both voting systems worked, their understanding improved and they felt confident they could cast their vote in the way they intended. This became the challenge that our public information campaign sought to meet.

In early November we reported on progress towards the delivery of the polls and I was able at that point to give Parliament and Government an 'amber light' to the referendum going ahead from the perspective of the work required from the Commission and Counting Officers.

We had always said, following the Gould report into the 2007 Scottish elections, that the rules on any polls must be clear from six months out to avoid creating an unacceptable risk that they are badly run. The conduct rules for the referendum were included in the Bill when it was introduced in July 2010, and the rules for combined polls were added in November. Funding was in place, and our plans for public awareness were well developed, but there was of course the continuing

uncertainty created by the PVSC Bill still not being passed and the legal framework potentially subject to change. Members of the Steering Group had also highlighted concerns about the pressure on their staff and resources.

We said when we reported in November that we'd monitor these issues closely and inform Parliament if at any point we felt that there was an unacceptable risk to the delivery of the referendum.

The phrase 'at the 11<sup>th</sup> hour' has a particular resonance for me now. The PVSC Bill did not get Royal Assent until a few minutes before midnight on 16<sup>th</sup> February. The legislation had to pass by 24<sup>th</sup> February to allow the minimum ten weeks required for the 'campaign period', but the Parliamentary recess meant that in effect the last possible day for Royal Assent was 17<sup>th</sup> February. We got there with minutes to spare.

During the final few weeks before Royal Assent there were quite significant amendments made to the Bill, including attempts to introduce a threshold for the referendum and a provision to allow flexibility for the date on which it could be held. The over-riding concern for us was that it created uncertainty for everyone planning the polls.

We need to find a way to avoid this – for elections as well as referendums - without lessening Parliamentary scrutiny and I'll share with you our initial thoughts on how this might be done when I turn to the lessons learned in my conclusion.

### **A referendum is different**

We at the Commission and Returning Officers across the UK are well versed in running a wide range of elections to numerous and diverse bodies. However it became increasingly clear as we planned for the 5 May that referendums are different. The structure of a single national result, rather than our constituency-based Parliamentary election system, is different and meant consistency was critical. With a close result inconsistent practice could have led to a legal challenge. Also the Commission's role is different in a number of ways, from the requirement to ensure voters had impartial information to designating lead campaigners on each side of the debate. The role of those cross-party, single issue campaign groups was also different. Where else but in a referendum would we have seen David Cameron and John Reid sharing a stage to address a rally? That was a sight that might have provoked a double take among a public not prepared for the strange bed-fellows a referendum campaign can produce.

### **What we did**

The differences and 'newness' of a UK-wide referendum were also reflected in the structures of administration that helped deliver a successful poll. My role as Chief Counting Officer with responsibility for the overall conduct of the referendum was significantly different from the normal structure for the administration of elections. I have mentioned the power to issue directions. This meant that I was able to give specific and clear instructions to Counting Officers, and require them to report back on the actions they had taken to follow my directions, rather than issuing guidance and relying on goodwill in the hope it would be followed, as is the case for elections.

My focus in deciding on those directions was always on ensuring consistency and the best possible service for voters. For example, our requirement that polling cards were delivered earlier than they would normally be at elections led to two positive changes. It meant those who were not on the electoral register had time to correct that before missing their chance to vote. In Northern Ireland there were more than 17,000 late registrations leading to the largest number of registered voters in Northern Ireland's history. It also meant voters who wanted to vote by post had time to apply for a postal vote before the deadline once they had received their polling card. We challenged some established conventions in our preparations for the 5 May and in doing so delivered a better service for the electorate.

As I said, referendums are different, and that was a message we wanted Counting Officers and their staff to understand as much as we did the public. Overall I feel that this new approach worked well. Counting Officers responded to the challenge of working in a different way. There were of course some comments and criticisms about our communication with Counting Officers to be dealt with, as people adapted to a new approach, but overwhelmingly we all pulled together to deliver for voters and for that I would like to thank those who worked so hard across the country to deliver the polls on the 5 May. I have been pleased to find that in the sessions we have held with Regional Counting Officers and Counting Officers since the 5 May that they too felt that overall the structure we put in place worked well and that the directions helped them plan services for voters. Of course some directions were more useful than others and as part of our reporting on the referendum we will be reviewing in detail which ones really made a difference for voters. For now we certainly welcome the cooperation and team working the referendum produced across the electoral administration community.

The people who run elections locally were at the front line of the differences a referendum produces. Even the phraseology and job titles were different at the referendum. Many Returning Officers also became Counting Officers, and a select few took on the important role of Regional Counting Officers. This reflected a unique administrative structure which delivered the referendum with 440 local counting areas feeding results to 12 regions, and 1 final national result. The counting areas were also diverse, based on local authority areas in England and Parliamentary and Assembly Seats in Scotland and Wales. Northern Ireland was different again as one single counting area. This presented benefits and challenges in terms of both the costs of the polls, and the vital if poorly understood science of both verifying and counting ballot papers. It also strengthened my determination that directions were needed to ensure voters had a consistent and positive experience when casting their vote.

Some of the more controversial directions I issued related specifically to ensuring voters received the service they should expect at polling stations. We will all have unhappy memories of the worrying scenes at close of polls at the 2010 General Election. Voters and politicians were rightly angry that poor coordination and a lack of proper planning in a small number of areas led to voters being unable to vote. We at the Commission shared that anger and I was determined it would not be repeated at the referendum. Specific directions included limiting the number of voters per polling station to a maximum of 2,500 and setting clear ratios of polling station staff to voters. This was done to ensure we could be as confident as possible that every

polling station could cope with a high turnout and an unexpected number of voters at any time during the day.

Directions weren't the only tool we used to reduce the risk of queues and the problems of 2010. The Electoral Commission also took on a proactive performance monitoring role, requiring Counting Officers to draw up detailed plans for how they would deliver for voters at the referendum. This included contingency plans in the event of queues building up towards the close of polls. We kept a close eye on those plans and scrutinised them to ensure they could realistically swing into action when needed. A key component of the planning was an ability to deploy staff across polling stations to deal with any unexpected surge in voters throughout polling day. We have recommended previously that Government should change the rules at close of polls to allow those in the queue at 10pm to vote. We still believe this change needs to be made but as yet it hasn't, meaning directions and detailed contingency plans played a key role in ensuring voters didn't miss out.

Another change from the usual way of doing things was the introduction of standardised forms and notices in a range of areas, based on the results of research with voters to identify common problems faced by people using election materials. For the first time, poll cards and information for voters in polling stations looked the same whether you voted in Abingdon or Aberdeen. With voters getting clear and helpful information on where to vote in good time. This standardisation enabled us to provide the media with accurate examples of ballot papers and other documentation as illustrations for voters on what to expect when they went to vote. The head of our Northern Ireland office was particularly successful at getting pictures of himself holding giant sized, but clear and accurate, election and referendum material all over the front pages of the Belfast media!

This standardisation also enabled us to ensure the forms voters used to take part in the referendum met the relevant guidelines on access right across the country. We have had feedback from disability rights groups that having a single body with a central role in developing standardised forms and notices, allowed them much greater influence and delivered a better product for those they represent rather than having to push for best practice across hundreds of different constituencies all doing their own thing. Again this is an example of consistency for voters in such a crucial area being a big improvement and a driving principle of everything we did for the 5 May. Without changes to the law, however, the benefits of standardised, consistent, best-practice forms and notices are likely to be lost, since Returning Officers will be forced to go back to the old forms and notices which have been prescribed in law without any research or usability design input. I find it hard to believe that anyone could justify a return to patchy and varied provision with each local authority producing their own election documents without any consistent input from design or usability experts.

Of course Returning Officers and their staff across the UK bring a huge amount of experience and expertise to their role and we had to balance the benefits of that experience and local knowledge with a desire to see a consistent service for voters at the referendum. Inevitably there were some who were unhappy with the coordinating role of the Chief Counting Officer and what some perceived as the intrusion of the Electoral Commission into the details of delivering polls, something which has previously been overwhelmingly delivered locally and often in very

different ways across different areas. I would argue that while change is often seen as a threat to bodies and individuals with established practices, that doesn't make it any less necessary. The referendum was a new experience for us too and we didn't get every detail perfect, there are always lessons that can be learnt, but overall I am certain that a properly thought-out consistent approach served voters well right across the UK.

The Chief Counting Officer's power to issue directions and the monitoring role the Electoral Commission took on meant that for the first time in the UK, there was a central body able to provide oversight and accountability for how a national poll would be delivered. I think Parliament and the Government need to think seriously about how we run our elections. It is time to think carefully about whether it is still appropriate for national elections such as those to the House of Commons to continue to be administered solely at a local level without any coordination or accountability for delivery and with variations in practice. With possible future elections of Police and Crime Commissioners, and to a reformed House of Lords, it might be sensible for serious consideration to be given to the important area of electoral administration. It isn't always a subject that captures the public imagination but voters do have a right to expect as high a quality of service as possible from the democratic process and it is an on-going challenge to ensure that the service continues to improve. This is something all of us involved in democracy should be prepared to engage in.

As well as differences in administering a referendum the Commission also has a substantially different role in regulating campaigners. The rules on donations and campaign spending weren't agreed until 16 February, the day before Royal Assent. Again, the 11<sup>th</sup> hour nature of the process meant we had to act quickly, publishing final guidance for campaigners within hours of the legislation passing.

I mentioned earlier our role in designating lead campaigners on either side of the referendum. And here too we had to move quickly as the process of accepting and considering applications could not begin until the legislation establishing the referendum had been passed by Parliament. Campaigners had 28 days to apply once the legislation had been enacted - taking us to midnight on 15 March - and we had designated lead campaigners by the 18 March. We acted fast - much more quickly than the statutory fortnight - because we needed to, and I think we got the decision right, but I believe Government and Parliament should now consider how some of the ground rules for referendums can be standardised and agreed in advance, to ensure campaigners, just as much as those who run referendums, are better able to plan and make considered decisions.

Designation was an important part of the referendum process as lead campaigners have access to higher spending limits, some public funding, campaign broadcast slots and a free mail-out to voters. Recent experience in the referendum on the powers of the Welsh Assembly taught us that designation wasn't always a straight forward or inevitable process. In Wales we were unable to designate lead campaigners on both sides of the debate. The legislation requires that in order for us to designate we must do so on both sides or none at all. In the Welsh referendum for a range of reasons we did not have lead campaigners. The requirement for a designation on both sides or neither - which of course has important considerations of fairness at its core - also opens up the possibility of tactical decisions not to apply

for lead campaigner status. For the Parliamentary voting systems referendum that didn't occur but it is still the case that the model for referendums set out in PPERA relies on willing and able applicants to lead the campaign on each side. The reality is that referendums may not always fit that model, particularly if they are used more often in future. That is something we will be considering in our report in the autumn.

The differences at the referendum weren't confined to the organisation of the polls or the regulation of campaigners. Our role in engaging with the public was also a significant departure from the one we take on for elections. In the past our focus has predominantly been on encouraging people to register to vote. Some of you will remember our 'Don't lose your voice' advertising campaigns which aimed to make sure people, particularly those in underrepresented groups, signed up for the electoral register. Those successful campaigns saw half a million people downloading registration forms from our website ahead of the 2010 General Election. The referendum presented us with a new challenge however. Part of our statutory function at referendums is to make sure voters have adequate impartial information to make an informed choice. And as I have said our research indicated that before the referendum campaign people felt they lacked the knowledge to do so. We decided early on that our role in informing the public should not be assessed by turnout percentage. It is for campaigners on both sides to make their case and inspire people to vote with them. Our job was to equip them with the information they needed to cast their vote if they chose to.

The centre piece of our public information campaign was a neutral booklet sent to UK households explaining both First Past the Post and AV. As you might imagine, taking on a new role in explaining competing voting systems was not a task we took lightly. Many people regarded us as 'the referee' for the referendum and in that context it was vital the information we provided was seen as absolutely impartial. It was clear to us that as the only document being sent to every UK household from a neutral body there was a real risk both sides in the referendum debate could see it as a political football. To avoid this we decided the way to ensure neutrality was to seek the input of experts and stand by what we produced, not seek consensus between sides in what became an increasingly polarised referendum debate. We consulted with academics including David Sanders of Essex University and Colin Rallings at the University of Plymouth as well as the Plain Language Commission and the Welsh Language Commission and conducted user testing. Finalising the booklet and producing what we ended up with was a long and painstaking process but I think the final result justifies that hard work. The fact that both sides in the referendum had minor quibbles about the text in the booklet but neither raised major objections says something about its neutrality and also the wisdom of deciding not to attempt to deliver an information booklet by negotiation and compromise. We distributed 27 million copies of an impartial, accurate and complete description of the two voting systems and our initial research suggested it reached 96% of UK households.

We supported the booklet with TV and radio advertising and made use of online media to communicate information directly to voters. Our voter-facing website, [aboutmyvote.co.uk](http://aboutmyvote.co.uk), received more than 800,000 hits during the referendum campaign and our first foray into animation – Victor the Vote Counter - was viewed more than 200,000 times on YouTube. Victor was an animated character who

enabled us to explain First Past the Post and AV to a wider audience than may have picked up the booklet. He was of course subject to the same standards of neutrality as our printed material - I don't think an animated character has ever been subject to such exacting scrutiny. Victor was such a hit he ended up with his own Facebook page and was featured by YouTube on their homepage; vote counting had never been so glamorous!

That kind of new approach to reaching voters is something we and others involved in electoral administration will want to consider in future. Democracy is this country's greatest asset and we have a responsibility to make the effort to communicate in new and innovative ways to ensure everyone has the information they need to take part in it. While many of us here today might be described as political anoraks, you should not have to be interested in politics for politics to be interested in you.

## **The Outcome**

The hard work and detailed planning I have described had a simple motivation. To ensure voters received the best possible service we could deliver. Our detailed report on the 5 May polls will be published in the autumn but I think we now have enough distance from the events to say confidently that on the whole we delivered on that aim. The scale of events on 5 May should not be underestimated. At the referendum alone more than 19 million votes were cast with the help of more than 112,000 polling station staff in more than 40,000 polling stations. Polling day itself went smoothly with no repeat of the queues of 2010 as our directions ensured polling stations were adequately staffed, were not overwhelmed by numbers of voters and had no shortage of ballot papers, all issues that have caused problems in previous elections. Where there were isolated examples of unpredictable events causing concern, such as a flood at a polling station, Counting Officers activated contingency plans we had made sure they had in place; and voters were able to cast their vote with the minimum of disruption. That it went smoothly is a testament to the hard work and dedication of Counting Officers and their staff and the months of preparation that had been undertaken. Success did not just happen, it was planned for and delivered.

The count and verification process was also different, as was our role in coordinating it which gave us a unique perspective on how the process works. We decided early on that votes in the referendum should be counted from 4pm on Friday following polling day. This led to surprise in some quarters, particularly the media who have been brought up with overnight counts and elections results before dawn. On the decision to start at 4pm, it should be remembered just how many polls were taking place on the 5 May. It would have been impossible for stretched electoral administrators to undertake all counting adequately overnight on polling day. We sought views from interested parties on the timing of the referendum count. And from that feedback recognised the importance of voters in Scotland, Wales and Northern Ireland knowing who would be representing them and the likely make-up of their governments as quickly as possible. This necessitated a later start to the counting of referendum votes than many had expected

The count and verification process was not without its challenges. Many of you may be aware that Northern Ireland in particular got through the process much more slowly than we had expected. We will be looking in detail on the cause of this and it will feature in our report in the autumn.

Our unique vantage point at the referendum of providing central oversight of the verification and count process led to the discovery of something that surprised and, I have to say alarmed me. Verification - the process of checking whether the number of votes in ballot boxes once polls close match the number of ballot papers given out; and also that final totals for all candidates or referendum options match the number of votes cast - is a vital process in elections. That is why there is such focus on this part of the process at elections in developing nations and new democracies. However in the UK, one of the world's longest established representative democracies there appeared at first to be a general acceptance among some counting officers that the number of ballot papers counted during the initial verification process might not match the number of ballot papers finally included in the count. While we might expect a slight divergence in the two figures I was genuinely taken aback by the readiness of some electoral administrators to write off potentially significant differences in the numbers of votes verified and the number counted as inevitable, and nothing to worry about. While this relaxed attitude may be understandable in First Past the Post elections where majorities can be large enough to make apparently missing or phantom voters irrelevant, in elections which use different voting systems – as we have in Scotland Wales and Northern Ireland, European Parliament elections, the London Assembly elections, or as proposed for a reformed House of Lords – or in future referendums, counting the exact numbers of votes cast is a serious issue. This is something we will focus on in our report as we cant ignore our concerns about a verification process where the numbers that process produces can be seen as nothing more than a rough guide. We tackled that issue for the referendum – but it was an unexpected and concerning lesson that I think needs to be looked at more closely in the future.

However while some concerns about the count process have emerged it should be stressed that the voter experience, the memory of millions of voters casting their vote in the first UK wide referendum for 36 years, is a positive one. Our priority is and always will be voters. We put them first, and on the 5 May the uniqueness of the event and the ability to deliver consistency through my and the Electoral Commission's unique role allowed us to ensure everyone else did too.

### **The future of elections and referendums**

We now want to ensure that good practice and the best of the experiences of the 5 May can be carried forward to future elections. As I said at the beginning, the administration of elections and referendums is rarely a political priority. Political interest, perhaps not surprisingly, tends to be concentrated on electoral administration only when there are problems.

So an irony of a well-run set of polls is that it may make it more difficult to generate the political interest needed to carry the lessons learned forward and avoid problems in future.

We'll be reporting on the polls fully in the autumn, pulling together the lessons learned from across the UK on 5 May and also from the Wales referendum on 3 March.

Here a few of the issues we'll be looking at.

How to get consistent, high standards in the delivery of all polls, not just referendums? We'll look in our report at some of issues around how things worked in practice on May 5, but my firm belief is that our approach to monitoring delivery against a set of specific instructions and a central power of direction had a positive impact on how the polls were run. They ran smoothly, voters knew what they had to do and there was no repeat of the polling station queues of the last general election.

I don't think we can go back to what we did before. We know now that monitoring preparations before the polls can identify problems before they affect voters. But while we'll be changing the way we use our existing powers to monitor performance, the ability to ensure consistent performance will remain limited without legislative change. If a Returning Officer at a general election decides to use a polling station with four thousand electors, or to send poll cards too late for people to apply for an absent vote, neither the Commission nor anyone else can require them to think again. Consideration should now be given to whether greater central coordination of general elections is appropriate. At the referendum, consistency and assurance about the quality of electoral administration was achieved through my directions and performance monitoring. I can't see any good reason why that level of consistency for voters would not also be desirable at elections. While there's no need to create a new structure of bureaucracy, there does need to be capacity to make sure, on the important issues, that everyone gets the same high quality service. After all this structure is in place for some elections so why not all?

The same for forms and notices. We were able to specify these for the 5 May polls and there's no doubt in my mind or in the feedback we had from voters and disability groups that they were better and more user friendly than before. But without specific legislation, there will be no basis for using these improved designs at future elections, and we'll have to go back to the old mixture of bad and not so bad forms and notices. We'll set out in more detail in our report in the autumn what this would mean in practice.

I'm also clear now that we need a better approach to referendum and election legislation that removes all the need for debate about the detailed rules that occurs in the run-up to every major poll and creates uncertainty for those planning them and campaigners. If we do this, Parliamentary time can then be focussed on the political issues for each referendum and election: the date, the franchise and in the case of the referendums, the question. This would be a relatively straightforward change but one with the potential to make a real difference in enabling electoral administrators and campaigners to plan properly for future referendums, even if the legislation establishing the referendum makes slower progress through Parliament than anticipated.

A set of rules for how a referendum, and each major election, works is what we intend to push for, to avoid the 11<sup>th</sup> hour changes to a process that should be open, accountable and clear from before the referendum campaign begins. We do not propose these changes for their own sake, they are tools to ensure we can build a structure that delivers a better service for voters.

We'll be looking closely at what it costs to deliver a referendum and reporting on this in 2012. As this was the first UK-wide referendum for 36 years, it will provide an important and comprehensive set of data about where the costs fell in a set of national polls. I know the Cabinet Office will also be considering this and our report will provide them with a vital resource in developing their thinking in this area.

And before I close, a reminder about the urgency of these issues. There's a Bill in Parliament now that, although the relevant sections have been removed in the Lords, may see the election of Police and Crime Commissioners in parts of England and Wales next May. The rules are a long way from clear at the moment and will only be specified, at the earliest, before the summer recess. Again in the absence of a standard set of rules for these there is a risk that the rules of engagement will be unknown right up to the eve of battle. Some candidates at these elections are likely to be fighting an election across entirely new boundaries which include a number of local authorities. This raises the risk of significant inconsistencies of administrative practice for voters even within the same electoral area. There is still time to get this right and we will continue to push government to do so. Those elections may also see candidates who are inexperienced at taking part in a political campaign with a lack of knowledge of the rules and regulations to be observed and potentially as independent candidates with no party machine to help them. Even those with experience in fighting other elections may find they are operating under unfamiliar rules. This is just the sort of problem that emerges when rules are finalised too late and why we are aiming for a generic set of rules for each instance of the elections in question. Alleviate this in future. It is an idea whose time for consideration has come.

Of course, legislation to provide a better electoral and referendum process is never likely to be a political priority, it won't be the subject of radio phone-ins, broadsheet op-eds or a tabloid front page campaign but that doesn't mean it isn't important. It is time this issue was properly and widely debated. I hope those of you here today and others interested in the political process can join that debate and move the case for better democratic processes higher up the political radar. It may not be a glamorous cause but clarity on electoral and referendum processes could make a real difference and deliver significant improvements for voters. The referendum experience confirmed that and that is why we will continue to champion it.