



Referendum on the UK Parliamentary Voting System

Report of views of the Electoral Commission on
the proposed referendum question

Translations and other formats

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1 Background

Introduction of the Parliamentary Voting System and Constituencies Bill

1.1 On 22 July 2010, the UK Government introduced the Parliamentary Voting System and Constituencies (PVSC) Bill to Parliament. The Bill proposes that a referendum is held on 5 May 2011 on the voting system for UK Parliamentary elections. Voters will be asked to decide whether the voting system should change from the 'First Past the Post' system to the 'Alternative Vote' system. The Bill contains the proposed question to be asked in the referendum. The question is attached as Appendix 1 to this report.

1.2 The Electoral Commission is an independent body which reports directly to the UK Parliament. We regulate party and election finance and set standards for elections, referendums and electoral registration.

Our responsibility

1.3 In a referendum, we are responsible for:

- giving our views on the referendum question
- registering campaigners who want to spend significant amounts in the referendum
- where appropriate, appointing lead campaign groups for each outcome
- providing lead campaign groups with grants that we determine within statutory limits
- monitoring and reporting on campaign spending
- reporting on the administration of the referendum

1.4 The Chair of the Commission will be Chief Counting Officer for the proposed referendum.

Legal framework

1.5 Where a referendum question is set out in a Bill providing for a referendum, as with the PVSC Bill, the Political Parties, Referendums and Elections Act 2000 (PPERA)¹ requires that we consider the wording of the proposed referendum question and publish a statement of our views on its intelligibility:

¹ Section 104(1) and (2), PPERA.

- as soon as is reasonably practical after the Bill is introduced and
- in such manner as the Commission may determine

1.6 The introduction of the PVSC Bill triggered our duty to consider the intelligibility of the proposed referendum question.

Publication of our views

1.7 As the independent body charged with giving our views on the proposed referendum question, we want to ensure that our approach is open and transparent. This report follows the conclusion of our question assessment process.

Question assessment process

1.8 Our duty is to consider the intelligibility of the proposed referendum question and publish a statement of our views on its intelligibility. We want to make sure that the question is one that voters can understand, so that they know what they are voting on.

1.9 When referring to 'referendum question' in this report, we mean the question and the choice of responses on the ballot paper. Where we have comments particular to the question or the responses, we make this clear.

1.10 We published our preferred approach to assessing referendum questions and our revised question assessment guidelines in November 2009. These are attached as Appendix 2 to this report.

1.11 We developed our guidelines to:

- help us assess how intelligible a proposed question is
- help people draft intelligible referendum questions

1.12 We have followed our published preferred approach to assessing referendum questions by:

- undertaking public opinion research through focus groups and in-depth interviews
- writing to interested parties (including the main political parties) and would-be campaigners to seek their views
- seeking advice from experts on plain language and accessibility and from the Welsh Language Board

1.13 Our research included 15 focus groups and 41 interviews in locations in England, Scotland, Wales and Northern Ireland, with people from a range of backgrounds, of different ages and with varying levels of literacy.

1.14 The research explored how easy or difficult participants found the proposed question to understand and the reasons for this. A report of the findings of our public opinion research, including the methodology adopted, is available on our website at www.electoralcommission.org.uk/publications-and-research/policy-and-research.

1.15 Although we wrote to interested parties (including the main political parties) and would-be campaigners to seek their views on the proposed referendum question, and followed up our letters with reminders, we received only one response.²

1.16 This may be because the PVSC Bill, containing the proposed referendum question, is subject to Parliamentary debate, and interested parties will use the Parliamentary process to air their views on the question. It may also be because the time we had to assess the question spanned a holiday period.

1.17 A list of those who gave us their views and expert advice through correspondence is attached as Appendix 3 to this report. The views we have received are summarised and addressed where relevant in this report. We appreciate the time taken by individuals and organisations in giving their views to us.

Timescales

1.18 In line with our published approach, we advised the UK Government that our assessment of the proposed question would take about 10 weeks to complete. We also informed interested Parliamentarians of our approach.

1.19 The second reading of the PVSC Bill took place in the House of Commons on 6 September 2010. 'Committee stage' of the Bill in the House of Commons is due to start on 12 October 2010.

1.20 This report is the outcome of our question assessment process and is available for consideration by Parliament.

Scope of our power to give views on 'intelligibility'

1.21 We interpret the scope of our power to give views on 'intelligibility' as going further than simply looking at whether people understand the language used in the referendum question. We have powers to suggest alternative drafting or to offer suggestions on how a particular question and its preamble might be reframed.

² We sent a letter inviting views on 22 July 2010, following this with an email on 13 August 2010 to people we were particularly keen to hear from, reminding them of the deadline of 20 August 2010 for submitting views. We also reminded people who came to talk to us about possible campaigning of our invitation. We received one late response and included this in our consideration.

1.22 However, these suggestions must be confined to changes to the language or structure and framing of the question. We have no power to suggest alterations that would change the substance of the question or introduce new factors which might alter the nature of the debate.

2 The referendum question in context

Low knowledge and understanding of voting systems

2.1 The proposal in the Parliamentary Voting System and Constituencies (PVSC) Bill is that voters will be asked to decide, in a referendum, whether the voting system for the UK Parliament should change from the 'First Past the Post' (FPTP) system to the 'Alternative Vote' (AV) system.

2.2 The main issue arising from our assessment of the proposed question is people's limited understanding of the electoral systems it asks them to vote on. This point arose throughout our public opinion research and in the expert advice we have received. Later in this report we explain the findings of our public opinion research and the advice we have received in more detail.

2.3 The lack of people's knowledge of voting systems that we found in our public opinion research is unsurprising. Our research was conducted without the campaigning and media coverage that is likely to be in place in the run-up to the referendum and without any public information for voters yet being available.

2.4 People taking part in our research had limited knowledge of what the two voting systems are and how they work. They found it difficult to understand how the votes are cast and counted to determine who is elected in the 'Alternative Vote' system in particular. In some cases participants were also unaware of what a voting **system** is, and confused it with a **method** of voting (such as postal or internet voting).

2.5 People had a very mixed understanding of what the term 'First Past the Post' means. Nevertheless, many of those who took part in our research did have an idea of what it means in practice – that is, how the current system of voting in UK Parliamentary elections works.

2.6 People had almost no understanding of what the 'Alternative Vote' system is or how it works. This is to be expected, since they have no experience to draw from, compared with their experience of the current system of voting in UK Parliamentary elections using the FPTP system.

2.7 Many research participants also wanted to know what the implications of each system could be. Specifically, they wanted to know what the likely outcome of the voting systems may be for how the country may be governed. For example, people taking part in our research wanted to know whether the outcome of either voting system is more or less likely to result in a 'hung'

Parliament. Many people felt they would not be able to cast an informed vote without understanding the outcomes of the voting systems better.

Information for voters

2.8 Voter understanding of the choices being offered to them in this referendum is likely to be mitigated at least in part by referendum campaigning and public information materials. This seems to be supported by our research; some participants were given information about how the voting systems work before they saw the question and for many this improved their understanding of what they were voting on.

2.9 Campaigning has a key role to play in informing the public what the issues are in the referendum. The campaigns are the main source for getting across to potential voters what is at stake, encouraging people to vote and influencing how they vote.

2.10 We will also provide an information leaflet about the referendum, including an explanation of both voting systems, to all households in the UK. This is likely to be an important source of information, alongside extensive media coverage and campaigning. We are also considering ways in which information on the subject of the referendum can be made available to voters at the point at which they are voting.

2.11 Our research has shown, however, that at present there is a gap in public knowledge and understanding on the subject of the referendum. It is important that the question that appears on the ballot paper is clear, so that voters know what they are voting on.

Scope of the PVSC Bill

2.12 The referendum will go ahead if the PVSC Bill is approved by Parliament. The Bill provides that in the event of a 'Yes' vote, the 'Alternative Vote' system will be introduced. However, the Bill also provides that this is conditional on legislation being approved by Parliament to reduce the number of MPs, by redrawing Parliamentary constituency boundaries. That is, the 'Alternative Vote' system will only be introduced once the boundary review process, proposed by the Bill, is complete and Parliament has approved the proposed changes.

2.13 Our voter research did not address this linkage, since the issue does not impact on the intelligibility of the proposed referendum question. Our research focused on the wording of the proposed question. Research participants did not discuss, in that context, what the UK Government would do in response to the referendum outcome or when the 'Alternative Vote' system might be introduced. Nor was the linkage in the PVSC Bill raised with us in any advice we received or in submissions by other organisations or individuals.

2.14 Our question assessment process, including our voter research, was conducted during the summer Parliamentary recess of 2010, before Parliament began debating the PVSC Bill in detail. However, Parliamentary debate on the PVSC Bill and related media coverage is likely to link the two issues to some extent. This could affect both the development of the referendum campaigns and public awareness of what issues are involved.

2.15 There is a range of views in Parliament across all political parties about the referendum, including outright opposition to having a referendum on the Alternative Vote. The position is complicated by the differing views of MPs and political parties on the issue of boundary changes – those who support the Alternative Vote not necessarily supporting boundary changes and vice versa.

2.16 Our findings on voter understanding are uninfluenced by public debate about the PVSC Bill's proposals to reduce the number of MPs. It is possible that voter understanding of the referendum will become affected by linkage of the two issues in the public domain. In our view, however, this will not affect our findings on intelligibility of the proposed referendum question.

2.17 In the information that we provide to the public about the referendum, we will consider how best to explain what the outcomes of 'Yes' and 'No' votes in the referendum would be, including how a 'Yes' vote would be implemented.

The referendum combined with elections in May 2011

2.18 The Bill proposes the referendum will take place on 5 May 2011, at the same time as elections that are already scheduled. Scheduled elections include:

- The Scottish Parliament
- The National Assembly for Wales
- The Northern Ireland Assembly
- Local government elections in parts of England
- Local mayoral elections

2.19 There may also be local elections in Northern Ireland.

2.20 The voting systems in use in elections for the devolved institutions are the Additional Member System (AMS) in Scotland and Wales and Single Transferable Vote (STV) in Northern Ireland. The AMS voting system combines First Past the Post (FPTP) voting in constituency elections with a type of proportional representation (the closed list system³) in regional elections. STV is

³ Also known as a 'closed list' system.

another type of proportional representation. Local and most mayoral elections are conducted by FPTP.

2.21 Since devolution in 1999, voters in Scotland and Wales have become more accustomed to using different voting systems than voters in England, who currently vote in the majority of elections by FTFP. Voters in Northern Ireland have been using STV for all elections other than UK Parliamentary general elections since the 1970s. Local elections are conducted in Scotland by STV. European Parliamentary elections are conducted across Great Britain by a type of proportional representation (the closed list system) and in Northern Ireland by STV.

2.22 Because of the different experience of voters in Scotland, Wales and Northern Ireland compared with England, we wanted to ensure that our voter research identified any different understanding of voters of the proposed referendum question in the constituent parts of the UK. Our voter research was conducted across the UK accordingly.

2.23 Where there are any differences, we have identified these later in this report. However, an important point from our research was the consistency of findings across the UK. Although there were some different issues arising in relation to vocabulary used (such as the word 'Parliament' in Scotland, where it is commonly used to refer to the Scottish Parliament), our findings on the substantive intelligibility of the proposed referendum question are consistent across the UK.

3 What people think about the proposed question

3.1 Because we wanted to look at whether or not voters can understand the referendum question, we needed evidence from potential voters themselves. We carried out research to see how people reacted to and understood the question.

3.2 The full report from research agency Define, which undertook the research for us, can be downloaded from our website at www.electoralcommission.org.uk/publications-and-research/policy-and-research. The report also describes who took part in the research and where: we wanted to hear from people from a wide range of backgrounds, of different ages, living in different parts of the UK. Our research involved 15 focus groups and 41 in-depth interviews. In Wales, our research assessed both the English and Welsh versions of the proposed question. The report from Define contains an Executive Summary.

3.3 The research helped us find out people's understanding of the proposed question, their attitudes towards it, and the reasons why they think or feel the way they do about it. The research also helped us to explore how the question could be made more intelligible. The research focused on the question itself and how it is written, rather than on how people would vote.

Key areas considered in our public opinion research

- **Completion** – respondents were asked to complete an individual written task. This included answering the question as if for real and marking any words or phrases they found difficult to understand.
- **Literal meaning** – the respondents discussed what they thought the question was asking and any difficulties they had with the question.
- **Contextual meaning** – the respondents discussed their understanding of the two voting systems and the two possible outcomes of the referendum. In some cases they were provided with information about the two systems after this initial discussion, so as to assess whether their understanding of the question changed in the light of this new information. In other cases they were given information before they answered the question, so as to see how the question was understood by people who were more informed.
- **Improvements** – the respondents considered what improvements they would make to the question wording and discussed their suggestions.

Based on suggestions made by participants at the start of the research and by a 'plain language' group, we provided some alternative ways of asking the question for the remaining groups and interviews. This ensured that we had an idea of whether suggestions from participants worked in practice. The alternative versions of the questions are included at Appendix 4 to this report.

3.4 What follows is a summary of the key points that emerged from this research. Alongside our research findings, where relevant, is the advice we have received from experts on accessibility and plain language.

3.5 Our findings were generally consistent for the English and Welsh language versions of the question, although a small number of words in the Welsh version were less familiar to participants than the words used in the English language version. This is explained where relevant below.

Summary of what we learnt from our research

3.6 Without background information about the different voting systems, many participants in our research found the proposed question problematic. This was because they had almost no understanding of the 'Alternative Vote' (AV) system and very mixed understanding of 'First Past the Post' (FPTP). People's knowledge and understanding of the voting systems was critical to how they understood and interpreted the question.

3.7 After receiving explanations of the two voting systems, most participants reported a better understanding of the question.

3.8 However, some still found the question difficult to follow and a small number struggled to answer the question as they intended. Some participants simply said they were unable to answer the question without knowing more about the voting systems.

3.9 Participants spontaneously suggested some changes to improve the intelligibility of the question; in some cases these were reinforced by their reactions to different questions that they were shown as a result of those suggestions.

First Past the Post

3.10 While there was some awareness of the term 'First Past the Post' among participants, there were many who were not familiar with it and were not sure of its meaning.

3.11 Those that were more familiar with it often linked it with the way we currently vote for MPs in UK Parliamentary general elections. However, many

participants did not realise this is the term given to the system currently in place. This included people who had voted in the recent UK general election and those who had voted in many previous elections.

3.12 Once it was explained that FPTP is the current system, people understood the meaning of the term much better. Participants who had voted in previous UK general elections tended to be very clear about the voting process and how it worked. People were usually aware that candidates won by getting the most votes.

3.13 However, some participants did not clearly understand how the system works. Some were confused about voting at a constituency level compared with voting for a party to win the most seats in the UK Parliament. For example, a few people questioned how the current system resulted in a hung Parliament and why a party did not win the election outright if it won the most seats.

Alternative Vote

3.14 Only a handful of people taking part in our research understood what the 'Alternative Vote' system was before hearing any explanation of it. The vast majority had no knowledge of AV and did not know how to vote under the system or how candidates would win a seat.

3.15 A few people who were more interested and engaged had found out about AV when they heard about the referendum. Some people, particularly in Scotland and Northern Ireland, said they 'had heard of' the system but did not know how it worked. They assumed it to be the same as the proportional representation systems used in elections there.

3.16 In the context of the proposed question, people guessed or made assumptions about what AV meant. Most people assumed that it was something different from the current system, because they were being asked to choose whether to use it instead of FPTP.

3.17 Some people thought that the reason for changing the voting system was because the last election resulted in a hung Parliament and that perhaps AV would avoid that.

3.18 Assumptions about what AV meant varied widely, however. Understanding of the word 'alternative' as meaning 'different' led to two of the more widespread misconceptions on what the proposed question is asking.

3.19 The first of these misconceptions was that some people thought that they were being asked whether the UK should adopt a different **method** of voting, such as using the internet, postal voting or voting via digital television.

3.20 The second misconception was that some people thought they were being asked about a **generic**, alternative system of voting and did not understand that

AV was a **specific** voting system. However, they made no assumptions as to how it would be different.

3.21 Some people thought it meant there would be some form of ranking, but the majority were unsure about what it would or could involve. There were many people who could not hazard a guess on what AV meant.

3.22 Once it was explained to people how AV worked, people were able to understand that it was a ranking system. Some people in Scotland and Northern Ireland understood ranking better from using the 'Single Transferable Vote' system in elections there and some respondents in Wales also understood ranking better.⁴

3.23 However, there was some confusion about how voters show their preferences. Some people were confused about what the numbering meant, with questions about whether candidates with the highest number rank as the favourite and those with the lowest number rank as least favourite. Another source of confusion was how the numbering would be used and counted.

3.24 It was not easy to explain to people in our research how candidates win seats. Some people found it more difficult to understand than others. Visual aids helped to explain the system. The experience of our research demonstrated that clear information will be essential for most people to understand the system.

Use of language that can be understood by most people

3.25 Aside from people's understanding of voting systems, our research found that some people had difficulty with some of the other language used in the question. We have also received constructive advice from a range of experts on accessibility and plain language aimed at improving people's understanding of the question.

3.26 What follows summarises the key points from our public opinion research and the advice we have received.

The question as a whole

3.27 Without having explanations of the voting systems before they read the question, some people found the question clear, direct, concise and straightforward, notwithstanding their limited understanding of the voting systems. However, others found it difficult to understand, saying it was laden with jargon and confusing.

⁴ Although 'Single Transferable Vote' is not in use for elections in Wales.

3.28 When people were given prior explanation of the voting systems, most of them found it simple, straightforward and easy to understand.

3.29 However, for some participants with lower literacy or with low interest in politics or elections, the question still felt like 'hard work' after the voting systems had been explained. They needed to read the question several times to ensure that they were answering in the way they wanted. This was because they struggled with the length of the sentence, or with unfamiliar or formal seeming words. These kinds of difficulties were anticipated by plain language advisers.

3.30 Some other participants found the question easy to understand but felt that it could be written in a more straightforward way.

3.31 Some people felt that the tone of the question was formal and written by those familiar with political terms and formal speech. While this was not an issue for most people, it made some feel that the question was not aimed at them.

3.32 There was also a mixed response to the Welsh language version of the question. Some people found it relatively straightforward and easy to understand (without understanding the voting systems), whereas others found it more difficult to understand because the language felt formal.

Particular words and terms in the question

3.33 A small number of people did not understand and were not familiar with terms like 'House of Commons' and 'Members of Parliament'. They felt these were off-putting especially alongside the terms 'Alternative Vote' and 'First Past the Post'.

3.34 In Scotland, the term 'Parliament' was also understood to mean the Scottish Parliament. People said they usually referred to the UK Parliament as 'Westminster'. This was also mentioned in Wales. This is an important point in the context of the referendum being held on the same day as elections to the Scottish Parliament and to the National Assembly for Wales and the Northern Ireland Assembly. It is important that voters are clear that the question is about voting systems to the **UK** Parliament.

3.35 'United Kingdom' ('Deyrnas Unedig' in the Welsh version) was understood by people but not felt to be in common use, especially in Scotland, Wales and Northern Ireland. This added to the feeling that the question was formal. It was sometimes suggested therefore that either 'country' should be used ('gwlad' in the Welsh version) or 'Great Britain' ('Prydain Fawr' in Welsh).

3.36 The word 'adopt' was generally understood by most people taking part in our research. However, a few were unsure of its meaning in context. Others commented that it is not a word used by most people in everyday speech and has a connotation of childcare, as plain language experts also pointed out. People preferred to have a word from more everyday language, such as 'use'.

3.37 In the Welsh language version, the word 'dilyn' (follow) was used instead of the Welsh word for 'adopt'. However, the word 'defnyddio' (use) was in any event preferred.

3.38 The word 'current' was felt by some people not to be everyday language and they preferred 'present'. In the Welsh language version, 'cyfredol' for current was felt to be not an everyday word and 'presennol' was preferred.

3.39 In the Welsh version, the word 'Amgen' (alternative) was less familiar to people, as it was not a word that they frequently used or came across. Some had to look at the English version in order to understand it. Unfortunately, there is no obvious other term that could be used instead of 'Amgen' in this context.

3.40 Some people made clear that they did not understand the term 'referendum' in the title of the question and wanted it to be explained. Our public information leaflet to all households will explain what a referendum is, ensuring this point is addressed.

Accuracy of response

3.41 Without explanations of the voting systems, many people struggled to answer the question. Participants' responses included:

- not answering because they felt they did not know how to respond
- responding 'No' because they did not know what AV is – some people were aware that FPTP is 'what we do now' and so were inclined to vote for what they were familiar with
- making incorrect assumptions about AV and voting 'Yes'

3.42 Some participants in the research were given explanations of the voting systems after they read the question, and others were given explanations before reading it. Most people felt able to answer the question as they wanted once they had been given explanations of the voting systems.

3.43 However, a small number of participants were found not to have answered the question as they wanted, because they had not understood what the two systems involve or had found the question unclear. It is not possible to say from the sort of qualitative research that we conducted how widespread such problems might be in the general population.

3.44 There were also some people who still felt unable to answer the question at all, even after being given information about how the voting systems work. This was because they wanted to know what the implications of each of the voting systems were. That is, they wanted to know more than just how to vote – they wanted to know what the likely outcome of the voting system could be. The need for this information is likely to be mitigated at least to an extent by referendum campaigning.

Is the question neutral?

3.45 Most people in our research felt that the question was neutral and not biased. They felt it did not encourage them to vote in a particular way.

3.46 A few people felt that the question was biased towards AV. This was because AV was mentioned first; because 'Do you want' and 'adopt' indicated for some that AV is the preferred option; and because the use of 'instead of' was felt to suggest that the current system was not working properly and implied that AV might be better.

3.47 The perception of bias is to a small degree inherent in a question that puts forward change. This is because asking whether something should change can imply that there is something wrong with what is there at present.

3.48 For a few other respondents, however, the question was felt to show some bias towards FPTP. This was because it was presented as the current system and they felt that some people may feel disinclined to change.

Layout and design of the ballot paper

3.49 Some of our respondents have given expert advice on the layout and design of the ballot paper, including some organisations representing disabled people; the Association of Electoral Administrators and the Interim Electoral Management Board for Scotland. A number of research participants also made suggestions on the layout of the question, although it was generally felt to be laid out well, with no significant issues arising.

3.50 We have not addressed design issues specifically in this report, which focuses on the intelligibility of the proposed question. The layout and content of the ballot paper is prescribed in the PVSC Bill. We have previously highlighted that the form of the ballot paper currently included in the Bill has not been designed to be fully accessible and usable for voters. We hope that the UK Government will find an opportunity to improve the ballot paper design during the passage of the Bill.

3.51 The Chief Counting Officer expects to produce a template ballot paper in line with the specification in the PVSC Bill that, in terms of format and design, makes it easy for voters to make their mark in the way they intend. The Chief Counting Officer expects to direct local Counting Officers to use the template, to ensure consistency across the UK.

Alternative forms of the question

3.52 Participants in our research sometimes spontaneously suggested changes which they thought would improve the question, and others made suggestions

when they were asked what, if anything, they thought would improve the question.

3.53 Based on suggestions made by participants at the start of our research and advice from plain language experts, we provided some alternative ways of asking the question for the remaining focus groups and interviews. This has ensured that we have an idea of whether changes suggested by participants work in practice.

3.54 The proposed question was always considered first in our research, and considered in more detail than alternative options. There was enough consistency in participants' reactions to the other questions we considered to give a strong indication as to which changes helped participants to understand what they were being asked, and which did not.

3.55 However, the research was not designed to draw conclusions on what proportion of the overall population would best understand different versions of the proposed question. We tested and assessed the UK Government's proposed question; the alternative formulations we used arose out of what people said about the proposed question. We presented alternative formulations to participants after pilot groups and interviews were held.

3.56 It is important to note that the alternative questions could not be subject to the same test conditions as the UK Government's proposed question, since they were looked at by participants only after they had seen and discussed the Government's question. Participants did not approach them without knowledge of what the issues were before responding to them.

3.57 The different questions maintained consistency with the proposed question wherever practicable, including the technical terms used. The questions we used are included as Appendix 4 to this report, and further details of how these questions were incorporated into the research are contained within Define's research report.

3.58 Participants were also shown a version of the proposed question which replaces 'United Kingdom' and 'Members of Parliament' with 'UK' and 'MPs'. People found this helpful in that it made the question more succinct, increasing their inclination to read it. Using abbreviations runs counter to the usual recommendation on writing style to spell out terms in full. However, the terms 'UK' and 'MPs' are very widely-used and, in the content of the referendum question, have the advantage of both shortening it and making it seem less formal in tone.

3.59 For some people the idea of using abbreviations was not essential and did not make a significant difference to the intelligibility of the question. In the Welsh version of the question, some older people were not familiar with the Welsh version of the abbreviations. On balance, however, using familiar abbreviations made the question more succinct and improved its accessibility for people.

Question 1: Two sentences in plain language

At present the United Kingdom uses the “first past the post” method to elect Members of Parliament to the House of Commons. Should the “alternative vote” method be used instead?

3.60 This question is based on a suggestion from a plain language expert. It uses:

- two short sentences
- the word ‘method’, as being closer to the intended meaning than ‘system’
- ‘should’ rather than ‘do you want’

Participants identified the following features of this alternative as being helpful:

- Using two short sentences makes the question easy to follow.
- ‘At present...’ explained more clearly that this is what happens now (in a way that ‘the current “first past the post” system’ did not for many participants).
- It was seen as factual and to the point, showing clearly that ‘First Past the Post’ is what the current system is called.
- The language seemed ‘everyday’ and straightforward.
- The question ‘should’ was also preferred to ‘do you want’ because it was felt to be to the point and objective.
- The question did not emerge as biased in either direction. A few people saw bias towards FPTP because it was the method used at present and a few people saw bias in favour of AV because they were being asked if they wanted to change. Some people felt it was seeking their opinion rather than implying how they should respond.
- Overall, there were no notable drawbacks identified with this question (subject to the voting systems being explained).

3.61 We do ourselves have a concern about using the term ‘method’, however, rather than ‘system’. This is because ‘voting system’ is the term in common usage amongst politically-involved people. Consequently, we believe it likely that campaigners and politicians will instinctively use the terms ‘voting system’ or ‘electoral system’. If different terms are used in talking about the referendum to the terms used on the ballot paper, that could cause confusion for voters.

Question 2: Plain language variation

At present the United Kingdom uses a system called “first past the post” to elect Members of Parliament to the House of Commons. Should a system called “alternative vote” be used instead?

3.62 In Question 2, we used a variation of the plain language version of the question, intended to test whether the phrase ‘a system called [AV/FPTP]’ helps to identify that AV refers to a specific voting system rather than a generic different way of voting.

3.63 However, people did not find the use of ‘called’ to be helpful. The version did not significantly reduce doubts about what the question is asking and was not a helpful alternative.

Question 3: Preamble variation

This version explains the different voting systems in a detailed preamble (see Appendix 4 to this report for the full version).

3.64 Question 3 followed a different approach. This question contained information in a preamble to explain the mechanics of both voting systems, in response to suggestions from some participants for more information on the ballot paper.

3.65 While some people valued this information (especially when they had not previously been given information about the different voting systems), most people found that this question was far too detailed. For most, it was felt that it would be time-consuming to have this amount of information on the ballot paper. This was especially so for those with low literacy. There was also a concern that information might be not read properly or at all or that people would choose to read the FPTP information but not the AV information or vice versa.

3.66 Using this version of the question in our research showed that people want information about the voting systems before they vote. As explained earlier in this report, we will provide information for voters in a leaflet to all households and will also consider what information it would be useful to provide for voters in polling stations.

Question 4: Mark against 'First Past the Post' or 'Alternative Vote'

Which voting system do you want the United Kingdom to use for electing Members of Parliament to the House of Commons?

'Alternative vote' – this is a different system from the one that is used at the moment

'First past the post' – this is the system that is used at the moment

3.67 This question gave the two voting systems as two answer options, in response to suggestions from some participants that this would be clearer.

3.68 This question was found to be very straightforward to answer by most people. This was the case across the research sample, including those who had already found the proposed question to be straightforward and clear. The main reason for the question being perceived as straightforward was that voters would be placing a mark directly next to the choice they wanted to make.

3.69 We have considered other issues that arise with this style of question, however, in reaching our conclusions and final recommendations. The alternative questions were not examined as fully in the research as the proposed question. For example, participants were not asked to complete mocked-up ballot papers for the alternative questions. This has greater significance for Question 4 because, unlike a question requiring a 'Yes'/'No' answer, this style of question has never been used in a UK-wide referendum. As such, we believe that fuller testing would need to be undertaken before recommending this style of question ahead of a more traditional 'Yes'/'No' question that meets our criteria.

3.70 This is because there may be wider implications of setting out the question in this formulation that were not identified in the research. For example, although the question was found to be straightforward to answer, it seems to us that this question could be interpreted in different ways. It is possible that, in asking the voter a question such as 'Which voting system do you want?', the voter may assume that this is an open question, enabling them to write the name of a specific voting system against the alternative vote option.

3.71 We also note that a formulation that proposes the choice to be made by voters as two options could quite significantly affect the nature of referendum campaigning. Rather than posing the choice to voters as a change to the current system of voting it requires a positive vote for either option. Campaigns will not be straightforward 'Yes' and 'No' campaigns, but in favour of either option.

3.72 Campaigning for options has not been tried before at UK-wide level (there has been no UK-wide referendum since 1975). There is no experience in the UK from which to gauge how voters might respond. There are some international standards⁵ that favour 'Yes' and 'No' choices being put to voters but these standards are of limited value in being able to model the impact on the voter in this particular context.

3.73 In conclusion, although people found this version very straightforward to answer when used in the context of the research, we believe that using this style of question in the referendum could have wider effects.

Views of campaigners

3.74 Although we sought the views of interested parties (including the main political parties) and would-be campaigners on the proposed referendum question, we received only one response from a campaigning organisation.

3.75 'No2AV' gave us their views of the question in the context of our criteria for assessing intelligibility. They anticipated that, although the question was drafted in simple and concise language, the terms 'First Past the Post' and 'Alternative Vote' would not be understood. They also anticipated that 'Alternative Vote' could have other connotations for voters, as there are many 'alternative voting' systems. These points reflect our research findings. They also called for us to produce and provide an explanatory booklet on the referendum to voters.

3.76 They were concerned about the use of the term 'First Past the Post' because it could have negative connotations in comparing Parliamentary democracy to horse racing, in their view introducing bias to the question. (Naming the system FPTP was not, in fact, an issue that emerged in our voter research). They preferred the use of 'current system'.

3.77 They raised a similar point to that emerging from our research on the use of the word 'adopt', also pointing out that 'adopt' does not have the connotation of 'give up'. They submitted that it should be clear to voters that AV would replace, not supplement, the current electoral system.

3.78 Their main concern related to how the AV proposal is described. They submitted that the form of AV proposed in the PVSC Bill is only one form of many systems and that each of these produces radically different outcomes. In their view, the fairest and most accurate way of posing the question was: 'Do you want the United Kingdom to replace the current system for electing

⁵ *Code of good practice on Referendums* adopted by the Council for Democratic Elections at its 19th meeting (Venice, 16 December 2006) and the Venice Commission at its 70th plenary session (Venice, 16-17 March 2007), CDL-AD(2007)008, paragraph 3.1.

Members of Parliament to the House of Commons with instant runoff voting?' They also suggested other alternative descriptions.

3.79 Our assessment of the proposed question and our recommendations address several of the points made by 'No2AV', where these correspond with the findings of our voter research. We will also provide an explanatory leaflet to voters on the two electoral systems. Drawing from our research evidence, however, we do not believe that using the term 'instant runoff voting' or other ways suggested of describing AV is likely to improve voter understanding of the referendum question.

4 Our assessment of the proposed question

4.1 We have considered the proposed question against our guidelines for assessing referendum questions. In arriving at our assessment, we have taken into account the context for the referendum question and all the evidence we have received.

4.2 Our guidelines say that a referendum question should present the options clearly, simply and neutrally. So it should:

- be easy to understand
- be to the point
- be unambiguous
- avoid encouraging voters to consider one response more favourably than another
- avoid misleading voters

Our conclusions

4.3 Before explaining our conclusions, we must add that voter understanding of the substance of the question will be heavily influenced by the information about voting systems that voters have access to and are aware of. Our research has demonstrated conclusively that, without access to information about voting systems, the intelligibility of the question to voters will be limited.

4.4 Voter awareness will need to come through the referendum campaigns, media coverage, and a voter information leaflet to all households that we will provide. Our voter information leaflet will provide factual information about voting systems, while the arguments for and against the different systems will be aired in referendum campaigning.

4.5 Without access to information about voting systems, many people will understand the language of the question but not what they are voting on. They will find the proposed question ambiguous, because they do not know what 'First Past the Post' (FPTP) or 'Alternative Vote' (AV) means. They could be misled that AV means an alternative way of voting, not knowing what that is or without realising that AV is a specific voting system.

4.6 That said, we conclude that, in terms of the language used, the wording of the question proposed by the UK Government as currently drafted is likely to be understood by most people.

4.7 However, some people, with lower literacy for example, will find the question more difficult to understand and will need to re-read it more than once.

For some people, finding the question difficult to understand may increase the risk of them not voting or not voting in line with their real intentions.

4.8 For this reason, we recommend that the question is redrafted to ensure that people are able to understand it more easily.

4.9 In looking at redrafted versions of the question in our research, two redrafted versions performed well against all our criteria for assessing intelligibility. These were, firstly, the 'plain language' version of the question, which is close to the UK Government's proposed question but poses it more succinctly in two sentences. The second was the 'option' version, which reframes the question and asks voters to vote by making their mark against the option of either FPTP or AV.

4.10 In our research, both of these emerged as straightforward and easy to understand. However, for the reasons explained earlier in this report, there are potential drawbacks to using the 'option' style of question in this particular case. Such a style of referendum question would be new to the vast majority of voters in the UK and would need comprehensive testing with the public. Additionally, proper assessment of such a question would have to take account of feedback from interested parties (including political parties) and would-be campaigners before any conclusions could be reached. In the circumstances, we could not recommend the use of an 'option' question in place of a more traditional 'yes/no' question that meets our criteria for assessing referendum questions.

4.11 A 'plain language' version of the question, close to the UK Government's proposed question but framed in two succinct sentences, performed well against all our criteria for assessing the intelligibility of referendum questions. We recommend that it be used in the referendum.

Our recommended redraft

4.12 Our recommended redraft of the question is:

Referendum on the voting system for UK Parliamentary elections	
Vote (X) once only	
At present, the UK uses the 'first past the post' system to elect MPs to the House of Commons. Should the 'alternative vote' system be used instead?	
Yes	
No	

4.13 This formulation is easier to understand than the UK Government's proposal because it:

- Replaces one long sentence in the original question with two shorter ones.
- Uses everyday, straightforward language. This improves its accessibility and helps people in particular who have low literacy or whose first language is not English.
- Is focused and factual, providing a clear indication that 'First Past the Post' is the voting system currently in use and that the proposal is to replace it with the 'Alternative Vote' system.
- Uses familiar abbreviations – 'UK' and 'MPs' – to make the question more succinct.
- The use of 'UK Parliamentary elections' makes clear to people, especially in Scotland, Wales and Northern Ireland, that they are voting only on the electoral system in use in Westminster. This reduces potential confusion amongst people who will be voting in elections for the devolved institutions on the same day as the referendum.

4.14 People in our research generally preferred the formulation 'should' to 'want', when the question is made up of two short sentences. They found it less forceful than a new sentence beginning 'Do you want ..?'. They preferred the use of 'should' in this particular context.

4.15 Because the question is easier to understand, it is more likely that people will be able to vote in the way they intend. Not understanding the question increases the likelihood of people accidentally voting in the opposite way to their intention.

4.16 The responses follow common parlance by putting 'Yes' before 'No'. We see no reason to depart from common parlance. Indeed, putting 'No' before 'Yes' may lead to perception of bias, because reversing the normal order is not what people expect.

Welsh language version of the question and responses

4.17 In deciding on any redrafting of the question, consideration must be given to the Welsh language version of the referendum question and responses, since in Wales the ballot paper will be bilingual.

4.18 If the formulation is used of 'Should the 'alternative vote' system be used ...etc', in English the answer will be 'Yes' or 'No'.

4.19 However, there is a drawback to this in the Welsh language version of the question. The use of 'Should' in the English version means that the Welsh question would change to 'A ddylid...'. This in turn impacts on the answer. A simple 'Ydw'/'Nac ydw' could not be used and instead the Welsh language response would need to be 'Dylid' ('It should') or 'Na ddylid' ('It should not').

4.20 The main difficulty arises with referendum campaigning. If the question in English is formulated to have a 'Yes'/'No' answer the campaigns are likely to reflect this and would ideally in Welsh be 'Ydw' and 'Nac ydw'. This could cause confusion for voters when presented with a ballot paper that presents response options of 'Dylid' and 'Na ddylid'.

4.21 In our research, the Welsh version of the redrafted question and responses, using 'Dylid'/'Na ddylid' ('it should'/'it should not') did not in fact emerge as particularly problematic. Consideration of the impact of campaigning did not emerge in the research.

4.22 We believe that in the context of a UK-wide referendum, on balance, using 'Should' is an acceptable question formulation. The campaigns in a referendum on UK Parliamentary voting systems are more likely to be UK-wide than based in a constituent part of the UK. Using 'Should' would be much more problematic if the referendum were taking place in Wales only. In that scenario, campaigning should be fully bilingual and reflect the question responses, as for the forthcoming referendum on the law-making powers of the National Assembly for Wales in March 2011.

4.23 Our recommended redraft of the Welsh language version of the question is:

Refferendwm ar y system pleidleisio ar gyfer etholiadau Senedd y DU

Pleidleisiwch (X) unwaith yn unig

Ar hyn o bryd, mae'r DU yn defnyddio'r system 'y cyntaf i'r felin' i ethol ASau i Dŷ'r Cyffredin. A ddylid defnyddio'r system 'pleidlais amgen' yn lle hynny?

Dylid

Na ddylid

What happens next?

4.24 It is for the UK Government to formulate the referendum question included in the Parliamentary Voting System and Constituencies (PVSC) Bill and ultimately for Parliament to make the final decision. We have aimed to provide a constructive recommendation based on the evidence now available and hope that this is helpful when decisions are made.

4.25 The language of the referendum question proposed by the UK Government in the PVSC Bill is broadly intelligible. We recommend that it is redrafted to improve its intelligibility. This can be achieved by using the plain language version of the question that we have formulated, using two short sentences. Our research evidence demonstrates that it performs well against all our criteria for assessing the intelligibility of referendum questions.

4.26 We emphasise again, however, that voters must have access to information about electoral systems, in order to understand what they are voting on. This report has explained how the lack of people's understanding of the issues, which is at the moment a significant matter, may be mitigated.

Appendices

Appendix 1 Proposed referendum question contained in the Parliamentary Voting Systems and Constituencies Bill

Appendix 2 'Referendum question assessment guidelines' and 'Our approach to assessing the intelligibility of referendum questions', The Electoral Commission, November 2009

Appendix 3 List of responses

Appendix 4 Alternative formulations of the question used in our research

Appendix 1: Proposed referendum question contained in the Parliamentary Voting System and Constituencies Bill

The question to be asked in English

Do you want the United Kingdom to adopt the “alternative vote” system instead of the current “first past the post” system for electing Members of Parliament to the House of Commons?

Yes

No

The question to be asked in Welsh

Ydych chi am i'r Deyrnas Unedig ddilyn y system “pleidlais amgen” yn lle'r system gyfredol “y cyntaf i'r felin” ar gyfer ethol Aelodau Seneddol i Dŵ'r Cyffredin?

Ydw

Nac ydw

The question shown in the proposed ballot paper format

Referendum on the voting system for parliamentary elections	
Vote (X) once only	
Do you want the United Kingdom to adopt the “alternative vote” system instead of the current “first past the post” system for electing Members of Parliament to the House of Commons?	
YES	
NO	

Note: the form of the bilingual ballot paper is not contained in the Parliamentary Voting System and Constituencies Bill, so the proposed format of the ballot paper for use in Wales is not yet known. It must contain the question in English and in Welsh, on the same page.

Appendix 2

November 2009

The
Electoral
Commission

Referendum question assessment guidelines

By law, the Electoral Commission must comment on the intelligibility of UK, national and regional referendum questions, and some local government referendum questions.¹ In this context, we mean referendums where voters are asked to vote on a proposal put forward by government. At this type of referendum, voters are given a ballot paper that contains the question and at least two possible responses to choose from.²

We have developed these guidelines to:

- help us assess how intelligible a proposed question is
- help people draft intelligible referendum questions

In this context, 'question' includes the question, the responses, and any statement that comes immediately before the question.

Guidelines for assessing referendum questions

A referendum question should present the options clearly, simply and neutrally. So it should:

- be easy to understand
- be to the point

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- be unambiguous
- avoid encouraging voters to consider one response more favourably than another
- avoid misleading voters

Checklist

We will use the following checklist to help us assess how intelligible a question is.

- Is the question written in plain language? That is, language that:
 - uses short sentences (around 15–20 words)
 - is simple, direct, and concise
 - uses familiar words, and avoids jargon or technical terms that would not be easily understood by most people
- Is the question written in neutral language, avoiding words that suggest a judgement or opinion, either explicitly or implicitly?
- Is the information contained in the question factual, describing the question and the options clearly and accurately?
- Does the question avoid assuming anything about voters' views?

1 Under the Political Parties, Elections and Referendums Act 2000.

2 How many responses voters can vote for depends on the voting system used at that referendum.

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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

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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

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Appendix 3: List of responses

The following individuals/organisations gave their views to us.

Organisation
Association of Electoral Administrators
Clarity
No2AV
Disability Action
Enable
Highland Council
Interim Elections Management Board (Scotland)
Plain Language Commission
Pollenshop
Three responses from members of the public
Wales Council for the Blind
Welsh Language Board

Appendix 4: Alternative forms of the question used in our research

Question 1: Two sentences in plain language

Referendum on the voting system for parliamentary elections	
Vote (X) once only	
At present the United Kingdom uses the “first past the post” method to elect Members of Parliament to the House of Commons. Should the “alternative vote” method be used instead?	
YES	
NO	

Question 2: Plain language variation

Referendum on the voting system for parliamentary elections	
Vote (X) once only	
At present the United Kingdom uses a system called “first past the post” to elect Members of Parliament to the House of Commons. Should a system called “alternative vote” be used instead?	
YES	
NO	

Question 3: Preamble variation

Referendum on the voting system for parliamentary elections	
‘First past the post’ system	
<p>‘First past the post’ is the system used at the moment for electing MPs to the House of Commons.</p> <p>In this system, each voter marks the ballot paper with an X by the candidate they want to elect.</p> <p>All the votes are counted and the candidate with the most votes is elected.</p>	
‘Alternative vote’ system	
<p>‘Alternative vote’ is a different system from the one used at the moment for electing MPs to the House of Commons</p> <p>In this system, each voter numbers the candidates on the ballot paper in order of preference. The voter puts a ‘1’ by their first choice candidate, a ‘2’ by their second choice candidate, and so on.</p> <p>All the first choice votes are counted. If one candidate has more than half of the votes, they are elected. If no candidate has more than half of the votes, the candidate with the fewest votes is eliminated from the counting. The second choice votes of people who had voted for the eliminated candidate are redistributed to the remaining candidates. This process is repeated until one candidate has more than half of the votes and they are elected.</p>	
Question	
Do you want the United Kingdom to adopt the “alternative vote” system instead of the current “first past the post” system for electing Members of Parliament to the House of Commons?	
Vote (X) once only	
YES	
NO	

Question 4: Mark against 'First Past the Post' or 'Alternative Vote'

Referendum on the voting system for parliamentary elections	
Vote (X) once only	
Which voting system do you want the United Kingdom to use for electing Members of Parliament to the House of Commons?	
'Alternative vote' This is a different system from the one that is used at the moment	
'First past the post' This is the system that is used at the moment	

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