

Briefing: Report on the administration of the 5 May 2016 election to the Northern Ireland Assembly

September 2016

About the elections

On 5 May 2016 voters in Northern Ireland took part in the fifth Northern Ireland Assembly election. There were also a number of different polls held across the UK. The report is our account of the administration of the Northern Ireland.

From data, based on the experience of voters, elections staff and campaigners, we have been able to make the assessment that overall, the Assembly election was well-run, with few problems.

Turnout and candidates

Over 1.2 million people were registered to vote in the Northern Ireland Assembly election on 5 May 2016.

Overall turnout was 54.9%. The highest turnout was 64.6% in Fermanagh and South Tyrone and the lowest 49.6% in North Down. This continues the trend of declining turnout at Assembly elections since the first one held in 1998.

A total of 276 candidates stood for election in the Northern Ireland Assembly election, either representing one of 21 political parties or as one of 23 candidates who stood as an Independent.

Northern Ireland recommendations

In the report, we look at the administration of the poll, the experience of candidates and campaigners and particularly at the experience of voters. Our public opinion research, carried out to inform our assessment, shows that 91% of respondents were confident that the election was well run. In addition 89% of people found it easy

to access information on how to cast their vote with 95% of respondents saying they found it easy or fairly easy to fill in the ballot papers.

Online electoral registration

Both the Chief Electoral Officer and the Northern Ireland Office are committed to extending online electoral registration in Northern Ireland.

The introduction of online registration in England, Scotland and Wales has been very successful and there were high levels of applications made online in advance of the elections in 2015 and 2016. We are therefore pleased that online registration will now be extended to Northern Ireland.

For our part we will work with the Chief Electoral Officer to promote the online registration portal to the public in Northern Ireland and encourage people to use it to register to vote and/or to update their details on the electoral register. To assist in planning for this it would be helpful if the Northern Ireland Office announced a date for the introduction of online registration in Northern Ireland to assist in planning for such activity.

Performance standards

Since 2008 the Electoral Commission has set standards, monitored and reported on the performance of Electoral Registration Officers and Returning Officers in Great Britain. During this time we have made the case that these standards should also be applied to the Chief Electoral Officer for Northern Ireland so that they can provide a benchmark on the delivery of electoral services and support the sharing of good practice.

The Northern Ireland (Miscellaneous Provisions) Act 2014 gives the Secretary of State the power to extend the performance standards framework to Northern Ireland. Given the introduction of online registration by the end of 2016 it would now be appropriate for the Chief Electoral Officer to report to the Commission within this performance standards framework. In light of the introduction of online registration the Secretary of State for Northern Ireland should introduce an Order to extend the performance standards framework to Northern Ireland.

Donations and loans to political parties

Since November 2007 political parties and regulated donees (such as elected representatives) in Northern Ireland have been required to submit details of donation and loans they have received (over a certain threshold) to the Electoral Commission. As required by law this information is currently not published by us. In contrast details of donations received by candidates contesting the Northern Ireland Assembly election are publically available.

The Northern Ireland (Miscellaneous Provisions) Act 2014 changed the law on the confidentiality requirement on donations and loans to political parties. Although the current reporting regime continues at present, the Act enables the Secretary of State via secondary legislation to allow details (excluding the donors name) of reportable donations and loans received by a political party from 1 January 2014 to be published at some point in the future. The Commission would also be able to publish some aggregated data about donations received between 2007 and 2014.

It has been over two years since the Act was put in place and there continues to be public appetite for more information on how political parties in Northern Ireland are funded. As such we are calling on the UK Government to address this issue as a matter of urgency by introducing secondary legislation to allow for the publication of partial information on donations and loans to political parties and regulated donees in Northern Ireland. This will help to increase public confidence in the democratic process.

Further improving STV counts

It is clear that changes made by the Chief Electoral Officer to the management of the count made significant improvements to the speed and efficiency of the count. Given that the next scheduled elections to use STV in Northern Ireland are not until 2019, there is sufficient time to build on the successful work undertaken so far. The Chief Electoral Officer, working with his senior staff, should conduct a further review of the count process and test the potential benefits the mini-count model (which was used at the EU referendum) could bring to STV election counts in Northern Ireland.

UK wide recommendations

The Commission has published reports on all the election that were held [across the UK](#) on Thursday 5 May 2016. This includes [reports on the elections to the Scottish Parliament](#), elections to the National Assembly for Wales, elections for Police and Crime Commissioners across Wales and England, elections to the Greater London Authority and for the Mayor of London and elections to local authorities across parts of England. We have been able to make a set of UK-wide recommendations based on the information gathered for these reports.

Legislation

The Commission is recommending that steps be taken to ensure that all legislation for elections is in place six months before it is required to be implemented or complied with by campaigners or electoral administrators. While there may be unexpected developments or exceptional circumstances in which legislation is required later than this, it is not acceptable that poor planning has routinely resulted

in late legislation in recent years. If the Government has not been able to do this, then it should table a formal statement in the relevant legislature with an explanation and an assessment of the impact this is likely to have on campaigners, electoral administrators and voters.

Law commission review of electoral law

We will continue to support the Law Commission's review of electoral law which would simplify and improve electoral law across the UK. Current electoral law has grown so complex and fragmented, and in many places out of date, that it hampers the effective and efficient delivery of elections. Updated legislation will enable elections to be run much more efficiently and cost-effectively than at present. It will also ensure that the law is fit for purpose and more accessible to those who need to use it, including candidates and voters.

The Law Commissions require the approval of the UK and Scottish Government before they can move onto the next and final stage of the project, which will consist of drafting new electoral legislation. We continue to urge both governments to support the work of the Law Commissions to enable the project to move on to the next stage.

Publication of candidate spending returns

The Commission has also recommended that there should be a requirement for candidate spending returns to be published online as well as the existing methods of publication. This would improve transparency and accessibility of candidate spending returns. We support the recommendations of the Law Commission's review of electoral law which proposes a method for implementing this change through legislation.

If you would like to discuss any aspect of this briefing or the full report please contact Cahir Hughes, Senior Officer (Communications and Electoral Administration) on 028 9089 4028 or email chughes@electoralcommission.org.uk