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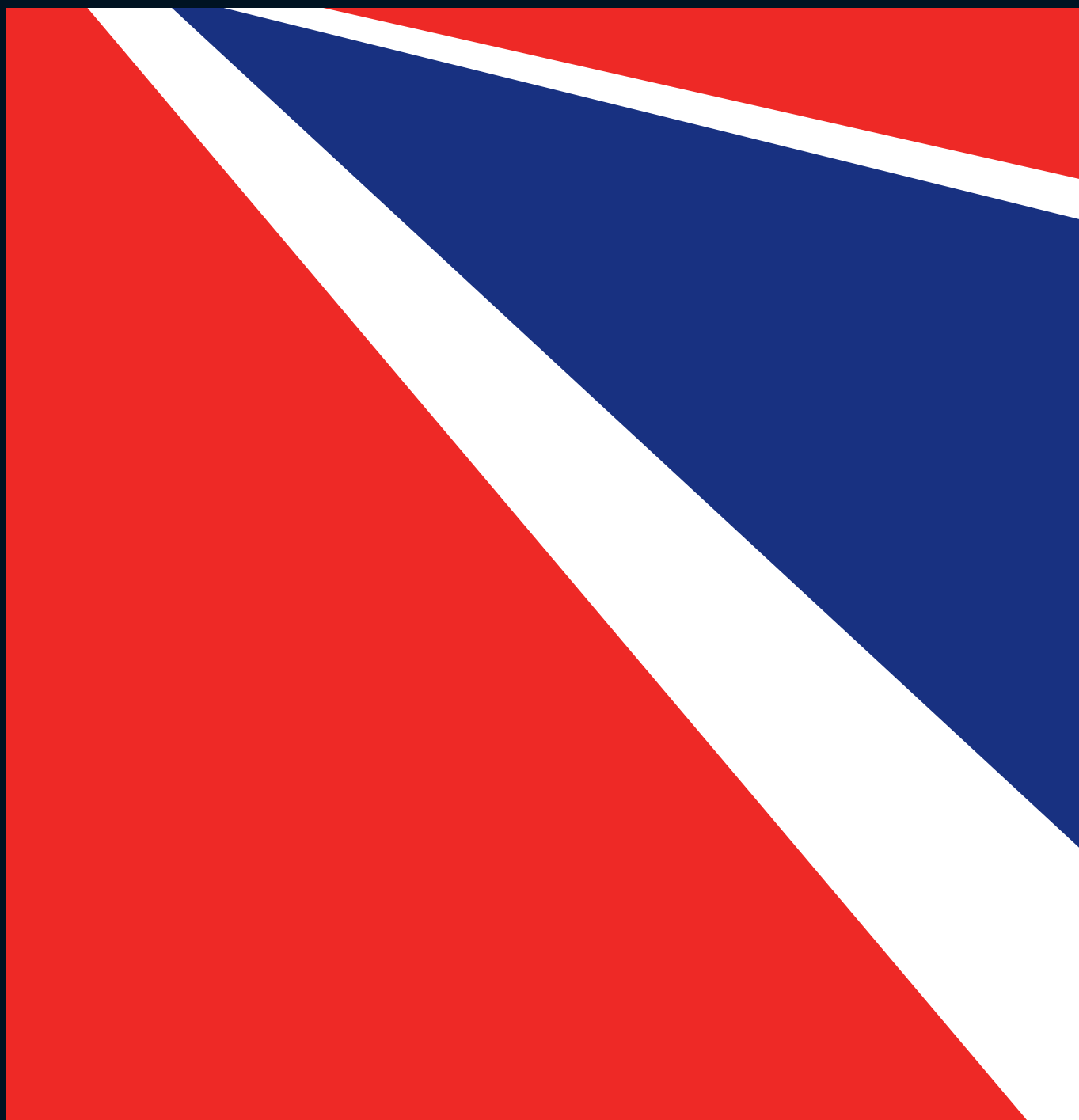


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The Governance of Britain

Review of Voting Systems:
the experience of new voting systems
in the United Kingdom since 1997

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Review of Voting Systems: The experience of new voting systems in the United Kingdom since 1997

Presented to Parliament
by the Lord Chancellor and Secretary of State for Justice
by Command of Her Majesty the Queen

January 2008

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Foreword by the Secretary of State



In July 2007 the Government published the *Governance of Britain* Green Paper, which outlined proposals for a new and deeper phase of constitutional renewal, and included a commitment to complete and publish this Review of Voting Systems.

This followed a manifesto commitment to review the experience of the electoral systems introduced for the devolved administrations, the European Parliament and the London Mayor and Assembly.

Since these systems were set up there have been three elections in Wales, Scotland, and Northern Ireland, and two elections for the European Parliament, London Mayor and Greater London Assembly.

There is therefore a wealth of information on the practical operation of different forms of voting systems within the United Kingdom, which this Review has been able to draw upon. In addition, the Review refers to the findings of studies of electoral systems in other democracies.

The Review does not make any recommendations for reform but describes the strengths and weaknesses of different voting systems to inform the continuing debate on electoral reform.

A handwritten signature in black ink, appearing to read 'Jack Straw'.

Rt Hon Jack Straw MP
Lord Chancellor
and Secretary of State for Justice

Terms of reference for the voting systems review

To provide a summary of the available evidence from the following:

1. voting systems used in the UK for the National Assembly for Wales, the Scottish Parliament, the Northern Ireland Assembly, the European Parliament, the Greater London Assembly, and the London Mayoral elections
2. international experiences of voting systems, which mirror those used in the UK
3. the findings of the Report of the Independent Commission on the Voting system (Jenkins Commission, 1998)¹
4. the report of the Independent Commission on Proportional Representation (ICPR, 2003)² established at the Constitution Unit at University College of London
5. those parts of the Power Inquiry³, an independent inquiry established in 2004 and chaired by Baroness Kennedy of the Shaws, that considered issues around electoral systems
6. the findings of the Richard Commission in Wales⁴ and the Arbuthnott Commission in Scotland.⁵

(End notes can be found from page 182 onwards)

Executive Summary

1. This review is a desk-based study, drawing upon previous reviews of voting systems, academic papers, books and other resources. The cut-off date for the collection of information in this review was 31 October 2007.
2. The principal remit of this review is to describe the experience of the new voting systems in the UK – for the Scottish Parliament, Welsh Assembly, Northern Ireland Assembly, London Assembly, London Mayor and the European Parliament. The experiences are drawn together under commonly used criteria for assessing the performance and characteristics of different voting systems. This review also includes the experiences of some relevant international examples that have comparable voting systems.
3. The purpose of this review is to contribute to the knowledge base and debate on whether or not changes should be made to the voting system for the House of Commons. We have set out to provide, as much as possible, objective information to contribute to this debate but not to make judgements or recommendations that are inherently political in nature. We understand that this review may receive comments from many sides and we welcome contributions to a healthy debate.
4. The study and analysis of voting systems does not always produce conclusive findings. Comparing voting systems is inherently a political task and the debate will present differing views. Attitudes towards different voting systems can be highly influenced by a system's impact on groups or parties that a person supports or opposes. Opinions, and to some extent the interpretations of research findings, may also reflect the values different people place on certain properties and characteristics of voting models and the resulting nature of representative democracy.

Previous reviews

5. Since 1997 there have been several different reviews of voting systems.
6. The Independent Commission on the Voting System (Jenkins Commission, 1998),⁶ tasked with recommending a system for Westminster, proposed a change from the current First Past the Post System (FPTP) to Alternative Vote Plus (AV+). This was a new model with a preferential voting system including a top-up list vote to ensure reasonable proportionality. The Commission took the view that this would extend voter choice and maintain a link between constituents and representatives.

7. The Arbuthnott Commission⁷ for Scotland (2006) recommended that the Additional Member System (AMS) should be retained for the Scottish Parliament but revised in terms of the language used, ballot paper design and the introduction of open lists. It also suggested that Scottish Parliament elections and local government elections should not be on the same day and recommended the use of the Single Transferable Vote (STV) for the European Parliamentary elections in Scotland. The Richard Commission⁸ for Wales (2004) favoured changing the voting system to STV for the Welsh Assembly if the size of the Assembly were to be increased.
8. The Independent Commission to review Britain's experience of Proportional Representation Voting Systems in the UK (ICPR, 2003)⁹ did not propose a particular voting system, but it observed that changing the voting system for the House of Commons would have far-reaching effects (notably, coalition government). The ICPR also observed that the introduction of new voting systems elsewhere in the UK has not had as dramatic an impact as either proponents or opponents of change had suggested. In general, the new bodies elected under proportional representation (PR) have produced stable, if not always popular, government.
9. The Power Commission (2004)¹⁰ recommended that the current voting system for Westminster be replaced with a more "responsive electoral system" but gave no firm views on which system would best achieve this.
10. The Electoral Reform Society's (ERS)¹¹ review of the new voting systems introduced for the UK (2007) critiques the FPTP system and recommends STV as a suitable system for Westminster. While recognising that the causes of political disengagement are very complex, the ERS argue there is a strong link between the type of voting system and voter turn-out. For the devolved jurisdiction, the ERS recommend that STV be introduced in Scotland, Wales, the London Assembly and the European elections and that the Alternative Vote System (AV) be introduced for the London Mayor.

Experience of the new voting systems

11. The choice of the new voting systems introduced in the UK reflects specific devolved functions, geographical contexts, and the political climates of the time and regions. These systems have also only been in place for between two and three terms and may still be undergoing a fine-tuning process. This should be considered when comparisons are made with the different history and functions of the House of Commons.
12. The Additional Member System (AMS) for the National Assembly for Wales resulted in an initial minority Labour Government, followed by a coalition with the Liberal Democrats until 2003, a minority Labour government until 2007,

and most recently the formation of a Labour-Plaid Cymru Alliance following the 2007 elections. Labour has dominated the constituency elections. The regional list system has allowed much stronger representation for Plaid Cymru, the Conservatives and the Liberal Democrats.

13. AMS for the Scottish Parliament resulted in a coalition government between Labour and the Liberal Democrats between 1999 and 2003. The 2007 election resulted in a Scottish National Party minority administration with support from the Scottish Greens. The regional list system has allowed significant representation in the Scottish Parliament for the Scottish National Party, Conservatives, Scottish Greens, Scottish Socialists and independent candidates.
14. A difficult issue in both Scotland and Wales has been the friction between constituency members and list members. Part of the issue has been the fact that unsuccessful candidates for constituency seats can be elected through the list. The tensions have been exacerbated by the fact that list members are mainly from opposition parties. Other countries with AMS, like Germany and, since 1996, New Zealand, have not experienced the same problem. The *Government of Wales Act 2006* ended 'dual candidacy' in Wales.
15. STV for the Northern Ireland Assembly has led to the most proportional distribution of seats in any UK election. Four large parties have tended to dominate, the Democratic Unionist Party (DUP), Sinn Fein, the Social Democratic and Labour Party (SDLP) and Ulster Unionist Party (UUP). The most recent election saw the DUP and Sinn Fein emerge as the two leading parties in terms of vote share.
16. AMS for the London Assembly helped the Liberal Democrats, Greens and UK Independence Party (UKIP) secure seats in the Assembly through the list. All constituency seats have been won by Labour or the Conservative party. In the London Mayoral elections second preference votes, under the Supplementary Vote (SV) system, have helped to decide the outcome of both the 2000 and 2004 elections. Complexity of the ballot papers has been a particular problem in the London elections, especially in 2004, when the Assembly and Mayoral elections were combined with the European Parliamentary elections.
17. The closed list system, employed in the European Parliamentary elections in Great Britain since 1999, has enabled much stronger representation for the Liberal Democrats, and seats for the Greens and in 2004, UKIP. Labour's share of the seats in 2004 was 24 percent, compared with 71 percent in the last FPTP election in 1994.
18. Turn-out in all of these elections (except Northern Ireland) is considerably lower than in the UK General election. Turn-out in Scotland and Wales fell significantly in 2003 compared with 1999. Turn-out rose in the second set of London and European Parliamentary elections over the period, with a range of

factors, including postal voting and combination of polls, making a contribution. Electors' perceptions of the relative powers and importance of the elected bodies may also play a part too.

19. The Electoral Commission's findings about the elections in Scotland, Wales, Northern Ireland and for the European Parliament have a common theme about the need for better information for the public, both about the purpose and importance of the elections and the processes involved.

Assessing the experience

20. This review looks at the experience of the new voting systems under seven criteria, of which the findings are briefly summarised below.

Proportionality

21. All the newly introduced voting systems have achieved a greater degree of proportionality than FPTP, although only STV in Northern Ireland has achieved what academic observers consider to be close to genuine proportionality. While the FPTP system for Westminster currently favours the Labour Party, it allows large swings in seats to be won by the two major parties although this is less predictable with the emergence of a stronger third party, the Liberal Democrats.
22. Factors other than the voting system impact on disproportionality, in particular district magnitude and patterns of voter behaviour. While there is a consensus about the factors contributing to proportionality and disproportionality, there are different interpretations about which factors are problematic. Some argue that disproportionality of FPTP is unfair to small parties, in particular for the Liberal Democrats, and call for a change of the voting system. Others argue that the disproportionality is a result of several factors: changing patterns of voter support, turn-out and constituency size, with the voting system not being the sole cause of disproportionality. Factors that could be influential include constituency boundaries and voter turn-out. It is clear that PR systems do introduce a greater degree of proportionality. However debates critiquing FPTP need to take into account the complex factors, other than just the voting system, that contribute to disproportionality in recent UK elections.

Voter participation

23. International evidence suggests that proportional systems have around five percent higher turn-out but this has not been the experience of the new systems introduced in the UK. Turn-out is lower in most of the elections of the devolved jurisdictions and European Parliament when compared to elections in the House of Commons. Voter turn-out in the elections in Scotland

and Wales under AMS was initially relatively low in 1999, declined in 2003, but improved slightly in the most recent elections in 2007. London and the European elections saw improvements in turn-out under the SV, AMS and the Party List systems in the 2004 elections, although turn-out was still very low in comparison to other elections. Northern Ireland under STV has seen a slight decrease in turn-out since 1998.

24. The General FPTP elections saw a sharp decline in turn-out in 2001 compared to 1997 with only a slight improvement in 2005. Turn-out in 2001 and 2005 was lowest amongst voters who said they had no interest in politics and who perceived little difference between parties. Studies show that various social and demographic factors, such as deprivation and age, may contribute to the propensity to vote. In the 2005 General election there were indications of rising inequalities in turn-out (those considered least likely to vote were not turning out), but perceived voter efficacy (feeling that your vote counts) amongst those with low levels of knowledge was not found to vary between FPTP and other voting systems. The causes of turn-out are multiple and complex and it is difficult to assess the impact of the voting systems in isolation.

Stability and effectiveness of governments

25. Both PR and FPTP are associated with examples of stable governments in the UK. FPTP in the UK has tended to produce a clear majority winner with governments serving full terms. However, coalition government is the most common form of government under proportional systems in the UK and most coalitions stay in power for long periods. However, there can be periods of uncertainty following elections while potential coalition negotiations take place, particularly when the results are close, such as experienced in Scotland following the 2007 election. Because PR increases the chances of coalition government with a greater number of parties involved, this can increase the chance of instability and more frequent elections or changes of government, as described further in the international section. Sometimes small parties can hold the balance of power, although this has not been a dominant feature in the UK.
26. While coalition governments can be stable and effective, the *nature* of government formation and policy development is different. There is debate about the appeal of coalition governments in terms of the effects on parties and on voters before and during elections and in how governments decide their policy platforms after elections. Voters may feel they have less influence on what government is formed as coalitions depend on which parties strike the governing coalition deal, and the consequential impact on the policy agenda. FPTP often produces an undisputed winner and can award the winning party with a surplus of seats to govern without necessarily being dependent on a coalition. This also demarcates the opposition in Parliament as a clear

alternative to and check on the Government. On the other hand, as pointed out by the ICPR¹², coalitions have led to more policy innovation with the need to negotiate and obtain consent across represented parties. Views about the benefits of coalition governments vary. If PR were to be introduced for the House of Commons it would have far reaching effects in terms of changing the nature of government formation and policy development.

27. There has been no shift in public opinion towards PR as a result of the last FPTP elections of 2005. Survey results from the British Election Study (1992-2005) of public attitudes show a tension between people agreeing with the merits of greater proportionality but also being cautious about the consequence of more small parties being represented in Parliament.¹³

Impact on the voter

28. Voters can exercise more choices under more proportional systems. This is because voters can vote preferentially, 'splitting their ticket' between constituency and list parties and voting for small parties who are more likely to win seats.
29. We do not find, on balance, that any voting system is inherently more confusing than another for the voter, in terms of casting their votes correctly. While FPTP is simpler in theory for voters and has lower invalid voting rates, ease of voting has not been an overwhelming problem in the new systems when elections are not combined, and taking into account a period for adjustment. Combined elections increase the levels of invalid votes, although, given the limitations in the data on invalid voting, it is difficult to assess reliably the nature of relationships between different combined systems or whether some are better combined than others. Ballot paper design is an important factor in voter understanding and in casting votes correctly, as evidenced by the London Assembly and London Mayoral elections in 2004 and the Scottish Parliamentary in 2007 elections.
30. FPTP is considered to have the simplest direct relationship between a single representative and the constituents who elect them. STV allows constituents a choice between representatives because there can be multiple representatives for a constituency from various parties. AMS allows for the direct relationship between electors and their constituency representative, but the existence of list representatives, often from different parties, has resulted in competition between the different categories of representative. However, choice is enhanced under AMS because a member of the electorate can either approach one constituency member or any of the regional list members. The closed party list establishes the lowest level of connection between constituents and their representative. Whether the connection between constituents and representatives is stronger under FPTP and STV (both candidate-based

systems) depends on political perspectives about whether single or multiple representatives are best.

Social representation

31. Whilst internationally, PR countries tend to do better on female representation, in the UK, positive action policies has also played a key role. A much higher proportion of women has been elected to the Scottish, Welsh and London Assemblies than is the case for the House of Commons (or in Europe and Northern Ireland). List systems may help, but the driving factor has probably been the Labour Party's 'twinning' arrangement for male and female candidates in constituency seats in those Assemblies. Women's representation is poor in the European Parliament and Northern Ireland despite PR systems being in place. No voting system in the UK has led to significant improvements in the representation of black and minority ethnic (BME) groups. Party selection processes for fielding candidates are much more important for improving social representation than voting systems.

Political campaigning

32. There has been relatively little change in the focus of campaigns under the new voting systems. Although some small parties have been able to take advantage of strategic campaigning for the list seats under AMS, wider national issues and traditional constituency-based tactics tend to predominate. The role of UKIP in the 2004 European Parliamentary elections, and the Greens and Scottish Socialists in the 2003 Scottish Parliament elections, are exceptions. It may be that lessons learned from these experiences may lead to more distinctive approaches from the larger parties in time. Previous reviews reported that campaigning for General elections in the UK focused on marginal seats but other research comparing countries with different systems found that more people reported contact with a political party under FPTP than other voting systems. It is difficult to draw conclusions from the limited research available about experience within the UK.

Impact on administration

33. Changes to voting systems have taken place at the same time as other innovations and new demands have been placed on electoral administrators and returning officers, such as increased use of postal voting.
34. The more complicated count methodologies required for PR elections (especially STV) can prolong counts. This has increased demand for electronic counting, which has in turn introduced new technical challenges to the way elections are traditionally run.

35. Combined elections and the use of different voting systems increases the complexity for voters and brings into play the importance of the consistency of information provided to voters and the design of the ballot papers.
36. In the current complex environment of multiple jurisdictions, multiple systems and sometimes combined elections, careful consideration continues to be required for running elections for devolved jurisdictions. Given the range of concerns around the need for consistent information, consistent practice in counts and improved ballot paper design, greater lead-in times would be needed for elections to facilitate effective planning if changes were proposed for Westminster. Given these existing challenges, careful consideration would need to be given to any change for Westminster, and the consequential impact on the progress already made, and progress yet to be made in the administration of elections in the UK.

International experience

37. A few international examples were selected for examination in this review from established western democracies with voting systems that provide a degree of comparability with the new voting systems in the UK. These examples show that the political culture is central to the number of parties in parliament, the longevity of governments and political behaviour under different systems. While PR enables a greater number of parties to be represented and the likelihood of coalition governments, the longevity of governments and parties differs by political context.
38. Internationally, turn-out under proportional systems is on average about five percentage points higher than for majoritarian systems (principally, but not exclusively, FPTP). This differential cannot be attributed solely to the voting system with multiple factors impacting on voter turn-out. Countries in Europe with relatively high turn-out operate closed list systems, which make the least connection between individual candidates and constituents, a feature valued highly in the context of the UK.
39. New Zealand changed from FPTP to the Mixed Member Proportional (MMP) system as recently as 1996. Important changes experienced have been the shift to mainly minority administrations supported by other parties in Parliament, with the role of the parliament in policy-making and scrutiny being strengthened. There have also been unexpected developments such as innovative coalition agreements and turn-out rates falling below the rates under FPTP after an initial small boost at the introduction of MMP.

40. New Zealand and the Republic of Ireland provide examples of stable coalition governments. Coalition formations in the Netherlands and Italy have resulted in greater volatility than in the cases of Sweden and Germany (except for the close contest for the 2005 election in Germany).
41. The provinces of British Columbia and Ontario in Canada formed citizen-based bodies to recommend options for electoral reform that were put to referendum. In British Columbia, the Citizens' Assembly of 2004 recommended a change from FPTP to STV, but the majority fell just short of the 60 percent threshold for the referendum. In Ontario, the Civic Forum of 2006 recommended that FPTP be replaced by MMP (AMS) but the referendum supported keeping FPTP with a majority of 63 percent.

Conclusion

42. This review has discussed the experience of the newly introduced voting systems in the UK in terms of performance against particular criteria. While this type of analysis does not provide objective conclusions about different voting systems, it assists in the debate by clarifying the relative merits of different systems as experienced in the UK. Voting systems have multiple impacts and consequences but the interpretation of these as either positive or negative is largely a matter of political judgement.
43. We have presented this collation of information and analysis to contribute to the debate on voting systems, which is, and will always be, a political and normative debate.

Implications for Westminster

44. This review was undertaken to consider the experience of the new voting systems introduced in the UK once they were embedded, to inform the debate on whether the voting system for Westminster should be changed to some form of PR.
45. A move to any form of PR for Westminster would imply a range of significant changes including:
 - more small parties represented in Parliament (due to proportionality)
 - greater tendency for coalition governments
 - multi-member constituencies.
46. On these three points and, in the case of greater proportionality, research and evidence is clear about the outcome of a shift to PR. The benefits of PR are that it is likely to increase people's choices in elections and provide

a more proportional allocation of seats in Parliament. This in turn increases the likelihood of coalition governments. There would need to be a shift to more government by consensus and compromise, particularly in the period following elections when coalition or other agreements were being negotiated. This consequential change to the nature of government formation is a key consideration in the debate about whether PR should be introduced for Westminster, including the subsequent changes to the nature of policy development. Any party could become part of the coalition government, regardless of its size or share of the votes.

47. The benefit of FPTP is that it generally delivers an undisputed result and winner. Under FPTP it is possible for the government to be formed by a party that has a small majority, and potentially a disproportional share of seats. However the government will generally be formed by the party with the most seats, and usually, the party with the most votes. Under FPTP, power is vested in the 'largest minority', while under PR, disproportional power can be wielded by any number of small parties with a minority of votes as part of a coalition government.
48. A key question is whether there is public knowledge of, and interest in, voting systems reform for Westminster. Limited survey data shows that few people have firm and consistent attitudes about different voting systems, though peoples' views are open to change when they receive more information.¹⁴ While some people do support greater proportionality, the popularity of PR has not been on the increase. Support for PR decreases in survey results when questions suggest that PR would result in more small parties in Parliament, indicating that there is concern and public uncertainty about the influence of small parties and coalitions on government.
49. On other desired outcomes, such as improving voter turn-out or social representation in Parliament, we cannot say that a shift to PR would guarantee improvements given the range of contributing factors. In terms of administrative issues, as set out in the 2007 Scottish Elections Review, a comprehensive research and testing programme would need to be implemented well before changes are introduced. Careful consideration would need to be given to the range of potential outcomes and unintended consequences of changing the voting system, some of which would be very difficult to attribute or control.
50. When considering a change to Westminster, two other points are worth noting.
51. The Single Transferable Vote (STV) has been proposed by some proponents of PR as an alternative to FPTP in Westminster. STV has not yet been tested in a nation of similar size to the UK. Currently, countries that use STV for national-level elections tend to be relatively small in terms of population size. STV is used in the Republic of Ireland, Malta and Australia (a medium-sized country

but where STV is used for the Senate and local elections in Australian states), some local councils in New Zealand, and several states in the USA.¹⁵ Party List systems are the most widely used system among Western democracies that have recently shifted to a form of PR.¹⁶

52. Another point of consideration is how any voting system for the House of Commons would interact with a reformed and substantially or fully elected House of Lords. It is not within the remit of this review to comment on House of Lords reform. However, in terms of international examples of two chamber models, the Republic of Ireland is the only country that uses STV for election to the main legislative house. Australia uses AV for electing the House of Representatives and STV for electing the Senate in its bicameral Commonwealth Parliament. In Italy, the Chamber of Deputies and the Senate are both elected through a form of Party List (PR). In Germany, the main chamber is elected using AMS or MMP and the members of the second chamber are appointed by, and usually consist of, members of the Governments of the Länder. There is a great deal of diversity. Some countries balance mixed and purer PR systems across both Houses. Further research and analysis would be needed to consider complementary systems and appropriate models for Westminster. It is clear that the voting system for the House of Commons should not be considered in isolation from proposals for a substantially reformed House of Lords.

Chapter 1: Introduction

- 1.1 The Labour Party pledged in its 1997 manifesto to bring forward a programme of constitutional reform¹⁷. This has led to devolution in Scotland, Wales and Northern Ireland, a Mayor and Assembly for London, the first stage of reform of the House of Lords, the *Freedom of Information Act (2000)* and modernisation of the House of Commons. This programme led to the creation of a number of new democratic institutions. A variety of voting systems are used for elections to these institutions. They are summarised in Chapter 2.
- 1.2 The Labour Party's 1997 manifesto also made a commitment to a referendum on the voting system for the House of Commons and the establishment of an independent commission on voting systems to recommend a proportional alternative to the FPTP system. The Independent Commission was established in December 1997 under the chairmanship of Lord Jenkins of Hillhead. When it reported, in October 1998, its principal recommendation was a two-vote mixed system, described as an alternative top-up (AV+)¹⁸. Under this system, the majority of MPs would continue to be elected on an individual constituency basis by AV. Candidates with the most votes would be elected. The top-up element would ensure reasonable proportionality by taking into account the distribution of second votes.
- 1.3 The Government was not convinced by the Commission's recommendations and decided to review the performance of the systems once they had sufficient time to bed in. At the 2001 General election the Labour Party's manifesto pledged to "review the experience of the new systems and the Jenkins Commission Report to assess whether changes might be made to the electoral system for the House of Commons [and whether] a referendum remains the right way to agree any change for Westminster"¹⁹. The Labour Party manifesto for the 2005 election stated that the Labour Party "remains committed to reviewing the experience of the new electoral systems – introduced for the devolved administrations, the European Parliament and the London Assembly". It also noted that the Labour Party's view remained that a referendum was "the right way to agree any change for Westminster"²⁰.
- 1.4 This paper is the result of this review. It provides a summary of the following:
 - voting systems used in the UK for the National Assembly for Wales, the Scottish Parliament, the Northern Ireland Assembly, the European Parliament, the Greater London Assembly, and the London Mayoral elections
 - international experience of voting systems, which mirror those in the UK

- the findings of the Independent Commission on the Voting System (Jenkins Commission), a report commissioned by the Government as a consequence of a manifesto commitment in 1997²¹
- the report of the Independent Commission on Proportional Representation (ICPR), established at the Constitution Unit at University College of London, which reported in 2004²²; and those parts of the Power Inquiry, an independent inquiry established in 2004 and chaired by Baroness Kennedy of the Shaws, that considered issues around electoral systems²³
- the findings of the Richard Commission in Wales²⁴ and the Arbuthnott Commission in Scotland.²⁵

1.5 This review includes an assessment of the voting systems and their impacts against a range of commonly used criteria, discussed in Chapter 6. These are:

- the proportionality of outcomes: the relationship between representation and votes
- voter participation
- the possible impact of different voting systems on the stability and effectiveness of government
- the impact on the voter in terms of choice, ease and understanding, and the connection between the voter and the representative
- the extent to which those elected represent society
- the impact on political parties and candidates
- the impact on the administration of elections.

1.6 This review brings the available evidence together in summary form and is a result of desk-based research by officials in the Ministry of Justice (MoJ). In addition to the sources listed in the terms of reference this review includes findings from research and evaluations. Since the review is intended to summarise and bring together existing material, the MoJ has not commissioned any original research, nor has it undertaken any consultation with external stakeholders.

Key acronyms

This section sets out the acronyms most frequently used in this report (a full list is provided on page 129). The electoral systems are described in more detail in the relevant sections of this review and summaries and worked examples of voting systems and electoral formulas can be found at Annexes A and B.

AMS = Additional Member System

AV = Alternative Vote

FPTP = First Past The Post

MMP = Mixed Member Proportional

MMS = Mixed Member System

PR = Proportional Representation

STV = Single Transferable Vote

SV = Supplementary Vote

Chapter 2: Summary of electoral systems operating in the UK

Westminster Parliamentary elections

- 2.1 First Past the Post (FPTP): Voters fill in a ballot paper by marking an 'X' against a single candidate. Winning candidates must get more votes than any other candidate in the constituency (a plurality, but not necessarily a majority).
- 2.2 There are 646 constituencies across the UK.
- 2.3 Five years is fixed as the maximum duration for a Parliament but the Prime Minister normally requests dissolution from the Monarch before Parliament expires. (The statutory electoral timetable is set out in the Representation of the People Act 1983.)

European Parliamentary elections

- 2.4 Closed Party List system in England, Scotland and Wales: There are considerable variations in the different types of list systems but the basic principle behind them is that the proportion of votes that each party receives determines the number of seats it can fill. Each party draws up a list of candidates in each constituency and the size of each list is based on the number of seats to be filled. Since the basis of the list system is a vote for a party rather than a candidate, the type of list that is used is the means of determining the allocation of seats between the party candidates. In the Closed List systems voters choose their preferred party, rather than candidate. Closed Party List system operate in 11 regions of Great Britain, including the nations of Scotland and Wales, electing 75 Members of European Parliament (MEPs).
- 2.5 The Single Transferable Vote system (STV) is used in Northern Ireland (See description of STV below under Northern Ireland).
- 2.6 The allocation of seats is determined by the d'Hondt formula (see Annex B).
- 2.7 78 seats are allocated to the UK.
- 2.8 Elections are held every five years.

Scottish Parliament elections

- 2.9 Additional Member System (AMS): Electors cast two votes – one for a constituency representative and one for a party list. The percentage of list votes obtained by each party determines their overall number of representatives and is used to top-up the number of constituencies won to the required degree of proportionality. The constituency or directly elected members are usually elected by FPTP; the list element is usually closed.
- 2.10 There are 129 seats in total, with 73 Members of Scottish Parliament (MSPs) elected on FPTP basis and 56 additional members elected from party lists drawn up from each of the European Parliamentary constituencies.
- 2.11 Elections are held every four years.

National Assembly for Wales elections

- 2.12 Additional Member System (AMS): Electors cast two votes – one for a constituency representative and one for a party list. The percentage of list votes obtained by each party determines their overall number of representatives and is used to top-up the number of constituencies won to the required degree of proportionality. The constituency or directly elected members are usually elected by FPTP; the list element is usually closed.
- 2.13 There are 60 seats in total, 40 members elected on FPTP basis using the same boundaries as elections to the House of Commons and 20 additional members elected from party lists based on the former European Parliament constituencies. Four members are elected from each of these regions.
- 2.14 Elections are held every four years

Northern Ireland Assembly elections

- 2.15 Single Transferable Vote (STV): Voters fill in a ballot paper by marking their ballot paper 1,2,3 and so on against their most preferred individual candidates across any party or combination of parties. Winning candidates must obtain a 'quota' of support to qualify for one of the seats in a constituency.
- 2.16 There are 108 seats, with each of the 18 constituencies for the House of Commons returning six members using STV.
- 2.17 Elections are held every four years. The Assembly was suspended in 2002 and not restored until 8 May 2007. Elections were held during suspension in November 2003 and March 2007.

London Assembly elections

- 2.18 Additional Member System (AMS): Electors cast two votes – one for a constituency representative and one for a party list. The percentage of list votes obtained by each party determines their overall number of representatives and is used to top-up the number of constituencies won to the required degree of proportionality. The constituency or directly elected members are usually elected by FPTP; the list element is usually closed.
- 2.19 There are a total of 25 seats, with 14 members elected on FPTP basis in electoral areas designed specifically for these elections and 11 additional members elected from London-wide party lists.
- 2.20 Elections are held every four years

London Mayoral elections

- 2.21 Supplementary Vote system (SV): Voters fill in a ballot paper by marking an 'X' against their first preference candidate and, if they want to, against a second preference candidate. A winning candidate must either: 1) get majority (50.1 percent or more) support from voters' first preferences, or 2) obtain majority support following one or more redistributions of the second preferences of voters backing the bottom candidates, or 3) be the leading candidate after one or more such redistributions of second and subsequent preferences of voters backing the bottom candidates.
- 2.22 Elections are held every four years.

The following systems are not part of the remit of the review of voting systems, but are listed here for completeness:

Local Government elections in England and Wales

- 2.23 First Past the Post (described above under Westminster): In English county authorities, most seats (93 percent) are elected using single-member FPTP, the remainder are two-member with a small number of three-member seats elected at the same time as the single-member seats. In English shire districts and unitary districts there are a mixture of single-member, two-member and three member wards (single or multi-member FPTP). In Metropolitan authorities three-member FPTP is used in nearly all wards and in London boroughs in nearly all wards (98 percent). Welsh unitary authorities have a mixture of single-member or multi-member wards with all councillors elected at the same time using FPTP.

2.24 There are a variety of electoral cycles. In 243 of the 386 authorities in England (including all county councils and London boroughs) and the 22 authorities in Wales, elections for all seats are held every four years. The remaining 143 authorities in England elect a proportion of members in different years over a four-year period (elections by thirds (136 authorities) where a third of councillors are elected in three out of four years; or elections by halves (seven authorities) where one half of councillors are elected every other year).

Local Government elections in Scotland

2.25 Single Transferable Vote (STV), previously FPTP: described above under Northern Ireland.

Local Government elections in Northern Ireland

2.26 Single Transferable Vote in multi-member local authorities.

Local Mayoral elections in England and Wales

2.27 Supplementary vote (SV), as for the London Mayor.

Chapter 3: Arguments for and against different voting systems

3.1 This review looks at the impact of different voting systems against a range of criteria, with a focus on the systems that have been introduced for the devolved jurisdictions (Scotland, Wales and Northern Ireland), the European Parliament, the London Assembly and London Mayor. To start with, however, we provide a summary of the arguments commonly used to support the existing FPTP system used for UK General elections and those used to argue in favour of a change to a more proportional system.

3.2 The main advantages of the FPTP system are said to be:

- it is a well-established system in the UK. It is easy to understand and everyone knows how it works
- ballot papers are easy to complete – a cross by a single candidate. Counting, equally, is relatively easy – the candidate with the most votes wins the constituency election and represents the people of that constituency at Westminster
- Members of Parliament represent constituents within a defined geographical area, which makes it possible to identify constituents and their representatives and to build links between them. It is possible for an MP to be reasonably independent of his or her party, if he or she retains the support of the local party
- the winner-takes-all aspect of the system encourages the major parties to maintain a broad appeal, thus discouraging extremism. It is also difficult for extremist parties to establish a strong enough base to win seats at Westminster
- the system allows the electorate to be decisive about who should be the party of government. Unpopular parties can be removed completely from power
- more often than not, governments have a working majority in Parliament, so that decisive government is possible. This enables the formation of a clear opposition in Parliament who can present themselves as an alternative to, and check on, the government of the day.

3.3 The main disadvantages of FPTP are said to be:

- it is capable of delivering highly disproportional outcomes at the national level. Governments can be elected without a majority of the popular vote and can even win a majority of seats without winning more votes than any other party.

- many constituencies are 'safe' seats for particular parties, with little prospect of changes. Therefore people who do not support the majority party have no prospect of making their vote 'count'. Similarly, even voters supporting the winning candidate may feel that their votes serve only to increase an already large majority
- campaigning, particularly by the national parties, is strongly focused on a few marginal constituencies (and even specific areas within these constituencies). This trend is accentuated as campaigning technology becomes ever more sophisticated
- movements of opinion can be heavily exaggerated, with large swings in seats from one major party to another. Landslide majorities may not reflect public opinion
- governing parties equipped with large majorities may not pay sufficient heed to opinion in Parliament or amongst the general public
- small parties tend to be excluded from parliament unless they have a strong base in a particular region. Those with an even spread of support across the country are particularly penalised. This reduces the diversity of views expressed in Parliament, and alienates voters who do not wish to vote for the major parties
- in areas where most constituents do not vote for their elected MP, it can be difficult for them to feel properly represented.

Proportional systems in general

3.4 There are many varieties of proportional voting systems but there are three broad types used in the UK:

- those where the vote is for a party list, either at national or regional level
- the Additional Member System, which combines the First Past the Post system at constituency level and a party list at regional or national level
- the Single Transferable Vote in multi-member constituencies.

3.5 Some of the advantages of proportional systems are said to be:

- that the outcomes are proportional at a national level, appealing to people's sense of fairness and ensuring that everyone's vote counts in some way.
- voters have more choice as more parties have the chance of being elected. Minority interests can be represented in Parliament
- voter turn-out tends to be around five percentage points higher in countries with a form of PR, including List PR

- government tends to be by coalition (or through a minority government supported in Parliament by an agreement with other parties). This means that a wider range of interests are represented in government and that parliaments tend to have a stronger hold over the executive
- it is possible to maintain constituency links under the AMS or STV.

3.6 The arguments against proportional systems are said to be:

- the prevalence of party list systems, in whole or in part (as in the Additional Member System), makes the candidate and representative remote from the voter, compared with single member constituencies
- where party lists are combined with constituency members in the UK experience, there is a tendency for conflict between the two types of representative
- the tendency towards coalition or minority governments can have a number of negative effects. It can take a long time to form a government; governments may be indecisive on policy agendas; small parties can have significant power in coalition formations; and parties which have become unpopular with the electorate may be able to retain a stake in power
- voters may not really know what policies they are voting for, as successful parties are those that are able to negotiate the best deals in coalitions as they are being formed
- there may be stagnation over time, with the same parties regularly forming governments. This may lead to more extreme parties forming in order to express grievances.

Chapter 4: Recent reviews of the UK's voting system

4.1 Four reports on voting systems are considered in this section. The first of these is the report of the Jenkins Commission²⁶. This Commission reported in October 1998, having been established as a result of a manifesto commitment by the Labour Party at the 1997 General election. The second report considered is that of the Independent Commission on Proportional Representation (ICPR).²⁷ The ICPR was established by the Constitution Unit at University College London in 2002 to help fulfil Labour's 2001 manifesto commitment to review Britain's experience of PR systems. The third report comprises those parts of the 2006 report by the Power Inquiry²⁸ which reflect on the impact of voting systems on democratic engagement in the UK. The Power Inquiry was established in 2004, with Baroness Kennedy of the Shaws as its Chair, to explore how political participation and involvement could be increased. Other reviews based on specific jurisdictions, such as the Richard Commission in Wales, are discussed under the relevant region's elections in Chapter 5. Finally, although not part of the terms of reference of this review, a summary of the Electoral Reform Society's 2007 publication *Britain's Experience of Electoral Systems* is provided at the end of this chapter.²⁹

A The Jenkins Commission

4.2 The Independent Commission on the Voting System (Jenkins Commission) was established by the Government in December 1997, with the following terms of reference:

- "The Commission shall be free to consider and recommend any appropriate system or combination of systems in recommending an alternative to the present system for Parliamentary elections to be put before the people in the Government's referendum.
- The Commission shall observe the requirement for broad proportionality, the need for stable government, an extension of voter choice and the maintenance of a link between MPs and geographical constituencies."

4.3 The Commission considered the merits and defects of FPTP and a number of proportional systems and looked at the experience of some other countries, notably the Republic of Ireland, Germany, Italy, France, New Zealand and Australia.

4.4 The Commission recommended an Alternative Vote top-up system (AV or AV Plus) for elections to the House of Commons under which 80 to 85 percent of MPs would remain directly elected on a constituency basis with voters ranking candidates in order of preference but with between 100 and 120 MPs picked from regional lists.

4.5 The report set out the virtues of FPTP as follows:

"... it is the incumbent system. It is familiar to the public, votes are simple to cast and count and there is no surging popular agitation for change. It usually (although not invariably) leads to a one-party majority government. It thus enables electors, while nominally voting only for a local representative, in fact to choose the party they wish to form a government. It then leaves each Member of Parliament with a direct relationship with a particular geographical area, on a basis of at least nominal equality in the sense that they are all elected in the same way. It also enables the electorate sharply and cleanly to rid itself of an unwanted government."

"The case can be expanded in the following ways:

- by giving to all MPs each a unique position in their constituency for the period of their incumbency it encourages them to try to serve all their constituents well, and however partisan members may be at Westminster, to practise a more open-handed approach in their base
- the single party government outcome may be seen as assisting quick decisions – although there are one or two examples to the contrary – and the implementation of a sustained line of policy
- where a government fails, or at least disappoints, it can easily be punished by the electorate
- by its 'winner takes all' and loser (particularly second or third losers) gets very little effect it encourages parties to broaden their appeal and thus discourages extremism. (It can also be said, however, that in certain circumstances it encourages extremists to infiltrate moderate parties because the system gives them so little to gain on their own)
- it offers to unorthodox MPs, a degree of independence from excessive party control, provided (as many of them do) that they can retain the support of their local organisation."

4.6 The report noted that "these are by no means negligible virtues, partly springing out of and partly providing the reasons why the system has persisted for a long time in Britain."

- 4.7 The report also noted that the deficiencies of FPTP principally derived “from a natural tendency of the system to disunite rather than to unite the country.” It argued that it did this in several ways:

“First-past-the-post exaggerates movements of opinion, and when they are strong produces mammoth majorities in the House of Commons. Since the war it has done for Labour in 1945, 1966 (less sweepingly) and 1997, and for the Conservatives in 1959, 1983 and 1987. While there is a considerable case for some clear cut results, there are also disadvantages to landslide majorities, which do not in general conduce to the effective working of the House of Commons. Landslide majorities ... are regarded with considerable suspicion by the wider public, perhaps more so even than coalitions. It is also the case that recent large majorities (both in 1987 and 1997) have been secured with a smaller percentage of the total vote (42.3 percent and 43.2 percent respectively) than in 1945 (48.3 percent), 1959 (49.4 percent) and 1966 (47.9 percent). This is of course largely a function of stronger support for a third party.”

- 4.8 The report went on to consider the effects of FPTP on minority parties:

“... [it is] peculiarly bad at allowing third party support to express itself ... in 1983 the third party, then known as the Alliance, got 25.4 percent of the vote and 3.5 percent of the seats. Even in 1997, when the third party benefited from tactical voting, it still got only 7 percent of the seats for 16.8 percent of the vote.

This under-representation of a relatively strong minority party is very much a function of that party's appeal across geographical areas and occupational groups. When a party has a narrow but more intense beam, as with Plaid Cymru but less so for the Scottish Nationalists, its representation, although by no means perfect under the present system, approximates more to its strength. This is perverse, for a party's breadth of appeal is surely a favourable factor from the point of view of national cohesion, and its discouragement a count against an electoral system which heavily under-rewards it.”

The report went on to consider the way in which FPTP was “geographically divisive between the two leading parties, even though each of them can from time to time be rewarded by it with a vast jackpot.”

“... the 1997 election drove the Conservatives out of even minimal representation in Scotland, Wales, and the big provincial cities of England. During the 1980s the Labour Party was almost equally excluded from the more rapidly growing and more prosperous southern half of the country ... Such apartheid in electoral outcome is a heavy count against the system which produces it. It is a new form of Disraeli's two nations.”

- 4.9 The report reflected on this phenomenon by pointing out that its consequence was that "it narrows the terrain over which the political battle is fought and also ... excludes many voters from ever helping to elect a winning candidate". This meant that the political parties focused their efforts on "about a hundred or at most 150 swingable constituencies ... [in 1997] outside the chosen arena voters were deprived of (or spared from) the visits of party leaders, saw few canvassers, and were generally treated (by both sides) as either irrevocably damned or sufficiently saved as to qualify for being taken for granted."
- 4.10 The report considers the relationship between the choice of MP and the creation of the government by holding that "it forces the voter to give priority to one or the other, and the evidence is that in the majority of cases he or she deems it more important who is Prime Minister than who is member for their constituency. As a result the choice of which individual is MP effectively rests not with the electorate but with the selecting body of whichever party is dominant in the area."
- 4.11 The Commission also considered what it perceived to be the tendency of FPTP to "develop long periods of systemic bias against one or other of the two main parties", due to factors such as the Labour Party "piling up large unneeded majorities in its heartland seats" but unable to make progress elsewhere, or, as was the case in 1997, the Labour Party enjoying a large majority but winning no very greater number of votes than the Conservative Party. The Commission took the view that "we can say with some certainty that the system will, for a given level of votes, treat Labour better than it will the Conservatives" and concluded that:
- "While systemic bias could, on the record, be argued to display a certain impartiality, running for one long period in favour of one party and then for another in favour of the other, such irrational alternations must be held as a count against the system. It is moreover a bias which could not by definition occur in a fully proportional system and which would be reduced by any significant move in that direction."
- 4.12 The Commission reflected on these themes in its conclusions and recommendations, seeking an alternative for elections to the House of Commons that "by no means reject[ed] the achievements of the British political tradition" but was informed by an anxiety "to build and improve it, such flexible improvement being indeed part of the tradition."
- 4.13 The Commission recommended that:
- "... the best alternative for Britain to the existing First Past the Post system is a two vote mixed system which can be described as either limited AMS or AV Top-up. The majority of MPs (80 to 85 percent) would continue to be elected on an individual constituency basis, with the remainder

elected on a corrective Top-up basis which would significantly reduce the disproportionality and the geographical divisiveness which are inherent in First-past-the-post."

"Within this mixed system the constituency members should be elected by the Alternative Vote. On its own AV would be unacceptable because of the danger that in anything like present circumstances it might increase rather than reduce disproportionality and might do so in a way that is unfair to the Conservative Party. With the corrective mechanism in operation, however, its advantages of increasing voter choice and of ensuring that in practice all constituency members (as opposed to little more than half in recent elections) have majority support in their own constituencies become persuasive...."

"The Commission recommends that the second vote determining the allocation of Top-up members should allow the voter the choice of either a vote for a party or for an individual candidate from the lists put forward by parties. They should therefore be what are commonly called open rather than closed lists."

"The Commission recommends that, in the interests of local accountability and providing additional members with a broad constituency link, additional members should be elected using small Top-up areas. The Commission recommends the areas most appropriate for this purpose are the "preserved" counties and equivalently sized metropolitan districts in England. In Scotland and Wales, we see no reason to depart from the units which are used for the return of additional members to the Parliament in Scotland and the Assembly in Wales with respectively eight and five Top-up areas. In Northern Ireland there should be two Top-up areas each returning two members. In England the Top-up members would therefore in effect be either county or city-wide members from 65 different areas."

4.14 The report set out in detail recommendations about the Top-up member:

"... Top-up members should be allocated correctively, that is on the basis of the second vote and taking into account the number of constituency seats gained by each party in each respective area, according to the following method:

- the number of second votes cast for each party will be counted and divided by the number of constituency MPs plus one gained by each party in each area
- the party with the highest number of second votes after this calculation will be allocated the first Top-up member

- any second additional member for an area will be allocated using the same method but adjusting to the fact that one party will already have gained a Top-up member.”

“The Commission recommends that the proportion of Top-up members needed for broad proportionality without imposing a coalition habit on the country should be between 15 percent and 20 percent. A decision on the exact proportion of Top-up members should be governed by [other] considerations ... which relate to other changes in the pipeline such as the reduction in the number of Scottish seats and the work of the Boundary Commissions.”

“The Commission recommends that the allocation of Top-up seats should ensure that the ratio of constituency to Top-up members is, as far as is practicable, equal in the four constituent nations of the United Kingdom. The allocation of Top-up members to the areas within each of those parts should ensure that each area has at least one Top-up member with the remainder being allocated to those areas with the greatest number of electors ... Northern Ireland should have two Top-up members in two Top-up areas.

“The Commission recommends that the right to put forward candidates for Top-up member seats should be limited to those parties which have candidates standing for election in at least half of the constituencies within the Top-up area.”

“The Commission stresses that all members of the House of Commons whether elected from constituencies or as Top-up members should have equal status in Westminster.”

4.15 One member of the Commission, Lord Alexander, set out a note of reservation in the report. He supported the additional member approach but preferred to retain FPTP in constituency seats rather than introduce AV. His concerns included the following:

- AV does not take into account the second preferences of all voters, only those of the least successful candidates
- distribution of second preference votes is too random given the impact it can have on the result
- it could lead to even more tactical voting
- it would punish currently unpopular parties more disproportionately than FPTP
- it would be inconsistent with the new systems in Scotland and Wales (and London)

- it would not necessarily lead to a less confrontational style of politics (on the grounds that candidates need to avoid alienating supporters of other candidates as they may be looking for second preference votes from them). The robust politics of Australia was cited as evidence
- most votes in a constituency are for the party rather than the candidate and MPs have a duty to serve all constituents and not just those who voted for them. So the need for an individual candidate to have a majority in a constituency is lessened.

4.16 The Government did not formally respond to the report. However, it was the subject of a debate in the House of Commons on 5 November 1998.³⁰ Jack Straw, the then Home Secretary, opened the debate. He stated that “we need to see how the new elections systems settle down in Scotland, Wales, London and the European Parliament ... a great deal of constitutional change is under way, and the British people would not thank us for moving too quickly without thinking carefully about how any changes fit into the whole. We shall want to see how the various changes bed down...”

4.17 He went on to say that:

“I believe that all sides in this argument seek fairness, but it is important not to disguise self-interest in the outcome of any electoral system by claiming that one side of the argument has a monopoly on morality... We must ensure that our voting system is as fair as possible, but mathematically there can never be an identity between the proportion of votes cast and seats gained for a party, and the proportion of power that is then obtained. Proportionality must be measured, not only between parties at any one point in time, but over time – over many elections. As a result, what is fair or unfair, and what is proportional or not proportional, can lead to many different answers.”

4.18 Liam Fox, for the Conservative Party, said that:

“There are four reasons why we should stick to our current system. The first is accountability. The advantage of our current system is that all constituents have members of Parliament, but, more importantly, all members of Parliament have constituents. We all know that what we do and say will be scrutinised by constituents who all have a vote to put us out at the next election. That would not happen under any form of top-up...”

“Our system also gives us stability. Our current Prime Minister is the 12th since the war. Italy has had 56. At the opening of Parliament, we know that the Government can be expected to last out a full term. Most systems with coalitions mean that people do not know whether the Government will last six months, one year, 18 months or whatever. That is not a good basis on which to plan for a stable democracy.”

"Proportionality is a much-distorted argument ... If we define that as the ratio between votes gained and time spent in power, our system is better than many others. It is not a good measure of proportionality that the Free Democratic Party in Germany, on five per cent of the vote should have spent almost 100 per cent of the post-war period in power; or that the National Religious Party in Israel on one per cent to one point five percent of the vote should spend such a long time in power. That is not a measure of proportionality that I wish to see here."

4.19 Mr Fox also set out his criticisms of the Commission's recommendation of AV:

"[Under AV all votes] will not be equal. A vote for the most fringe candidate – the most way out or wacky candidate – will count more often than those votes for the first or second preferences ... The House should consider whether the AV part might cause an even greater distortion than the current system... The second item in the report that causes difficulties is the top-up system. One of the most disturbing aspects for members of Parliament is the notion of two classes of members. Our current system makes us all equal: we are responsive and answerable to our electors. Under a top-up system, a new class of members would be created – members who are not answerable not to their electors but to their party bosses."

4.20 He went on to reflect on the prospect of coalition governments:

"There is also the problem of weak government by coalitions ... they tend to be more short lived and less able to make decisions ... under the Jenkins system there would have been nine coalition governments since 1950. There would have been two Labour and three Conservative Governments. That has many implications for the way in which our country is governed. A coalition government will necessarily mean disproportionate minority power – as it does in many countries."

4.21 Alan Beith, for the Liberal Democrats, criticised the FPTP system:

"[It] gives us huge majorities that the voters did not give to the politicians. Of course, politicians like it if they can drive through measures such as the poll tax, which the majority of people do not want ... The system produces dramatic and exaggerated reversals between one Government and the next ... previous Governments have seen what they thought was good work built for the future undone, because the next election resulted in a complete reversal of power, brought about not by the voters but by the vagaries of the electoral system. Some of the Governments whose work has lasted longest and been most successful have been those who have had to look beyond their own ranks for support. The wartime coalition produced measures such as the Education Act 1944, which lasted for decades because it was built on more than the supporters of one party."

"The First Past The Post system ... under-represents minorities on a drastic scale. In 1983, Labour got just over a quarter of the votes and a third of the seats. We got just under a quarter of the votes and a 30th of the seats. That is not fairness by anybody's standards. More than that, it denies some parties seats in vast areas of the country where they have support."

4.22 He supported the Commission's recommendations for a top-up system:

"The system proposed achieves a much higher level of proportionality while not making coalitions inevitable. It retains constituencies, but uses a system that ensures that members have to command majority support in the constituencies. It gives the voters a say on who the top-up members are. It cannot be fixed by the parties – the voters decide which top-up members come higher on the list. It provides satisfaction for the criteria that the commission has set."

4.23 He also observed that:

"Most other parts of the United Kingdom use proportional systems ... They are used in the Republic of Ireland and all over Europe ... Most of Europe operates stable coalition systems of government."

4.24 The House did not divide at the conclusion of its debate.

B The ICPR Report

4.25 The Independent Commission on Proportional Representation (ICPR)³¹ was established to assist the Government's own review of electoral systems, which had been proposed in the 2001 Labour Party manifesto (and subsequently in the 2005 manifesto). It was not commissioned by the Government. Its intention was not to arrive at a comprehensive verdict for or against a change for Westminster, but "to collect and analyse the evidence needed to inform any decision about changing the voting systems for the House of Commons or for regional or other bodies."

4.26 The work of the ICPR has been valuable in conducting this review and references to its findings will be found throughout the paper. We have assessed the experience of different voting systems using similar criteria to the ICPR in Chapter 6. Here, rather than go into the findings of the ICPR at length, we summarise its conclusions about the relevance for Westminster.

4.27 The ICPR made a number of conclusions. Changing the voting system for the House of Commons from FPTP to any one of the variants of PR discussed in the report would have far reaching effects:

- there would probably be some increase in the number of small parties represented in the Commons

- coalition or minority governments would be probable, forcing parties to negotiate with each other. There would be a greater role for cross-party committees in influencing and drafting policy
- changing the voting system might inspire more confidence in the political process, but it might have the opposite effect, depending on the balance between voter choice (of candidates) and the ability of voters directly to influence the choice of governments. Voters' views about the performance in practice of the Scottish Parliament and the Welsh Assembly have been mixed at best
- a preferential system, like STV or open party lists would put a greater focus on individual candidates and encourage a more diverse range of candidates and parties.

4.28 The ICPR also noted that the impact of using new voting systems has not been as dramatic, in either direction, as supporters and opponents of PR have suggested. It pointed to the importance of distinguishing between the creation of devolved bodies and the use of PR, as well as wider political and cultural factors. Many of the changes in political behaviour, such as the selection of more female candidates, had little to do with PR as such.

4.29 The ICPR conclude that, in general, the new bodies elected under PR had produced stable, if not always popular, government. There had been an increase in the number of parties represented, increased proportionality, and a maintenance of the link between constituents and their elected representatives. Devolution had not produced an adverse public reaction and was broadly accepted in Scotland, Wales and London.

C The Power Inquiry

4.30 The Power Inquiry³² was established and funded by the Joseph Rowntree Charitable Trust and the Joseph Rowntree Reform Trust to investigate why there has been a decline in participation in formal politics and to make proposals to reverse this trend. It was chaired by Baroness Kennedy of the Shaws and reported at the end of February 2006 following evidence gathering through a variety of methods, such as witness sessions, face-to-face interviews, a literature review, citizens' panels and written and online consultations. It set out detailed analysis of why this disengagement has occurred and made a series of recommendations to address the problem.

4.31 The first group of recommendations concerned the relationship between the Executive and Parliament and between central and local government. The second included measures that the Inquiry considered were needed to develop an electoral and party system which is "responsive to the changing values and demands of today's population." These included a number of recommendations relating to electoral systems. This section sets out those parts of the Inquiry's

report which specifically relate to voting systems. It did not consider wider issues about democratic engagement.

4.32 The Commission considered the use of voting systems within the context of party organisation, perceiving hostility to political parties and their impact on engagement. It argued that "our electoral system ensures that the two main parties are still the only serious contenders for power on offer to the electorate" and that this was in the context of "a citizenry in transition. The old political identities, allegiances and values have withered with the decline of the old social and economic conditions". It held that "one way of reconnecting the British people with their political parties, and hence with their elections, is to introduce much greater flexibility into the monopoly that is the present party system ... an electoral arrangement is needed that is sufficiently responsive to the much more fluid and diverse identities of the electorate. Such a change is necessary to ensure that large numbers of citizens feel that there is something on offer to them at election time."

4.33 The Inquiry recommended that "a responsive electoral system should be introduced for elections to the House of Commons, House of Lords and local councils in England and Wales". It set out its thinking behind this recommendation as follows:

"From the point of view of the Power Commissioners, the need to change the electoral system is not based on arguments about what might make for fairer representation but on the fact that we have now reached a point in our political history where democracy is at risk because our electoral and party system has become a major block to popular engagement with decision making."

"The main concern is the way our current system has allowed two parties, which increasingly lack appeal for British citizens, to maintain the dominant political position and, hence, to damage the main ways by which citizens engage with formal democratic decision making as members or supporters of a party and as voters in elections."

4.34 It therefore recommended that:

"... a new electoral system be introduced for the House of Commons, the House of Lords and local government in England and Wales. We note the other voting systems already employed for the devolved jurisdictions, for the European Parliament, and for local elections in Northern Ireland and we applaud the Scottish Parliament for its decision to introduce a new voting system for local elections from 2007."

4.35 The Inquiry made a number of other recommendations, based on its conclusions about the need for greater fluidity in the party system and the expectation amongst citizens that they will have influence and choice

over decisions. It suggested that the electoral system should meet the following goals:

- increase the number of parties or parliamentary alliances competing for the voter's support which have a serious chance of winning representation
- enable candidates who have no organisational allegiance a chance of winning a seat in Parliament
- allow voters a chance to express their preference for a particular wing of a party or a particular candidate
- ensure that all votes count by having some influence on the final outcome of an election.

4.36 It noted that "current thinking seems to suggest that such goals could be best achieved by the Single Transferable Vote system, but we have no firm view on this."

4.37 The Inquiry also noted evidence that electoral reform, in itself, would not permanently lead to increased turn-out and engagement and that reform might lead to a weakening of the bonds within political parties. It also suggested that one of the consequences of widening the opportunities for representation amongst minority groups was the risk of extremist parties gaining representation.

4.38 The Inquiry made a further recommendation with regard to electoral systems: that "the closed list [should] have no place in modern elections". It set out why it favoured open lists:

"Open lists allow voters to choose between candidates within the same party. This is in contrast to closed lists which require voters to choose a party rather than a candidate when marking their ballot paper, the party leadership having already decided which candidates will enter Parliament should the party secure enough votes.

"We particularly reject the use of closed party lists because they deny voters real choice to shape Parliament and other representative bodies in line with their emerging preferences. Closed lists offer party leaderships just the type of top-down power which is proving so alienating to active members of society who might otherwise join or support a party."

D The Electoral Reform Society's Review of Voting Systems 2007

- 4.39 The Electoral Reform Society (ERS) published its review of the experience of different voting systems in Britain to inform and promote debate. This review evaluates the voting systems primarily using the criteria given to the Jenkins Commission looking at the requirement for broad proportionality, the need for stable government, extension of voter choice, and maintenance of a link between MPs and geographical constituencies.
- 4.40 The ERS advocates electoral reform and favours the Single Transferable Vote system (STV). It lobbies politicians, political parties and opinion-makers and publishes material to inform people about voting systems and debates. It also undertakes education programmes and analyses public elections.
- 4.41 Its 2007 review describes AMS (referred to as Mixed Member Proportional or MMP) as extending voter choice and producing stable administrations in Scotland, Wales and the London Assembly. However, it argues that further improvements could be made by introducing STV to counter the weaknesses of AMS, such as the creation of two categories of representative, and that the regional vote is for party lists. With regard to closed lists, the ERS also recommend introducing STV for the European elections. It further recommends the introduction of the Alternative Vote (AV) for Mayoral elections, because SV has not ensured that winners have achieved a significant level of support and, to make their vote effective, voters need to know who the most popular two candidates will be. The review, which also covers local government elections, points to highly disproportional results under FPTP as well as the problem of uncontested seats. In terms of Northern Ireland, where STV is in operation, the ERS point out that turn-out for parliamentary elections under FPTP is low, but in elections conducted by STV turn-out is much higher than in the rest of the UK.
- 4.42 The ERS review is critical of FPTP and argues that the case for introducing STV for elections to the House of Commons is strong.
- 4.43 The ERS sets out the following arguments concerning FPTP:
- FPTP produces highly disproportional results. In 2005 votes for Labour represented only 21.6 percent of the electorate when taking turn-out into account
 - parties are not treated fairly as the results depend on the distribution of the votes rather than the total number of votes, making it harder for small parties to gain representation
 - FPTP does not necessarily retain strong links between MPs and their constituencies. In 2005 barely a third of MPs were elected with more than 50 percent of the vote in their constituencies

- voter choice is limited as campaigning focuses on marginal constituencies, which reduces turn-out
- FPTP does not produce stable government but single-party governments. It often leaves governments with small parliamentary majorities, creating a tension between having single-party governments and having a democratic mandate
- FPTP does not often allow for removing unpopular figures as they are usually protected by "safe seats". STV would make MPs more vulnerable and accountable to their electorate.

4.44 The ERS favours STV for the majority of the electoral systems in the UK. While recognising that the causes of political disengagement are quite complex and do not relate solely to voting systems, the ERS suggest there is a strong link between the type of voting system and voter turn-out.

Chapter 5: The new voting systems: experience since 1997

- 5.1 This chapter reviews the experience of the new voting systems introduced since 1997 for the Scottish Parliament, the National Assembly for Wales, the Northern Ireland Assembly, European elections, the London Assembly and the London Mayor.

A Wales

Background: The Welsh Devolution Settlement

- 5.2 The National Assembly for Wales was created by the Government of Wales Act 1998. Powers previously exercised by the Secretary of State for Wales in a wide range of domestic policy areas were largely transferred to the new administration. The UK Parliament retained the sole right to make primary legislation for Wales. However, the Assembly exercises most of the Secretary of State's former powers to make secondary legislation.
- 5.3 The Government set out its proposals for Welsh devolution in a White Paper, *A Voice for Wales*, in 1997.³³ At a referendum held in September the same year, 50.3 percent voted in favour of establishing a devolved administration and 49.7 percent against (turn-out was 50.6 percent).
- 5.4 The White Paper set out the Government's proposals for elections to the Assembly and noted that the Government wanted the Assembly to reflect "the diversity of modern Wales, geographically, culturally and politically." It proposed that 40 members of the Assembly should be directly elected by constituencies that would be identical to parliamentary constituencies, using FPTP. It also proposed that 20 members be elected under AMS to "ensure that, overall, the total number of seats gained by a party more accurately reflects the votes cast for it in the different parts of Wales."
- 5.5 The paper set out how AMS would work for Welsh elections, noting that AMS was already used in other parts of the world, including Germany (internationally known as Mixed Member Proportional systems). It was proposed that for the first elections to the Assembly, the European constituencies used in the elections in 1994 should form the electoral regions. Each region contains between seven and nine parliamentary constituencies. One Assembly Member was to be elected from each of these parliamentary constituencies and four additional members for each region (e.g. if a region contains nine parliamentary constituencies, its total representation in the

Assembly from that area will be 13 being 9 + 4). The method used to elect the four AMS members from each electoral region is as follows:

- count the number of votes cast for each party list for the region (electoral regional votes)
- calculate the number of constituency seats won by each party throughout the region
- divide the electoral region vote by the constituency seats won by that party (in that region) plus one. The party with the highest number of votes after that calculation gains the first additional member
- repeat the calculation for the second to fourth additional members, but in each case divide the party list vote by the number of constituency seats won, plus one, plus any additional regional member seats allocated in previous rounds
- the system also allows individual (non-party) candidates to stand in regional elections.

- 5.6 The system of elections to the National Assembly for Wales is thus similar to that used for elections to the Scottish Parliament, although the proportion of list seats is lower in Wales (33 percent in Wales as opposed to 43 percent in Scotland).

(ii) Developments in Wales on the Voting System

The Richard Commission (2003)

- 5.7 In July 2002, Rhodri Morgan, the Welsh First Minister, appointed a Commission, chaired by Lord Richard, to look into a range of aspects of Welsh devolution. The terms of reference of the Commission included the remit to investigate whether the means of electing the Assembly, including the degree of proportionality, adequately and accurately represents all significant interests in Wales.
- 5.8 The Commission's report³⁴ considered in detail the advantages and disadvantages of the existing system of election to the Assembly, and the representations made to it. It went on to consider a number of alternatives, principally the use of FPTP or STV for the whole Assembly.
- 5.9 The Commission noted the main advantages of the existing system of AMS to be that:
- the single member constituency representation, elected by FPTP, is familiar and straightforward

- the constituency boundaries are the same as those at Westminster
- a broadly proportional result is achieved by the combined effects of the constituency and regional ballots.

5.10 However, it also noted significant disadvantages:

- it creates two kinds of member with overlapping responsibilities: the constituency member and the regional member
- the freedom of candidates to stand for both constituency and regional seats was seen as a disadvantage because it was perceived as being 'wrong' that candidates who are defeated in the FPTP ballot can then be elected under the regional list ballot
- the constituency element may be seen as disproportionately large and as such reduces proportionality
- the closed list system reduces voter choice in favour of party control
- regional members have less contact with constituents than constituency members
- lack of understanding of the dual-vote system, especially the relationship between the first and second vote
- since regional members are elected to represent voters whose party was unsuccessful in the first ballot, there is little incentive to campaign in safe seats
- votes in the FPTP ballot are "wasted" in the sense that they are cast for losing candidates or contribute to excessive majorities. Since there are four major parties in Wales "a majority of votes in Wales can be wasted."

5.11 The Commission considered adjustments to the AMS system in use for Welsh elections, but noted what it believed to be potential difficulties in each:

- introducing protocols to regulate competition between list and constituency members in the constituency. *Difficulty:* experience in Scotland suggested that such protocols are difficult to enforce
- replacing the regional list with a national list. *Difficulty:* this could exacerbate rather than reduce the gap between the two types of member
- limiting candidates to either the constituency or the regional ballot. *Difficulty:* this might mean that regional candidates would do no active campaigning and some parties would be deterred from fielding strong candidates in marginal constituency seats (preferring to keep them on the list) thus reducing voter choice

- abolishing the separate second ballot might simplify the system. *Difficulty:* it would make it harder for small parties to compete because they would need to contest every constituency seat
 - replacing closed party lists with open lists. *Difficulty:* this would make it more difficult to take positive action to promote candidate diversity
 - allocating regional seats to those regional candidates who poll the most votes in the constituency ballot. *Difficulty:* this would require all regional candidates to stand as constituency candidates.
- 5.12 The Commission went on to note that many concerns about AMS arose from its inherent feature of two categories of member, and potential competitiveness between list and constituency Assembly Members. It recorded the Electoral Reform Society's evidence that there had been "accusations that List Members had concentrated their energies in constituencies in their regions where there are future prospects of winning constituency seats." It noted that this was the source of most persistent criticism of Assembly Members, that candidates could use the list as insurance to secure their election, having been defeated in a constituency ballot.
- 5.13 The Commission pointed out that adjusting AMS would not address this issue, stating that "It is possible that tensions could diminish over time as the system becomes more familiar and entrenched ...However the party distribution of the different categories of seats in Wales suggests that it may be optimistic to rely on better relations in the future." The Commission was particularly concerned, in view of the problems inherent in two categories of member, that AMS could not carry the weight of doubling the regional list, if the size of the Assembly was increased, possibly to 80 members in all (as it was recommending). It concluded that some of the problems faced by AMS in Wales, especially the tensions between constituency and list members could be made worse. It therefore concluded that "increasing the number of members points strongly to changing the electoral system."
- 5.14 FPTP was considered and rejected on the grounds that it would be less proportional than AMS, would require significant re-drawing of boundaries and would have "major implications for accountability, scrutiny and debate in the Assembly," partly on the grounds of the reduced representation of the small parties.
- 5.15 STV was considered in some detail. The advantages were set out as follows:
- all elected members are on an equal footing
 - it encourages a genuine contest in every constituency and choice for the voter is maximised. Because there are no 'safe' seats, individual members' accountability is increased

- multi-member constituencies could be created using existing parliamentary or local authority boundaries
- it is straightforward for voters to operate
- few votes are 'wasted' as second preference votes and below are redistributed
- there are opportunities for independent candidates to be elected and for diversity in the range of candidates (for example, ethnic minority candidates)
- constituents have a choice of representatives whom they can approach for help.

5.16 The disadvantages were identified as follows:

- the link between a single member and constituents is removed
- intra-party competition and factionalism can develop
- the size of constituency could be a problem in rural areas of Wales
- if constituencies are large with a lot of members it can be relatively easy for quite small parties to be elected
- the counting system is relatively complex – although no serious problems have been encountered in Northern Ireland or the Republic of Ireland.

5.17 The Commission concluded first that AMS had succeeded in achieving the major objective of ensuring that the Assembly represents all the major political parties in Wales. Inherent in AMS, however, was the problem of two types of Assembly member. If the size of the Assembly were to remain at 60, the problem might not be sufficient in itself to justify a change in the voting system. However, if the size of the Assembly was increased by raising the regional membership, it would probably exacerbate the problem. In these circumstances, STV would be the best alternative on the grounds that all members would have equal status, the majority of votes would count and there would be opportunities for greater representation of minority interests.

Better Governance for Wales: The Government's White Paper (2005)

5.18 In June 2005 the Government published a White Paper, *Better Governance for Wales*³⁵, which contained proposals for reforming the structure, powers and electoral system for elections to the National Assembly for Wales. The White Paper addressed issues raised in the Richard Commission as well as the Electoral Commission's report on the 2003 election (which is discussed later in this section).

- 5.19 The Government's proposals on candidates in the White Paper were designed to "help to clarify the respective roles of constituency and list members and strengthen accountability." The Government did not agree with the Richard Commission's view that the number of Assembly members should be increased to 80 and that they should be elected by STV. Rather it proposed "to retain the present system but to amend it to address issues that have emerged in the course of Assembly elections in 1999 and 2003 under the AMS system". More particularly, it proposed "to change the provisions currently in the Government of Wales Act to prevent individuals from simultaneously being candidates in constituency elections and being eligible for election from party lists." It set out its reasoning as follows:
- 5.20 "The outcome of the Assembly election in the Clwyd West constituency in 2003 illustrates the problem the Government is seeking to address. Five candidates stood for election in that constituency, four of whom ultimately became Assembly members (one as a constituency candidate, and three more as additional members elected from their respective parties' regional lists). In the Government's view, for losing candidates to be able to become Assembly members regardless of their constituency election results both devalues the integrity of the electoral system in the eyes of the public and acts as a disincentive to vote in constituency elections. We therefore propose that a simple amendment should be made to the provisions currently in Section 5 of the Government of Wales Act to prevent this situation occurring in the future."
- 5.21 Other proposals in the paper included legislative provisions to grant the Assembly powers to promote Assembly elections, as recommended by the Electoral Commission following the 2003 elections (discussed in the latter part of this section). This would enable the Assembly to develop a communications strategy for informing the electorate about the Assembly elections.
- 5.22 The Government was not persuaded by the Electoral Commission's recommendations to devolve responsibility for secondary electoral legislation governing the conduct of its elections to the National Assembly because it was of the view that this was a function that should remain with Parliament.

[Responses to the Government's White Paper](#)

- 5.23 The Wales Office held a public consultation on the proposals in the White Paper. This section summarises the Electoral Commission's response to the consultation and the House of Commons Welsh Affairs Select Committee's inquiry into the White Paper.
- 5.24 The Electoral Commission held that "any change [to the electoral system] should be considered in the context of how it might impact on public perceptions and voter participation at the next Assembly election."³⁶ It held

that any change in Wales should be comprehensible to voters, should be fair and seen to be fair, should avoid accusations of partisanship, and should be considered within a broader UK context.

- 5.25 The Commission noted that there were around 30 countries using some form of AMS, but only Ukraine had tried prohibiting dual candidacy prior to the 2002 Parliamentary elections there. In some other countries, such as Italy, Denmark and some regions of Germany it was expressly required. It noted that it had found no evidence of public disquiet over dual candidacy in its own attitudinal research. The Commission also queried whether prohibiting dual candidacy might "impact adversely on the quality of some constituency contests."
- 5.26 The Commission concluded that "we would caution against any change that is perceived to be partisan and could add to a prevailing distrust of politicians" and "we do not believe the case for change has been made out." The Commission pointed out that another approach could be to revise the AMS system to operate with a single vote, under which the vote is cast for a constituency candidate but is also considered to be cast for the candidate's party, thereby electing regional candidates from a party list. Under this option "the d'Hondt formula of calculating vote shares could operate ... the total of the constituency votes across the region could be used to calculate the allocation of list seats, rather than the total of the regional vote currently used." The calculation could "take into account the number of constituency seats won when calculating the list allocations." However it cautioned against any change to the current electoral process.
- 5.27 The Commons Welsh Affairs Select Committee published a report, *Government White Paper: Governance for Wales*, in December 2005.³⁷
- 5.28 The Committee noted that the general welcome for the proposals in the White Paper had not extended to the proposed reform of the voting system, where there were significant differences of view. It concluded that, "taking into consideration evidence to the Committee, informal feedback from the public and written evidence submitted to the Committee, we support the proposals for electoral reform as laid out in the White Paper."

[The Government of Wales Act 2006](#)

- 5.29 The *Government of Wales Bill* was introduced into the House of Commons on 8 December 2005. Part 1 replicated most of the provisions of Part 1 of the *Government of Wales Act 1998* (which was repealed by Schedule 12), however clause 7 prevented candidates from standing in both the constituency and regional elections. The *Explanatory Notes* to the Bill³⁸ described the effect of the clause as follows:

- 5.30 "For example, a person may not be a candidate for more than one constituency. A person may not be included by a registered political party in its list of candidates for more than one electoral region. Nor may a person who is a candidate for any constituency be included in any of a party's regional lists. Similarly, a person may not be an individual candidate for any constituency or on any list of candidates submitted by any registered political party for any electoral region."
- 5.31 Clause 11, amongst other things, prohibited a candidate from succeeding to a vacancy in a regional list seat where he or she had stood in a by-election for a constituency seat since the most recent General election.
- 5.32 Debate on the Bill tested its provision to keep the Assembly at 60 Members. The Government argued, concurring with the view expressed by the Assembly's Presiding Officer, Lord Dafydd Elis-Thomas, that the new Assembly should be able to cope with its workload by re-directing and extending its efforts, without need for more than 60 members.
- 5.33 The election provisions were keenly contested. The Government re-affirmed its support for AMS, to maintain links between members and constituencies, while introducing an element of proportionality into the overall composition of the Assembly. It argued that dual candidacy prevented the electorate in a constituency from removing a member from the Assembly by preferring another candidate, and pointed to the number of list members defeated in constituencies who had drawn public funds to establish offices in those same constituencies. It pointed out that the ban on dual candidacy would apply to all political parties, and would have a practical impact on all. A number of Assembly Members of the Government's party in Wales who held small majorities in their constituencies would have to decide whether to stand again as constituency or list candidates (three of whom were in the Assembly Cabinet at the time and one of whom lost his seat in the 2007 Assembly elections).
- 5.34 The Government secured passage of the Bill with the electoral provisions it had proposed and it received Royal Assent on 25th July 2006 as the *Government of Wales Act 2006*.

(iii) Election outcomes since 1999

- 5.35 This section covers the results of the National Assembly for Wales elections in 1999, 2003 and 2007, and then considers the findings of the Electoral Commission's report and recommendations for Wales in 2003 and 2007.³⁹
- 5.36 The tables below set out the results of the 1999, 2003 and 2007 elections.

Table 1
National Assembly for Wales election results 1999⁴⁰

Party	%FPTP votes	Constituency Seats	% List votes	List Seats	% Share of total votes	Total seats	% Seats
Labour	37.6	27	35.5	1	36.5	28	46.7
Pld C	28.4	9	30.6	8	29.5	17	28.3
Cons	15.8	1	16.5	8	16.2	9	15.0
Lib Dem	13.5	3	12.6	3	13.0	6	10.0

Turn-out was 46.3%

Table 2
National Assembly for Wales election results 2003⁴¹

Party	%FPTP votes	Constituency Seats	% List votes	List Seats	% Share of total votes	Total seats	% Total Seats
Labour	40.0	30	36.6	0	38.3	30	50.0
Pld C	21.2	5	19.7	7	20.5	12	20.0
Cons	19.9	1	19.2	10	19.5	11	18.3
Lib Dem	14.1	3	12.7	3	13.4	6	10.0
Other	4.8	1	11.8	0	8.3	1	1.7

Other seat won by: Forward Wales (FPTP). Turn-out was 38.2%

Table 3
National Assembly for Wales election results 2007⁴²

Party	%FPTP votes	Constituency Seats	% List votes	List Seats	% Share of total votes	Total seats	% Total Seats
Labour	32.2	24	29.6	2	30.9	26	43.3
Pld C	22.4	7	21.0	8	21.7	15	25.0
Cons	22.4	5	21.5	7	21.9	12	20.0
Lib Dem	14.8	3	11.7	3	13.3	6	10.0
Others	8.3	1	16.2	0	12.2	1	1.7

Other seat won by: Independent (FPTP). Turn-out was 43.5%

- 5.37 Since 1999 Labour has received the most votes in Welsh Assembly elections, gaining the most seats due to its dominance in constituencies, but with insufficient seats to govern by majority. The list system has continued to impart a reasonable degree of proportionality, with the major beneficiaries being Plaid Cymru and the Conservatives. A large proportion of votes in Wales, 91.7 percent of all constituency votes and 83.8 percent of regional votes in 2007, were shared between the four main political parties (Labour, Plaid Cymru, Conservatives and the Liberal Democrats). While other minor parties increased their collective vote share in 2007, all failed to gain any list seats. At present the only other Assembly Member is an independent who won a constituency seat. This trend suggests that there are high barriers to entry for parties other than the big four in Wales.
- 5.38 In the 2007 elections Labour gained the highest share of votes in both constituency and regional ballots (30.9 percent of votes overall) and the highest number of seats, although it lost four seats compared with the 2003 elections due to an approximate 7 percentage point decline in their regional and constituency votes. In 2003 Labour's strength in constituencies resulted in non-entitlement to any of the regional seats but in 2007 its decline in constituency votes meant it qualified for two regional seats.
- 5.39 Plaid Cymru was the second largest party with 15 seats (an increase of three seats compared to 2003), polling 21.7 percent of the vote overall (a 1.2 percentage point rise in both constituency and regional ballots). The Conservative share of the vote increased in 2007 by 2.4 percentage points to 21.9 percent, gaining the party an additional seat to make up 12 Assembly Members. The Liberal Democrats' overall vote share fell marginally by 0.1 percentage points and the party continues to hold six seats in the Assembly.
- 5.40 Small parties who contested but were not successful include the United Kingdom Independence Party (contesting both ballots and obtaining 2.9 percent of the total vote), the British National Party (only contesting the regional ballot and obtaining 4.3 percent of regional votes) and the Green Party (also contesting only the regional ballot and receiving 3.5 percent of regional votes).
- 5.41 Following the 2007 Assembly election the Welsh Assembly is controlled by a Labour-Plaid Cymru coalition with Labour's Rhodri Morgan as First Minister and Plaid leader Ieuan Wyn Jones as Deputy First Minister. The Labour Party initially formed a minority government as they were short of an absolute majority. Discussions between Labour and the Liberal Democrats and a three party coalition of the Conservative Party, Liberal Democrats and Plaid Cymru failed to come to fruition. However two months after the elections, Welsh Labour Party members voted for a coalition with Plaid Cymru, followed by a similar result from Plaid Cymru members.

The Electoral Commission's reports and recommendations

5.42 Following the 2003 elections, the Electoral Commission made the following comments and recommendations on the Welsh Assembly Elections:

"Voter participation ... at 38 percent, leaves all those concerned with elections and electoral processes with a serious challenge. Action is needed across all fronts to prevent further falls and to engage the electorate in Wales."

"[There is] a real need for hard information about the National Assembly, its powers, responsibilities and achievements. Other than the Electoral Commission's own public awareness campaign, very little action was taken to meet this need."

"...Consideration [should] be given to devolving responsibility to the National Assembly for secondary electoral legislation governing the conduct of its own elections."

"...The National Assembly should develop and review its communications strategies as a means of informing the electorate what the National Assembly and its elections mean to them. Whether or not the responsibility is devolved, if it is necessary that specific legislation be introduced in order to enable the National Assembly to develop such a communication strategy, we recommend its introduction to the Government and the Assembly."

"...The low key nature of the campaign in many areas of Wales, including the lack of personal contact between candidates, political party activists and the public, impacted on turn-out."

"[There is] an urgent need for better communication with, and greater involvement of, younger people."

"The media treated the campaign as a 'second order' election which was, for the most part, given low prominence."

"...Greater choice in voting method [such as postal ballots and electronic methods] and increased convenience would encourage more non-voters to vote."

"...The election ran smoothly... [However, there] were some areas where there is inconsistent practice...such as candidate nomination procedures... [and] the promotion of postal voting."

“...Many disabled people in Wales feel that electoral processes and practices do not take sufficient account of their needs.”

- 5.43 The 2007 election saw improvements in several of the areas raised by the Electoral Commission in 2003. Most notably voter participation improved by six percentage points, compared with the 2003 election, to 44 percent. The registered electorate also increased from 2,229,545 in 2003 to 2,248,122 (0.8 percent). Constituency votes increased to 43.5 percent from 38.2 percent in 2003 and regional votes to 43.4 percent from 38.1 percent in 2003. Compared with 2003, the turn-out for the Assembly elections rose in all constituencies with the exception of Rhondda, where it fell by 3.5 percentage points.
- 5.44 The Electoral Commission commented in its report on the 2007 elections that the improvement in voter participation was associated with improved public knowledge about the Assembly, greater publicity of elections, greater campaigning and increased postal voting.

There was an improvement in the turn-out of younger voters, increasing from 19 percent in 2003 to 30 percent in 2007 (18-34 year olds), as well as a three percent increase in the turn-out of those over 55 years (60 percent, up from 57 percent in 2003).

There was improved choice with postal voting – and postal votes as a percentage of all votes cast was up substantially compared with previous elections. Postal voters were twice as likely to vote as those voting in person in the Assembly elections, addressing the Commission’s 2003 recommendations to make voting more convenient as a means to improve turn-out. While accessibility of polling stations for disabled people was a significant issue in previous elections in Wales, the Commission found evidence of positive and gradual improvements in the 2007 Assembly elections.

- 5.45 Overall, the Electoral Commission found that the 2007 election was well run, with relatively few problems perceived by voters. However, it argued that management of elections with significant levels of postal voting requires improved investment in planning and risk management.
- 5.46 An increased number of parties contested the regional elections in 2007, which resulted in long and awkward ballot papers. This led to some handling difficulties in polling stations, with postal vote envelopes and during the counting process. Another contributing factor to the size of ballot papers was that party lists contained up to 12 candidates. The Electoral Commission argues that having such a long list is less relevant since the Government of Wales Act 2006 banned dual candidacy.

- 5.47 Technical issues affected the timeliness of the administration of postal votes. Despite this there were high levels of public satisfaction in postal voting at the Assembly elections amongst those who voted by post. The Electoral Commission's public opinion research found 67 percent of those respondents who had voted by post at the election said they were very satisfied with the postal voting process and another 27 percent were fairly satisfied. 66 percent thought it was easy to do.⁴³
- 5.48 Other conclusions and recommendations relevant to this review were:
- the Wales Election Planning Group should consider the design of regional ballot papers in light of their large size and, if necessary, the Secretary of State for Wales should make revisions to the prescribed design
 - the Electoral Commission would consult with political parties on the numbers of candidates permissible to include on a regional party list, with a view to making recommendations to the Secretary of State for Wales on a reduction from the current 12, in the light of the ban on candidates standing in both a constituency and regional election at the same time
 - public announcements of the timing of counts of future Assembly elections should be made as early as possible in the elections planning cycle by Returning Officers
 - returning officers and electoral administrations should review verification and count practices with a view to building on and sharing existing good practice.

B. Scotland

The Scottish Devolution Settlement

- 5.49 Under *The Scotland Act 1998*, which set up the Scottish Parliament, responsibility for elections to the Scottish Parliament and review of its constituencies remain matters reserved to Westminster. However, local elections were devolved to the Scottish Parliament and the Scottish Executive.
- 5.50 The first elections to the Parliament were held on 6 May 1999, with the Parliament meeting for the first time a week later. Subsequent elections took place in May 2003 and May 2007.

Elections to the Scottish Parliament

- 5.51 Scottish Parliament elections use AMS which involves election of constituency Members of Scottish Parliament (MSPs) by FPTP and additional (regional) Members from a party list. The allocation of regional list seats takes account of

the constituency (single member) seats won by each party and total number of votes cast for the party list. Through a process of 'topping-up' a balance is achieved between votes cast for a party and its number of MSPs.

- 5.52 AMS retains the member-constituency link and offers constituents a choice of regional MSPs to approach about particular issues. However, it is sometimes argued that this system produces two different categories of MSPs and creates tensions and demarcation issues between them. Concerns have also been raised about candidates who have been clearly rejected in the ballot for a constituency seat then gained election through the regional list.
- 5.53 The 'closed list' – with candidates selected by political parties – has also been criticised, with it being argued that an open list would give electors greater choice by allowing them to place candidates in their preferred order and increasing the accountability of list MSPs.
- 5.54 In 1999, 73 constituency MSPs were elected via FPTP from the same constituencies used for elections to the House of Commons (with the exception of Orkney and Shetland, which for Scottish Parliament purposes became two seats). In addition, 56 MSPs – known as 'regional members' – were selected from party lists drawn up for eight regions, with seven MSPs in each.
- 5.55 The original intention was that the Holyrood and Westminster seats should be coterminous – the Government's White Paper, *Scotland's Parliament* (1997)⁴⁴, stated that "the integrity of the UK will be strengthened by common UK and Scottish Parliament boundaries". *The Scotland Act* therefore provided that the Holyrood constituencies should be the same as those for Westminster – except for Orkney and Shetland. However, it also stated that there should no longer be a guaranteed number of Scottish seats at Westminster. Instead, at the next Boundary Commission Review, the same electoral quota applied in England was to be used. When applied, this would have led to a reduction in the number of Scottish Parliament seats from the original 129 to about 104.
- 5.56 The Government, after consultation in early 2002, reversed this policy and brought forward legislation – *The Scottish Parliament (Constituencies) Act 2004* – which uncoupled the link between the Westminster and Holyrood constituencies, retaining the number of MSPs at 129.
- 5.57 However, the Boundary Commission continued to be required to follow the revised rules set out in *The Scotland Act 1998* for reviewing the Scottish seats at Westminster. In its 5th Periodical Report,⁴⁵ it recommended that there should be 59 Scottish constituencies for elections to the House of Commons (replacing the existing 72). These changes were brought into force by Order in Council in February 2005.

(iii) The Arbuthnott Commission on boundary differences and voting systems

- 5.58 Having AMS for elections to the Scottish Parliament, FPTP for Westminster, PR lists for European Parliamentary elections and STV for Scottish local government elections from 2007 meant that there would be a different voting system for each level of government in Scotland. Further, *The Scottish Parliament (Constituencies) Act 2004*, introduced different constituency boundaries for most UK and Scottish Parliament elections. STV also required new boundaries to be constructed for local authority elections.
- 5.59 In 2004 the House of Commons Scottish Affairs Committee considered the possible impacts of boundary differences and multiple voting systems in elections in Scotland. Its report, published in early 2004,⁴⁶ concluded that "in order to avoid possible confusion, the constituency boundaries in Scotland for elections to the United Kingdom and to the Scottish Parliament should remain coterminous" and that "there may well be good reasons why, for example, elections to Westminster need a different system than elections to the Scottish Parliament, but we are not convinced that every type of election needs a different voting system."
- 5.60 Subsequently, in mid 2004, the Secretary of State for Scotland appointed a Commission on Boundary Differences and Voting Systems under the chairmanship of Sir John Arbuthnott (the Arbuthnott Commission). The Commission was charged with examining the consequences of having four different systems of voting in local and parliamentary elections in Scotland and different boundaries between Westminster and Scottish Parliament constituencies for:
- voter participation
 - the relationship between public bodies and authorities in Scotland and MPs/MSPs
 - representation of constituents by different tiers of elected members.
- 5.61 The Commission was asked to make recommendations on whether these consequences require action to be taken in respect of:
- arrangements between elected representatives, to ensure that constituents and organisations receive the best possible service
 - the pattern of electoral boundaries in Scotland
 - the relationship with other public bodies and authorities in Scotland
 - the method of voting in Scottish Parliament elections
 - the Commission was asked to respect the principles of the devolution settlement.

- 5.62 The Commission's report, *Putting Citizens First: Boundaries, Voting and Representation in Scotland*, was published in January 2006⁴⁷. This section summarises the parts of the report that related to electoral systems in Scotland. It does not discuss the Commission's analysis of issues around representation, except to note that it found little evidence that different sets of boundaries caused confusion for voters – although they might cause some administrative inconvenience for political parties and electoral administrators.
- 5.63 The Commission studied the Mixed Member Proportional system (namely, AMS) used for elections to the Scottish Parliament. It noted that there was a degree of confusion over the purpose of the regional vote used in this system: "[it is] often presented as a second vote, many voters appear mistakenly to assume that the regional vote is intended as an expression of their second preference."
- 5.64 The Commission noted that although mixed member systems enhanced voter choice, because regional members are elected on the basis of closed party lists, voters have no opportunity to express preferences for how candidates appear on the list. The Commission noted that "the lack of voter choice and election of regional list members seems for some to undermine the legitimacy these members can command, as well as their accountability to the electorate."
- 5.65 The Commission reflected on the electoral system that was most appropriate for elections to the Scottish Parliament and, in particular, it considered whether or not STV should be used. It noted the advantages and disadvantages of STV. The advantages were seen to be:
- all members are elected in the same way, thus removing the problem evident within the existing system of having two categories of elected member
 - electors casting votes in order of preference removes the potential for confusion over the use of a 'second' vote to correct the disproportionality of the constituency vote, and would resolve the legitimacy problems associated with the ranking and election of regional members
 - of all possible voting systems, STV gives the maximum power to individual voters over the choice of their local representatives
 - it might strengthen the link between communities and electoral representation, as the existing local authority boundaries provide a sound basis for multi-member wards.
- 5.66 However, the Commission also noted some disadvantages:
- casting votes for candidates in order of preference complicates the act of voting. The process by which votes are translated into seats would also be made more complex and lack transparency, potentially undermining confidence in the voting system

- although STV enhances voter choice over the election of individual candidates, the link between an individual's vote and the election of the government is less clear than in a Mixed Member System
- in some parts of Scotland, especially in the Highlands and Islands, the multi-member constituencies created by the system would be so large that elected representatives might not be accessible to voters, and the link between individuals, communities and elected representatives might be undermined
- STV makes it more difficult for political parties to use positive action policies to promote gender and ethnic minority representation
- by making individual members entirely dependent on where they are placed in voters' order of preference, STV might encourage localism, foster client list politics, and make it more difficult for parliamentarians to pass legislation for the benefit of the country as a whole.

5.67 The view of all but one of the Commission members was that, on balance, STV would not be the best system for the Scottish Parliament at this stage. The dissenting Commissioner's view was that the complexity of voting using STV was exaggerated, the geography of parts of Scotland could be a complicating factor under any electoral system, and there was no convincing evidence that STV led to excessive localism. On balance, he believed that the advantage lay clearly in favour of replacing the Mixed Member System with STV for the Scottish Parliament.

5.68 The Commission came to the following conclusions with regard to electoral systems in Scotland:

- the mixed member system for elections to the Scottish Parliament should be retained, but revised
- the language used to describe the mixed member electoral system for the Scottish Parliament should clearly explain the 'constituency vote' and 'regional vote'. The term 'second vote' is misleading and should not be used. Where possible, the term 'mixed member system' should be used rather than 'additional member system'. The voting system for the Scottish Parliament should also be presented as a system in its own right and not as an adaptation of FPTP
- the Electoral Commission should clarify the purpose of the regional vote and in particular revise the design of the ballot papers used in Scottish Parliament elections with the aim of conveying better the way the voting system operates (noting that combined ballot papers are used in countries such as New Zealand)
- in order to give voters more choice over the election of regional members, the closed list system should be replaced by open lists. The Electoral

Commission should investigate how best to devise such a system while minimising complexity for voters

- candidates for election to the Scottish Parliament should not be prohibited from standing in a constituency and on the regional list at the same election
- restricting voter choice by removing the regional vote and introducing a one-vote system is not acceptable. The two-vote system should be retained for Scottish Parliament elections
- the mixed member system should continue to be based on regional lists rather than a national list
- the Scottish Parliament and local government elections should not be held on the same day
- STV should be introduced for European Parliamentary elections in Scotland
- a revised electoral system, if implemented, should be reviewed following experience of two elections. If further reform is judged necessary, consideration should be given at that time to introducing STV for Scottish Parliament elections
- e-counting and e-voting should be introduced as soon as possible but before 2011.

5.69 The then Secretary of State for Scotland, Douglas Alexander, responded to the Commission's report in January 2007.⁴⁸ In relation to the electoral issues set out above, the Government's conclusions were that it was pleased that the Commission generally supported the operation of AMS, which would continue to remain the system to be used in Scotland for the next Scottish Parliament election.

5.70 The language used to describe the system was a matter for the Electoral Commission and the Scottish Executive, who were undertaking initiatives to improve knowledge and understanding of the electoral systems ahead of the 2007 Scottish election.

5.71 On the recommendation to revise the ballot paper design, the Scotland Office consulted broadly in June 2006 on the design of the ballot paper for Scottish Parliament elections, including use of focus groups of voters who tested sample ballot papers for accessibility. The Scotland Office announced in November 2006 that the two separate ballot papers used in previous Scottish Parliament elections would be replaced for the election in May 2007 by a single colour-coded paper, with the left side listing the parties standing for election as regional MSPs, and the right side, the candidates standing as constituency MSPs.

- 5.72 The Government did not propose to replace the present method of electing regional members with open lists, because this would make the voting system over-complicated.
- 5.73 There were no plans to introduce any change to the policy whereby candidates are allowed to stand in both the constituency and the regional list for elections to the Scottish Parliament and the two-vote system would be retained for the Scottish Parliament elections and the arguments in favour of regional lists were accepted and national lists would not be considered.
- 5.74 The coupling of the Scottish local government elections with those for the Scottish Parliament was a matter for Scottish Ministers and that Parliament. The Government did not believe at this time that there was a strong enough case for changing the voting system in Scotland for elections to the European Parliament to STV. There would need to be stronger reasons to diverge from the system used in the rest of Great Britain.
- 5.75 The Commission's recommendation to consider introducing STV for Scottish Parliament elections would only become an issue if the electoral system were to change. Responsibility for keeping the matter under review and any future action would lie with the Scotland Office. Also the Government outlined that electronic counting and electronic voting is in line with the modernising process of the electoral system which the Government was pursuing and e-counting was already planned for the Holyrood and Scottish local government elections in May 2007.
- 5.76 The Scottish Executive's response to the Commission's recommendation that the Scottish Parliament and local government elections should not be held on the same day was that it was in the best interests of voters and turn-out that elections should continue to be combined.

[\(iv\) The Scottish Parliament \(Candidates\) Bill – the issue of dual candidacy](#)

- 5.77 The Arbuthnott Commission was very clear that candidates for election to the Scottish Parliament should not be prohibited from standing in a constituency and on the regional list at the same election. This view contrasts with the position accepted by the Government in relation to the Welsh Assembly. This is discussed in more detail in the following section.
- 5.78 Lord Foulkes of Cumnock, a former Scotland Office Minister introduced a Private Member's Bill in the House of Lords – The Scottish Parliament (Candidates) Bill – in February 2006. This aimed to prevent candidates standing in both the constituency and list sections in elections to the Scottish Parliament. The Bill was debated at second reading on 3 March 2006.⁴⁹

- 5.79 In support of his Bill, Lord Foulkes noted that "I believe that the Bill should get the support of the Minister and the Government because it is precisely what the Government are currently seeking to enact for Wales [in the Government of Wales Bill]". The basis for his position was "the anomaly whereby losers at the constituency level turn up as MSPs on the list. People who have been rejected by the electorate nevertheless get in on the list and then go on to purport to represent the constituents who have rejected them...".
- 5.80 Lord MacLennan of Rogart, for the Liberal Democrats, disagreed with the principle behind the Bill "...the whole cast of mind about winners and losers, suggesting that somehow the only winners are constituency winners, seems clearly tied to the past and the notion that the only legitimate kind of electoral system is first past the post. That does not lie at all well with the espousal of proportional representation."
- 5.81 For the Conservatives, Lord Strathclyde argued that he did not find the motives for prohibiting dual candidacy "persuasive". He went on to argue that "if we are to have a form of PR, politicians should accept that the resulting political culture will be different from that which we are used to from First Past The Post."
- 5.82 For the Government, Lord Evans of Temple Guiting stated that "The Government do not accept the automatic assumption that the electoral systems for the different devolved administrations need to be wholly identical. To the extent that such systems are part of the devolution settlement, there is already what the constitutional experts would call "asymmetry" between the various settlements. It is perfectly reasonable to argue, therefore, that there may well be variations in the electoral systems tailored to suit the particular requirements of the different devolved administrations."
- 5.83 There has been no further consideration of the Bill because of lack of Parliamentary time.

(v) Election outcomes

- 5.84 This section looks first at the results of the Scottish Parliament elections in 1999, 2003 and 2007, and follows with the key findings from *The Electoral Commission's report into the 2003 election*⁵⁰ and the *2007 Scottish Elections Review (SER)*. The Electoral Commission's report focuses on the administration of the elections, the publicity effort and campaigning, as well as reporting the results of the elections. It does not go into the effects of the electoral system. The SER covers a wide range of administrative issues relating to the 2007 combined Scottish Parliamentary elections under AMS and the local government elections, which used STV for the first time. The lessons from the

report and those covering the other devolved jurisdictions are drawn together in Chapter 6.

5.85 The tables below set out the outcomes of the 1999, 2003 and 2007 elections for the Scottish Parliament.

Table 4
Scottish Parliament election results 1999⁵¹

Party	%FPTP votes	Constituency Seats	% List votes	List seats	% share of total votes	Total seats	% Seats
Labour	38.8	53	33.6	3	36.2	56	43.4
SNP	28.7	7	27.3	28	28.0	35	27.1
Cons	15.6	0	15.4	18	15.5	18	14.0
Lib Dem	14.2	12	12.4	5	13.3	17	13.2
Greens	0.0	0	3.6	1	1.8	1	0.8
Scot Soc	1.0	0	2.0	1	1.5	1	0.8

Other seats won by: Falkirk West (FPTP). **Turn-out was 58.2%**

Table 5
Scottish Parliament election results 2003⁵²

Party	%FPTP votes	Constituency Seats	% List votes	List seats	% Share of total votes	Total seats	% Seats
Labour	34.5	46	29.4	4	32.0	50	38.8
SNP	23.7	9	20.9	18	22.3	27	20.9
Cons	16.6	3	15.6	15	16.1	18	14.0
Lib Dem	15.3	13	11.8	4	13.6	17	13.2
Greens	0.0	0	6.9	7	3.4	7	5.4
Scot Soc	6.0	0	6.7	6	6.4	6	4.7

Other seats won by: Canavan (ind) and Turner (ind) (FPTP); Senior Citizens and MacDonald (ind) (List). **Turn-out was 49.4%**

Table 6
Scottish Parliament election results 2007⁵³

Party	%FPTP votes	Constituency Seats	% List votes	List seats	% Share of total votes	Total seats	% Seats
Labour	32.1	37	29.2	9	30.6	46	35.7
SNP	32.9	21	31.0	26	32.0	47	36.4
Cons	16.6	4	13.9	13	15.2	17	13.2
Lib Dem	16.2	11	11.3	5	13.7	16	12.4
Greens	0.1	0	4.0	2	2.1	2	1.6

Other seat won by: MacDonald (ind) (List). **Turn-out was 51.7%**

5.86 The Labour Party dominates the Scottish Parliament constituency elections, taking 73 percent of the seats with 39 percent of the vote in 1999, 63 percent of seats with 35 percent in 2003 and 51 percent of seats with 32 percent of the vote in 2007. However, AMS provides quite a proportional result. The main beneficiaries of regional seats (list seats) are the Scottish National Party (especially in 1999 and 2007) and the Conservatives. In 2003, the Scottish Greens and Scottish Socialists also won a significant number of seats through the regional list, but made significant losses in 2007, the Greens dropping from seven to two seats and the Scottish Socialists losing all their seats. Scotland has had six parties with more than one member elected to Parliament compared to Wales that has had only four parties with more than one member in the Assembly.

5.87 Until 2007 Labour had a significantly higher number of seats in the Scottish Parliament and were able to govern in coalition with the Scottish Liberal Democrats. In 2007 the SNP won 16 fewer constituency seats than the Labour Party despite gaining a slightly higher share of the constituency vote, but gained a large number of seats through the regional list, ending up with one more seat overall than Labour. No party gained an overall majority and a range of potential coalition options failed to eventuate. The SNP now governs as a minority administration with the support of the Scottish Greens.

5.88 As Labour won few list seats, this meant that, in most cases, constituency and regional MSPs were from different parties. This contributed in part to the friction between constituency and list MSPs, which is discussed further in the consideration of the Arbuthnott Commission's report and in Chapter 6.

5.89 Turn-out improved slightly in the 2007 election, to just over 51 percent, though turn-out dipped from 58.2 percent in 1999 to 49 percent in 2003 and has not recovered to the 1999 level. This follows a similar trend to the outcomes of the election in Wales although the improvement in 2007 was greater for Wales.

- 5.90 The 2007 Scottish Parliament election, which was combined with the local government election using STV for the first time, saw a high number of rejected ballots and issues arising about the administration of the elections. Therefore the Electoral Commission appointed international elections expert, Mr Ron Gould, to head up an independent review to investigate key aspects of the administration of the 2007 Scottish elections. This review reported in October 2007.
- 5.91 The following section outlines the Electoral Commission's findings on the 2003 elections and the relevant recommendations made in the SER. The discussion in Chapter 6 also picks up on some of the findings made in the SER.

The Electoral Commission's reports and recommendations in 2003

- 5.92 The Electoral Commission's report⁵⁴ on the 2003 elections to the Scottish Parliament found that:
- the elections ran smoothly but there were some areas of inconsistent practice such as candidate nomination procedures and the promotion of postal voting
 - the level of voter participation (49 percent turn-out) was a concern and serious challenge. Action would be needed across all fronts to prevent further falls and to engage the electorate in Scotland at all levels of government
 - overall the Scottish Parliament's impact is regarded as positive. However in 1991, 41 percent of people believed that the Scottish Parliament had the most influence over the way Scotland was run, but by 2003 this had dropped to 24 percent. Innovations and improvements to convenience, for example, all postal ballots or electronic methods of voting, would encourage some non-voters to vote
 - there was a perception amongst some potential voters that there is little to distinguish between parties in terms of policies
 - all major players concerned with elections in Scotland should address the information deficit, not merely at election time but between elections and in the long-term
 - the Commission supported the continued use of the working group model (of different stakeholders) adopted to aid the development and implementation of administrative matters.

The 2007 Scottish Election Review (SER)

5.93 The SER, led by Mr Gould was asked by the Electoral Commission to consider:

- the high number of rejected ballots
- the electronic counting process
- the arrangements for postal voting
- the decision to hold the parliamentary and local government polls on the same day
- the decision to combine the two parliamentary votes on one ballot sheet
- the process by which key decisions were made
- the role of the Electoral Commission itself in the preparations for the elections.

5.94 We do not discuss in detail the background or findings in the SER but provide a very brief summary of the relevant issues and solutions suggested. The SER had a mandate to offer advice on how the administration of elections in Scotland might be improved, and presented a range of potential solutions for further consideration by various players including the Scottish Executive and the Electoral Commission. Some of the solutions recommended for Scotland were also relevant in the broader UK context.

5.95 The findings and solutions presented by the SER are discussed below. The SER argued that the legislation supporting Scottish Parliamentary and local government elections is fragmented and antiquated to the extent that it interfered with the ability of electoral stakeholders to make timely decisions. Legislative decisions were made late, contributed by partisan politics, and this reduced the ability of administrators and the technology supplier to effectively accommodate changes without requiring unacceptable delays to implementation of the electronic counting system. The SER suggested aligning the legislative and policy frameworks and that no new legislation should be brought into force within six months of a relevant election.

5.96 Due to the legislative fragmentation, it was difficult to determine accountability and responsibility for different phases of administration and for co-ordination. The SER recommended the appointment of a Chief Returning Officer for Scotland to improve responsibility and co-ordination, improve the professionalism of Returning Officers, and place greater emphasis on the part of the Electoral Commission as regulator of elections.

5.97 On planning and timing of administration, the SER pointed to fragmented and inadequate planning, a lack of contingency planning and partisan political interests that impacted on the administration timetable. The proposed solutions were establishing a cut-off date for new election-related legislation

and providing a role for the proposed Chief Returning Officer in negotiations and planning.

- 5.98 While combined elections are common, the SER points to concern that were raised early on about combining the Scottish Parliamentary AMS elections with the new STV elections for local government. The SER made no recommendation but suggested that elections could either be de-coupled, with local government elections potentially held at a two-year gap from parliamentary elections, or that combined elections be continued but with separate ballot papers cast for each election.
- 5.99 The SER argue that the design of the Scottish Parliamentary ballot paper, which had both the regional and constituency votes on the same ballot paper, contributed primarily to the high level of rejected ballot papers, particularly in socially deprived areas (invalid ballots are discussed in more detail in Chapter 6). Other key issues concerning ballot papers were excessive political debate over the design of both ballot papers (such as naming strategies), the centralised process for ballot paper production and inadequate research and user testing on the ballot papers. Suggested solutions included separating the regional and constituency ballot papers for the Scottish Parliament and instituting an extensive and staged research and testing programme when making any significant changes to electoral administration. On the issue of political interference, the SER suggested ensuring greater consistency of party names on regional and constituency Scottish parliamentary ballot papers, and more equitable access to advantageous positions on both ballot papers through use of a public lottery for positions on the list.
- 5.100 The SER found significant defects in the research on the public information campaign, and that the quality and consistency of information provided varied between constituencies. Some suggestions for improvement included changing the timing of research to ensure relevant information is captured accurately, boosting the coverage and quality of information in socially deprived areas and amongst specific demographic groups and improving the co-ordination of the Scotland-wide information campaign and information at polling places.
- 5.101 In terms of the count, the SER did not find evidence that the electronic count contributed to the number of rejected ballot papers. Many of the problems identified were directly attributed to legislative delays rather than technology requirements being a driving force behind electoral procedures. Solutions include ensuring that electronic counting technology is properly integrated into the electoral process. The SER also recommends that future local government elections using STV continue to use electronic counting.

5.102 At the time of writing, the Secretary of State for Scotland had made an initial response to the SER with a statement making the following points:

- as suggested by the SER, electronic counting in future elections would be limited to local government elections
- the ballot paper design for the Scottish Parliamentary polls would revert to two separate ballot papers
- the proposal that longer periods of time should be ensured between close of nominations and polling day was acceptable
- as it relates to the Scottish Parliament, the recommendation to consolidate the relevant legislation governing the administration of elections was accepted
- the proposal that electoral legislation is not applied to any election held within six months of a new provision coming into force was acceptable, providing that suitable safeguards could be found.

5.103 The Secretary of State indicated that on other proposals raised by the SER, such as the creation of a Chief Returning Officer and suggestions for the way political parties are listed on ballot papers, would be considered and debated. The Scottish Affairs Select Committee would consider the SER and report its views to the Secretary of State. At the time of writing, the Government had not set out its full and formal response to the SER and any reflection of material in this Review does not imply the Government's acceptance of all the SER findings.

C Northern Ireland

(i) Background

5.104 Between 1921 and 1972 a two-chamber devolved Parliament sat for Northern Ireland within the United Kingdom. This consisted of a 52 seat Lower House (House of Commons) and 26 member Upper House or Senate. The Senate consisted of 24 members elected by STV by members of the lower House along with two ex-officio members (the Mayor of Londonderry Corporation and the Lord Mayor of Belfast.) The House of Commons was elected initially by STV with multi-member constituencies. However, for the 1929 elections, FPTP was introduced with members being returned for single-seat constituencies, with the exception of the university constituency of Queen's University Belfast which continued to return four members to the Parliament under the STV system until 1969. In 1972, the Parliament was prorogued and substituted by direct rule from the UK Parliament. While the Northern Ireland Parliament was elected by universal suffrage, it also, in addition to the university seats, retained a business voting qualification until the late 1960s.

- 5.105 After the prorogation of the Northern Ireland Parliament, a series of attempts were made to restore a devolved administration, many of which involved elections. The elections held for these purposes in June 1973 (the Northern Ireland Assembly (1973-74)), May 1975 (the Constitutional Convention (1975-76)) and October 1982 (the Northern Ireland Assembly (1982-86)) used STV with 78 seats contested on the basis of the then 12 Westminster constituencies. The elections in 1996 to the multi-party negotiations used STV to elect 90 seats contested on the basis of what were then 18 Westminster constituencies, with a further 20 seats divided across the 10 parties who received the highest number of votes.
- 5.106 *The Belfast ('Good Friday') Agreement*⁵⁵ was published in April 1998 and endorsed in separate referendums in Northern Ireland and in the Republic of Ireland in May 1998. It recommended the establishment of a devolved Assembly and an inclusive power-sharing Executive in Northern Ireland with responsibility for all 'transferred' matters – that is, all matters that fall within the responsibility of the Northern Ireland Departments. In addition to a First and Deputy Minister, who would come from different sides of the community and exercise powers jointly, seats on the Executive would be allocated by the d'Hondt formula based on parties' strengths within the Assembly.
- 5.107 The Northern Ireland Act 1998, which implemented the proposals in the 'Good Friday' Agreement made provision for an Assembly consisting of 108 members to be elected by STV. Elections were initially provided for by the *Northern Ireland (Elections) Act 1998*, under which an Assembly was established consisting of 108 members, with each of Northern Ireland's 18 Parliamentary constituencies returning six members under STV. Subsequently, section 33 of the *Northern Ireland Act 1998* made similar provision and repealed the relevant provisions of the *Northern Ireland (Elections) Act 1998*.
- 5.108 The first elections to the Northern Ireland Assembly were held in June 1998. The Assembly met in shadow form until December 1999 when devolution began. Due to a breakdown in relations between the parties in the Executive, devolution was suspended (using powers in the since-repealed *Northern Ireland Act 2000*) from February to May 2000, during 10-11 August and 21-22 September 2001, and from October 2002 until May 2007. Elections were held twice during the period of suspension, in November 2003 and March 2007. On 8 May 2007 the Assembly and Executive were restored.
- 5.109 Northern Ireland, unlike the rest of the United Kingdom, has had individual registration and the requirement for photographic ID at polling stations since 2002. There have also been different management structures for registration and the administration of elections, compared to England and Wales, and in some cases, similar to Scotland. In particular, a Chief Electoral Officer for Northern Ireland, which is a Crown appointment, acts as the Returning Officer for all elections in Northern Ireland and has responsibility for the electoral

register. All elections in Northern Ireland, except for the UK Parliamentary General election, use STV.

(ii) Election outcomes

5.110 This section covers the results of the Northern Ireland Assembly elections since 1998 and the key findings from The Electoral Commission's reports: *The Northern Ireland Assembly elections 2003: The official report on the Northern Ireland Assembly elections 26 November 2003* and *The Northern Ireland Assembly elections 7 March 2007*.⁵⁶

5.111 The tables below set out the election results since 1998.

Table 7
Northern Ireland Assembly election results 1998⁵⁷

Party	% 1st preference votes	Seats	% Seats
SDLP	22.0	24	22.2
UUP	21.3	28	25.9
DUP	18.1	20	18.5
Sinn Fein	17.6	18	16.7
Alliance	6.5	6	5.6
UK Unst	4.5	5	4.6
PUP	2.5	2	1.9
NI Women	1.6	2	1.9
Ulst Dem	1.1	0	0
Others	4.8	3	2.8

Turn-out was 68.8%

Table 8
Northern Ireland Assembly election results 2003⁵⁸

Party	% 1st preference votes	Seats	% Seats
DUP	25.7	30	27.8
Sinn Fein	23.5	24	22.2
UUP	22.7	27	25.0
SDLP	17.0	18	16.7
Alliance	3.7	6	5.6
UK Unst	0.8	1	0.9
Prog Un	1.2	1	0.9
NI Women	0.8	0	0.0
Independent	2.8	1	0.9
Others	1.8	3	0.0

Turn-out was 63.1%

Table 9
Northern Ireland Assembly election results 2007⁵⁹

Party	% 1st preference votes	Seats	% Seats	Change from 2003
DUP	30.1	36	33.3	+6
Sinn Fein	26.2	28	25.9	+4
UUP	14.9	18	16.7	-9
SDLP	15.2	16	14.8	-2
Alliance	5.2	7	6.5	+1
Independent	2.4	1	0.9	-
Green Party	1.7	1	0.9	+1
Prog Un	0.6	1	0.9	-
UK Unst	1.5	0	0.0	-1
Others	2.2	0	0.0	-

Turn-out was 62.3%

5.112 All election results in Northern Ireland show a strong match between first preference votes cast and the allocation of seats. The 2003 election saw three major parties sharing the greatest proportion of the votes (the Democratic Unionist Party, Sinn Fein and the Ulster Unionist Party) but 2007 saw two major parties share over 50 percent of votes cast: (the Democratic Unionist Party (30 percent) and Sinn Fein (26 percent)). The Ulster Unionist Party (UUP)

first preference vote share dropped around eight percentage points from 23 percent in 2003 to just under 15 percent in 2007.

- 5.113 The Democratic Unionist Party (DUP) won 36 seats at the 2007 poll (33 percent of seats), gaining six seats compared to 2003. Sinn Fein gained four more seats than in 2003. The UUP party won 18 seats in 2007, having lost the most seats (nine seats) compared to 2003. The SDLP was slightly down on first preference votes, and had two fewer seats in 2007 than in 2003, and two fewer seats than the UUP, despite having received a slightly larger proportion of first preference votes.
- 5.114 Turn-out at the 2007 election was 62 percent: Mid Ulster had the highest turn-out at (73 percent) and East Antrim the lowest (53 percent). Turn-out at the 2007 Assembly poll was similar to the May 2005 General election and the November 2003 Assembly election. The register for the 2007 poll represented 85 percent of the eligible electorate compared with 87 percent in 2003. However, turn-out has been on a slight downward trend since 1998 in the Northern Ireland Assembly elections.
- 5.115 Under STV, a number of smaller party representatives were able to secure representation in the Assembly. In 1998 the largest vote share at the Northern Ireland-wide level that did not result in seats was 1.07 percent. In 2003 no party with more than one percent of the Northern-Ireland-wide vote was denied representation. In 2007 the Progressive Unionists were able to achieve one seat with 0.6 percent of the Northern Ireland-wide vote but the United Kingdom Unionist Party lost their one seat despite gaining 1.5 percent of the Northern Ireland-wide vote.
- 5.116 Following the March 2007 election result, the DUP and Sinn Fein nominated the First and Deputy First Ministers. The other seats on the Executive were allocated using the d'Hondt mechanism, which resulted in a further four DUP Ministers, three further Sinn Fein Ministers, two UUP Ministers and one SDLP Minister.

The Electoral Commission's Reports and Recommendations

- 5.117 In 2003, most of the Electoral Commission's recommendations centred on issues of political uncertainty in the timing and planning of elections.⁶⁰ The Commission also highlighted that the main complaint was about people being refused a ballot paper because their name was not on the electoral register (the bulk of which dated back to the previous year). Other issues included concern about the decline in voter turn-out, a high level of invalid votes (10,221) despite STV being in place for 30 years, and accessibility issues for the disabled.

5.118 The Electoral Commission's 2007 report was largely favourable, stating that Northern Ireland elections had undergone considerable transformation in the last few years with the Northern Ireland Electoral Fraud Act 2002. This introduced individual registration with a requirement to produce three personal identifiers and photographic ID at polling stations, providing the basis for increased confidence in the electoral system.

5.119 The issue of the time taken to count votes has been a persistent one in recent elections. The Chief Electoral Officer has since announced that votes for Parliamentary Elections will be counted overnight.

5.120 Other relevant points made by the Commission's 2007 report were:

- individual registration and the requirement for personal identifiers has resulted in a much more accurate and robust electoral register
- of the 696,538 ballots cast, 6,382 were spoiled, representing just under one percent, a significant improvement compared with 1.5 percent (10,221) in 2003
- there was some evidence of confusion amongst people completing postal vote applications resulting in some people inadvertently disenfranchising themselves by not completing it correctly. The Commission supports the Chief Electoral Officer's review into the administration of postal voting
- the behaviour of a small minority of polling agents had an impact on the smooth running of the poll, leading in some cases to perceptions that polling agents undermined the electoral process. At the post-election seminar there was a consensus from all the main political parties that the role of polling agents needs to be reviewed and the Commission offered to facilitate discussions on the topic
- although the perception of electoral fraud persists among a significant proportion of the general public of Northern Ireland, there were no reported instances of fraud on polling day
- significant steps were taken to improve media access at the counts and these initiatives were well received by broadcasters.

D London

(i) [New Leadership for London: the Government's proposals for a Greater London Authority](#)

5.121 In July 1997 the Government published a Green Paper, *New Leadership for London: the Government's proposals for a Greater London Authority*⁶¹. This set out the Government's proposals for an executive Mayor and an Assembly with the power to scrutinise the Mayor. The Green Paper did not recommend a

specific voting system for the Mayor and Assembly but sought views on what system should be used for the Mayoral elections and set out the electoral options for the Assembly. For the election of the Mayor, the Government sought views on FPTP, the second ballot system and AV. For the election of members of the Assembly, the Government stressed the need for the electoral system to reflect the role of Assembly members, who would be required to think and act strategically, look at London-wide issues and the long-term interests of the capital. The Government did not want to duplicate the local representational role of borough Councillors, MPs and MEPs.

- 5.122 The Government sought views on different constituency models (single-seat, larger multi-seat and a single London-wide constituency) and on electoral options for the Assembly. In single-seat constituencies it took the view that FPTP and AV were probably the only viable options, while in multi-seat constituencies a number of systems could be used, including FPTP, list systems, AMS and STV.
- 5.123 The Government Office for London, responsible for taking forward the Government's proposal for the Greater London Authority (GLA), commissioned Professor Patrick Dunleavy and Dr Helen Margetts to report on possible electoral systems for London using simulations of the systems. Their report⁶² recommended Supplementary Vote (SV) for elections for the Mayor and either AMS with 14 or 16 local seats or STV using constituencies or a list PR system as giving proportional results for the Assembly. Since the authors considered that it was important to choose voting systems that operated consistently with each other they favoured either SV for the Mayor and AMS or list PR for the Assembly, or AV for the Mayor and STV for the Assembly.

(ii) A Mayor and Assembly for London

- 5.124 In March 1998 the Government set out its detailed proposals in a white paper, *A Mayor and Assembly for London*⁶³, including the systems of elections for the Mayor and Assembly.
- 5.125 For the election of the Mayor, the Government proposed SV, a simplified version of AV. The white paper noted that it was "important to ensure that the method of election of the Mayor gives the eventual winner a clear mandate from the people of London" and that "it is simple and easy to use and can produce a clear winner who would enjoy the support of a large number of Londoners".⁶⁴ The proposed advantages of SV set out by the Government were:
- it is simple and easy to use and can produce a clear winner with a large number of supporters
 - it is a simple form of AV, but is quicker to operate and count

- It retains the familiar 'X' rather than unfamiliar preferential voting as with AV.

5.126 The SV system gives voters two votes, a first and second choice. Voters mark "X" in two columns, the first for the first preference vote, the second column for second preference vote. If no candidate has a clear majority on first preference votes, all but the top two candidates are eliminated and votes for the other candidates are transferred according to voters' second preference votes (if the second preference is for one of the remaining candidates). After transfers, the candidate with the most votes is the winner.

5.127 For elections for London Assembly members, the Government argued for a small Assembly of 25 members elected by AMS. This would be in line with the system being used for elections to the Scottish Parliament and the Welsh Assembly. AMS was expected to produce an Assembly that would closely reflect the views of Londoners. There were to be 14 members, each representing a specific voting area, and 11 further London-wide members.

5.128 AMS, which provides people with two votes, was expected to "produce an Assembly where more than half of the members have been elected in single member constituencies, and where each party's share of the seats closely reflects its vote share. This will ensure that there are Assembly members with whom the electorate can identify and that there is a more proportionate outcome."

5.129 In May 1998, the Local Government Commission for England was directed by the Secretary of State to review the electoral areas for London elections. Its final proposals, published in November 1998,⁶⁵ proposed 14 areas based on the boundaries of two or three adjoining London Boroughs, with an average electorate of 360,354 (and a total electorate of 5,044,962) and a maximum variance from the average of plus or minus nine percent (in Brent and Harrow, and in North East and Bexley and Bromley respectively). In reaching its conclusions the Commission emphasised the principle of electoral equality and concluded that the boundaries of existing Parliamentary or European constituencies should not be a major consideration when constructing electoral areas. It also stressed that the division of some Parliamentary constituencies was unavoidable.

(iii) [Greater London Authority Act 1999](#)

5.130 The Government's proposals for the Mayoral and Assembly elections were enacted through the *Greater London Authority Act 1999*. While there was considerable scrutiny and debate about the proposed voting systems, Parliament made no substantive changes to the Government's proposals,

and the SV system for Mayoral elections and the AMS system for Assembly elections were introduced, with the first elections held on 4 May 2000.

(iv) Election outcomes

5.131 In this section we look first at the results of the London Assembly and Mayoral elections in 2000 and 2004, and then at the key findings from the 2004 Elections Review Committee on the Greater London Authority (GLA) elections.⁶⁶

London Assembly

5.132 The London Assembly elections show that while AMS is more proportional than FPTP, there was still a relative benefit to the major parties. In 2000 Labour and the Conservatives each had 36 percent of the seats, and in 2004 obtained 28 percent and 36 percent respectively, the Conservatives having the largest representation (nine members).

5.133 The Liberal Democrats increased their share of seats from 16 percent (four seats) in 2000 to 20 percent (five seats) in 2004 and had to depend wholly on the party list seats. Labour and Conservative seats are largely elected by FPTP while small parties depend on the party list seats. The minimum threshold of five percent of the votes required for election through the party list also limits small parties. The small number of seats overall also reduced the chances of small parties being elected.

London Mayor

5.134 The Mayoral elections demonstrated the importance of the second preference votes, as the leading candidate on first preference votes, on both occasions Ken Livingstone, had less than 40 percent of the first preference votes. Mr Livingstone was elected in 2000 for the first time as an independent candidate and then a Labour Party candidate in the 2004 election.

5.135 Even with second preference votes, in both elections, the winning candidate did not achieve an outright majority of votes (i.e. 50 percent plus one vote). In 2000, in the final round vote, the winning candidate had 45.3 percent of votes and in 2004 had 44.4 percent of all votes. Whilst close to 50 percent, the elections have not produced a Mayor with a majority of support across London.

Table 10
London Assembly election results 2000⁶⁷

Party	%FPTP votes	Constituency Seats	% List votes	List Seats	% Share of total votes	Total seats	% Total Seats
Labour	31.6	6	30.3	3	30.9	9	36.0
Cons	33.2	8	29.0	1	31.0	9	36.0
Lib Dem	18.9	0	14.8	4	16.8	4	16.0
Greens	10.2	0	11.1	3	10.7	3	12.0

No others won seats. Other parties won 6.0% of the constituency vote and 14.8% of the list vote. **Turn-out was 32.6%**

Table 11
London Assembly election results 2004⁶⁸

Party	%FPTP votes	Constituency Seats	% List votes	List Seats	% Share of total votes	Total seats	% Total Seats
Labour	24.7	5	25.0	2	24.8	7	28.0
Cons	31.2	9	28.5	0	29.8	9	36.0
Lib Dem	18.4	0	16.9	5	17.6	5	20.0
Greens	7.7	0	8.6	2	8.1	2	8.0
UKIP	10.0	0	8.4	2	9.2	2	8.0

No others won seats. Other parties won 8.0% of the constituency vote and 12.7% of the list vote. **Turn-out was 36.0%**

Table 12
London Mayoral election results 2000⁶⁹

Candidate	Party	1st preference votes	%	2nd preference votes
K. Livingstone	Ind	667,877	39.0	178,809 (elected)
S. Norris	Cons	464,434	27.1	188,081
F. Dobson	Lab	223,884	13.1	
S. Kramer	Lib Dem	203,452	11.9	
Others		154,515	9.0	

Table 13
London Mayoral election results 2004⁷⁰

Candidate	Party	1st preference votes	%	2nd preference votes
K. Livingstone	Lab	685,541	36.8	250,517 (elected)
S. Norris	Cons	542,423	29.1	222,559
S. Hughes	Lib Dem	284,645	15.3	
F. Maloney	UKIP	115,665	6.2	
Others		235,397	12.6	

5.136 Following the 2004 election that delivered a Labour Mayor and an Assembly where Conservatives had the most seats, the Conservatives and Liberal Democrats agreed to alternate Chairmanship and Deputy Chairmanship of the full Assembly and three key committee meetings. This arrangement did not extend to policy matters. Other committee chairmanships are distributed amongst all the parties.

The Elections Review Committee Findings

5.137 The Electoral Commission does not evaluate the London elections. However, the GLA 2004 Elections Review Committee, a committee of the London Assembly, undertook a review of the elections. Its report on the GLA elections was published in December 2004. The main findings were as follows:

- "Better project management of postal voting ... is needed, and an increased standard of service from the delivery contractor to ensure electors receive the Mayoral address booklet before their postal ballot papers, and to maximise the delivery rate of polling cards and the delivery and return of postal ballot papers."
- "[There should be a] statutory duty placed on Returning Officers to raise awareness and understanding of elections [and more needs to be done] to provide information to electors about the London Assembly elections. [This is necessary] to satisfy the 60 percent of people who did not feel they had enough information about the 2004 London Assembly elections."
- "The Greater London Returning Officers [should have more delegated authority] to determine a standard format and content of polling cards... the design of ballot papers and the wording of voting instructions." This recommendation was partly a response to the high level of invalid votes cast, particularly in the London Mayoral elections.
- A significant issue arising from the 2004 elections was the high number of spoiled ballots in the GLA election, amounting to an average of 7.2 percent of total ballot papers, compared with a rate of around 0.38 percent for

combined General elections and up to 0.18 percent for non-combined General elections. Much of the invalid voting rate in the London Mayor and Assembly elections was associated with poor ballot paper design and poor information provision (a large proportion of invalid votes arising in the Mayoral second preference votes, as discussed in more detail in Chapter 6).⁷¹

- The Elections Review Committee recommended that: "The Government should introduce legislation ... so that the declaration of results sheets are required to make clear the distinction between 'blank' and 'uncertain' ballot papers. This is particularly important for GLA elections, in which the double-vote voting system produces large numbers of unmarked/uncertain ballot papers."
- The Committee also expressed its concerns about the prospect of 'multi-channel' voting pilots at the 2008 London elections, given the inherent complexity of the elections.⁷²

E European Parliamentary Elections

(i) Background

5.138 The European Parliament, which sits in Strasbourg and Brussels, currently has 785 members (MEPs) representing the 27 member states of the European Union. All states use a form of PR to elect their Members, mostly some form of party list system, with STV used in the Republic of Ireland, Malta and in Northern Ireland. The rest of the UK use the closed list system.

5.139 While the voting systems are not uniform, Council Decision 2002/772/EC, which is binding on all member states, requires that:

- the system must be a form of PR, under either the party list or STV system
- the electoral area may be subdivided if this will not generally affect the proportional nature of the voting system
- any election threshold on the national level must not exceed five percent.

5.140 The UK currently elects 78 MEPs. Prior to the 2004 elections, the UK had 87 MEPs. The reduction was the result of the accession of 10 new member states to the EU (the total number of MEPs increased from 626 to 732), and was brought into force by the *European Parliamentary Elections Act 2002*. That Act also enfranchised the people of Gibraltar, who voted in 2004 as part of the South West region of England. After 2009, the number of UK MEPs is scheduled, under Nice, to fall further to 72. Once the Reform Treaty is ratified and enters into force, the UK's total will rise to 73.

- 5.141 The UK is divided into 12 electoral regions. Nine English regions elect 64 MEPs, Scotland elects seven, Wales four, and Northern Ireland (using STV) three MEPs.
- 5.142 The d'Hondt system of distributing seats is used everywhere in the UK except for Northern Ireland. A worked example of the d'Hondt system is at Annex B. The d'Hondt system is reasonably proportional, although there is still a tendency to favour the larger parties, especially given the relatively small size of the 11 electoral areas.
- 5.143 Before 1999, the UK (bar Northern Ireland) elected its MEPs using the FPTP system. Article 138(3) of the original Treaty of Rome required the European Parliament to "draw up proposals for elections by direct universal suffrage in accordance with a uniform electoral procedure in all Member states". The UK, on accession to the European Community, became a party to this undertaking. However, it took some time to meet this obligation.
- 5.144 In April 1977 the Government published a White Paper, *Direct Elections to the European Assembly*.⁷³ It proposed a regional list system with an 'open' ballot paper so that the voter could choose between candidates. The White Paper observed that while the potential for electoral swings to be magnified in terms of seats by the FPTP system might be deemed as an advantage in Westminster elections, it might be less desirable for European elections. This was first because of the relatively small number of seats (81 at the time) which might make the results even more disproportionate. Furthermore this could magnify the difference between the composition of the Commons and UK representation at the European Assembly (as it then was) and potentially bring them into conflict.
- 5.145 The *European Assembly Elections Bill* was introduced in the House of Commons in 1977. It offered a choice between two electoral systems, FPTP and an open regional list system, where voters could choose between candidates. It received Second Reading in July that year and again (after re-introduction) in November 1977. On a free vote of Labour and Conservative MPs, the Commons voted for retention of FPTP, against the recommendation of the Government. The part of the Bill proposing PR was therefore removed from the Bill, which became an Act in 1978, and was later renamed the *European Parliamentary Elections Act 1978*.
- 5.146 In 1982, the European Parliament approved proposals for an open regional list system which had been put forward by its Political Affairs Committee (the *Seitlinger Report*). After the 1984 European elections a further and similar scheme (the *Bocklet Report*) was proposed. This was not considered by the European Parliament before the 1989 elections. Then in 1990, the European Parliament's Institutional Affairs Committee was invited to make proposals on a uniform procedure. These proposals (known as the *de Gucht* report) ruled out the adoption of identical systems in all member states, on the grounds of

subsidiarity, but preferred the establishment of common criteria, which would be applied gradually. The initial focus was on new arrangements for allocating seats between member states. The final *de Gucht* report was published in November 1992 and was approved by the European Parliament in March 1993. The approved report effectively proposed AMS for the UK, with two thirds of MEPs elected by the FPTP system and a third by list, to ensure some proportionality.

- 5.147 Article 138(3) of the Treaty of Rome was amended first by the Maastricht Treaty in 1992 and then the Treaty of Amsterdam in 1997, when it became Article 190(4). At this point, the wording about electoral systems was as follows:

“The European Parliament shall draw up a proposal for elections by direct universal suffrage in accordance with a uniform procedure in all member States or in accordance with principles common to all Member States.”

“The Council shall, acting unanimously after obtaining the assent of the European Parliament, which shall act by a majority of its component members, lay down the appropriate provisions, which it shall recommend to Member States for adoption in accordance with their respective constitutional requirements.”

- 5.148 This echoed the flexible *de Gucht* approach, and no time limit was set on implementing the Article.

- 5.149 In the UK during the 1990s, the Liberal Democrats pressed for the introduction of PR for elections to the European Parliament. In 1990 Lord Bonham-Carter introduced a Bill which provided for STV, with Scotland and Wales representing one constituency each and England divided into nine. The Liberal Democrats also brought an action in the European Court of Justice (ECJ) against the European Parliament in January 1993 for alleged manifest failure to make proposals for a uniform election procedure under Article 138(3). No final decision was made by the ECJ because of procedural difficulties, but the European Parliament made the proposals reflecting the *de Gucht* report in March 1993.

- 5.150 In 1993, the *Plant Report*⁷⁴ recommended a regional list system for the European Parliamentary elections, either by casting one vote for a party slate, or using a number of votes to put candidates in the order of their choice. The 1993 Labour Party conference endorsed this proposal and just before the 1997 General election, the Labour and Liberal Democrat Joint Consultative Committee proposed a regional list system. In July 1997, the new Labour Government announced that it intended to introduce a regional list system for the European Parliamentary elections.

- 5.151 The *European Parliamentary Elections Bill 1997* was introduced in October 1997. It proposed a system where a voter could choose either a party at regional level (the closed list system) or an independent candidate. Debate in Parliament centred on the type of list system to be used, with a number of attempts in the House of Lords, to introduce either a list system where voters could state their order of preference for party candidates, or an open list system. The Government's preference was for a closed list system. Its concern about open lists was that there might be individual candidates who were not elected, when others with fewer votes, because they were with the more successful party, were elected. This might call the legitimacy of some elected representatives into question.
- 5.152 At Third Reading a Conservative amendment based on an open list system modelled on the Finnish system was successful. The Lords did not back down on this amendment and eventually the Government used the *Parliament Act 1949* to take the Bill through in the following session. The result was the *European Parliamentary Elections Act 1999*,⁷⁵ with a closed regional list system, which was used for the first time in the June 1999 elections.

(ii) Election outcomes

- 5.153 In this section we look first at the results of the European Parliamentary elections in 1994, 1999 and 2004 and then at the key findings from The Electoral Commission's report on the European Parliamentary elections in the UK⁷⁶.
- 5.154 The 1994 elections were the last to use FPTP for Great Britain. In earlier elections (1979, 1984, 1989), outside Northern Ireland, and with the exception each time of one seat for the Scottish National Party, the seats were shared between the Labour and Conservative parties:
- 1979: Liberal Party secured 12.6 percent of the vote but won no seats
 - 1984: SDP-Liberal Alliance secured 18.5 percent of the vote but no seats
 - 1989: the same Alliance secured 6.4 percent of the vote with no seats
 - 1989: Green Party secured 14.4 percent of the vote with no seats.
- 5.155 The following tables set out the outcomes of the 1994, 1999 and 2004 elections.

Table 14

European Parliamentary election results 1994⁷⁷ (FPTP in Great Britain, STV in Northern Ireland)

Party	% Votes	MEPs	% Seats
Labour	42.6	62	71.3
Conservative	26.9	18	20.7
Lib Dem	16.1	2	2.3
SNP	3.1	2	2.3
Dem Unst	1.0	1	1.1
SDLP	1.0	1	1.1
Ulst Unst	0.8	1	1.1
Green	3.1	0	0
Plaid Cymru	1.0	0	0

Turn-out was 36.5%

Table 15

European Parliamentary election results 1999⁷⁸ (Closed list PR in Great Britain, STV in Northern Ireland)

Party	% Votes	MEPs	% Seats
Conservative	33.5	36	41.3
Labour	26.3	29	33.3
Lib Dem	11.9	10	11.5
UKIP	6.5	3	3.4
SNP	2.5	2	2.3
Green	5.9	2	2.3
Plaid Cymru	1.7	2	2.3
Dem Unst	1.8	1	1.1
SDLP	1.8	1	1.1
Ulst Unst	1.1	1	1.1
Others	7.1	0	0

Turn-out was 24.0%.

Table 16

European Parliamentary election results 2004⁷⁹ (78 Seats) (Closed list PR in Great Britain, STV in Northern Ireland)

Party	% Votes	MEPs	% Seats
Labour	21.9	19	24.4
Conservative	25.9	27	34.6
Lib Dem	14.4	12	15.4
UKIP	15.6	12	15.4
SNP	1.4	2	2.6
Green	6.1	2	2.6
Plaid Cymru	0.9	1	1.3
Dem Unst	1.0	1	1.3
Ulst Unst	0.5	1	1.3
Sinn Fein	0.8	1	1.3
SDLP	0.5	0	0.0
Others	10.9	0	0.0

Turn-out was 38.5%

5.156 Comparisons between 1994 and 1999/2004 show a more proportional result following the introduction of the closed list regional system. This benefited parties like the Liberal Democrats and Greens who had previously won significant amounts of the vote but no seats. It has also allowed new parties to win seats, notably UKIP. Having 11 electoral regions has also allowed national parties in Scotland and Wales to win and then maintain seats (with lower shares of the vote in 2004 than 1999). The biggest loss has been suffered by the Labour Party, which has 24 percent of the seats following the 2004 elections compared with 71 percent following the 1994 elections. The two largest parties do, however, still have a significantly higher proportion of seats than votes.

5.157 Turn-out, having fallen to 24 percent in 1999, recovered to 38.5 percent in 2004, the best ever in the UK for a European Parliamentary election. This is due to being a combined election, discussed in Chapter 6 on voter turn-out, though it is still low by the standards of most EU countries. The average turn-out across the EU in 2004 was 45.5 percent, ranging from 90.8 percent in Belgium to 16.7 percent in Slovakia. In the large nations turn-out was similar: Germany 43.0 percent, France 43.1 percent, Spain 45.9 percent – except in Italy, where it was 73.1 percent.

The Electoral Commission's Reports and Recommendations

5.158 The Electoral Commission found the following with regard to the 2004 European Parliamentary elections:⁸⁰

- levels of political engagement and knowledge about the European Parliamentary elections were low, and while the rise in turn-out was encouraging, there was no room for complacency about the scale of the 'communication deficit' between the institutions and process of European democracy and voters in the UK
- the use of electronic counting in London and the increased use of postal voting meant that the administration of the elections had more attention than usual in the run up to the elections. Increased postal voting volumes, the combination of the local and European elections, the complexity of legislation, and delays to the passage of legislation (with knock-on effects on guidance from the Commission) put an increased strain on administrators
- parties and candidates should consider ways to improve the accessibility of their political information, such as drawing on the London Mayoral example, providing a single freepost booklet to be produced in each of the 12 European Parliamentary electoral regions in place of individual party leaflets
- the Commission's recommendations also focused on a range of improvements to the arrangements for Regional Returning Officers, including setting up formal working groups 12 months in advance, better guidance to parties and candidates; more use of directive powers within the region if necessary, more funding for project management and communications at regional level, and clarification of insurance arrangements
- between now and the next European Parliamentary elections in 2009 further consideration needs to be given to the potential impact of the combination of elections, and decisions should be made in time to allow for effective planning.

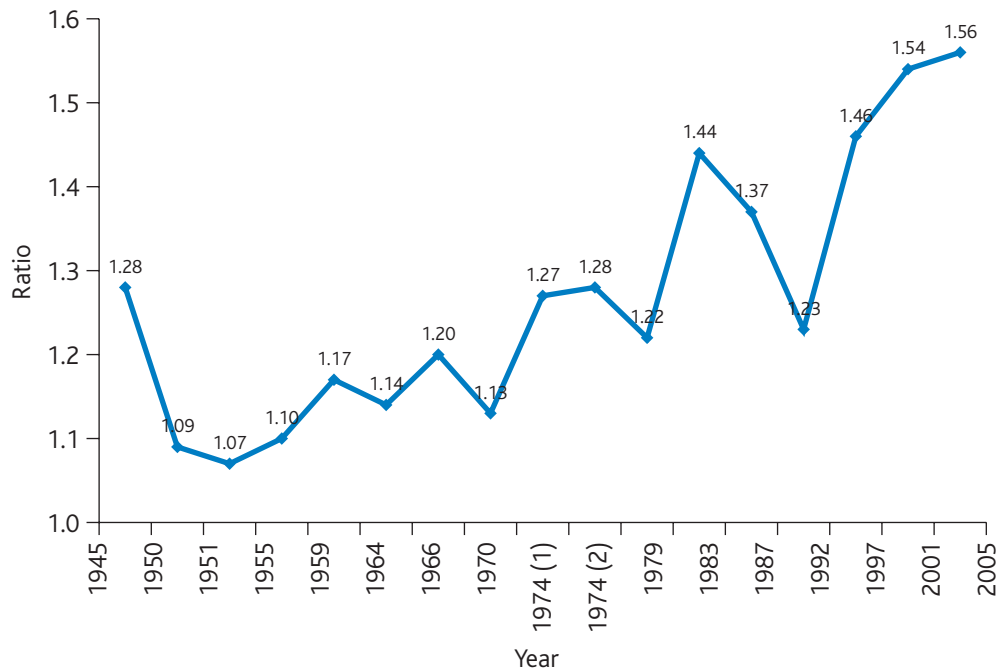
Chapter 6: Assessing the experience

- 6.1 In this chapter, we assess the experience of the new voting systems in the devolved jurisdictions as well as General elections in the UK since 1997, against the themes (or criteria) outlined in the introduction. The purpose is to present findings of the experience of the various voting systems in the UK to contribute to the debate on whether changes should be made to the voting system for the House of Commons. As it is a desktop review we do not make any recommendations but set out findings to inform the debate.
- 6.2 This review, as with many others that try to independently compare voting systems, has looked to compare voting systems using criteria describing potentially desirable properties. These are broadly similar to those used by the Jenkins Commission⁸¹ and the ICPR.⁸² However, we have added a section on the impact of different electoral systems on the administration of the elections. This is an important factor to consider as we rely on returning officers and electoral administrators to deliver elections and they face increasing challenges.
- 6.3 This section also sets out the findings of the SER, although this does not include the Government's official response to the SER conclusions, which will be made in due course.

A. Proportionality

- 6.4 During the 1950s the French political scientist Maurice Duverger theorised that a FPTP system naturally resulted in the dominance of two political parties and added that FPTP systems would act to delay the emergence of a new political force.⁸³ This became generally accepted, although there are international examples, such as Canada and India, where FPTP has co-existed with multi-party representation.
- 6.5 The experience of the UK in the 1950s and 1960s to a large extent has borne out Duverger's thesis and representation in the House of Commons reflected votes cast with a reasonable degree of proportionality. However, with the growing strength of the Liberals (now, after a period as the Alliance (with the Social Democrats), the Liberal Democrats) and nationally-based parties like Plaid Cymru and the Scottish National Party, the effects of the 'winner takes all' system has become less predictable. This has also led to a greater distortion of the share of seats in proportion to votes. Figure 1 below shows how the seats-to-votes ratio of the governing party has developed since 1945. A ratio of one indicates no bias towards the winning party.

Figure 1
Seats-to-votes ratio of the winning party, UK General elections⁸⁴



- 6.6 Whilst recent General elections under FPTP have produced less proportional results, this has not always been the case. The graph above shows that outcomes were more proportional in the 1950s when the two main parties received the vast majority of votes cast.
- 6.7 The consensus view among academics and political commentators is that the operation of the FPTP system not only favours the winning party, but that other factors have combined with this since 1997 to currently favour the Labour Party. Among the main factors are:
- regional distribution of party strength – Labour’s geographic concentration gives it an electoral advantage
 - differences in size of the electorate in constituencies – Labour wins more constituencies with relatively small electorates
 - differences in turn-out in constituencies – Labour wins a higher proportion of constituencies with relatively low turn-out
 - the tendency of tactical voting, thus far, to involve exchanges of votes between Labour and Liberal Democrat supporters against Conservative candidates.

- 6.8 The ERS (2007) argue that, in 2005, even a small Conservative lead in the nation-wide vote would have resulted in a Labour majority in the Commons. To win, the Conservatives would have needed to win by more than 11.7 percent of the votes to have a majority of seats.⁸⁵
- 6.9 Some of these factors may alter over time but, for now, they have combined to deliver the highest seats-to-votes ratio since 1945, as illustrated above. This has led to increasing comment on the disproportional nature of UK General election results. The ERS in its report, *The UK General election of 5 May 2005: Report and Analysis*,⁸⁶ observed that Labour won an overall majority of 66 seats, or 55.1 percent of seats, with 35.2 percent of the vote, which was the lowest percentage of votes won by a majority government since the extension of the franchise in 1918. No majority government since 1970, Labour or Conservative, has won the election with more than 45 percent of the votes cast. The highest percentages were the Conservatives with 43.9 percent in 1979 and Labour with 43.2 percent in 1997 and these were both elections when the Government was replaced.
- 6.10 The ERS argue that since 1974 the growing strength of third and other small parties, in particular the Liberal Democrats, has increased the chance of a hung parliament (where no party or coalition of parties can control a majority of seats in Parliament). They show that this has happened because the number of votes for the small parties has increased and the number of marginal seats has fallen, meaning that greater swings in the vote are required for seats to change hands than was previously the case. The ERS argue that the Liberal Democrats are unlikely to lose many seats in the forthcoming elections even if their national vote was to decline somewhat, meaning that the two big parties are unlikely to reach 40 percent of the vote. Therefore, they consider that FPTP will continue to deliver winning parties with significantly less than 50 percent of the vote, raising concerns about the legitimacy of those governments. However, another key contributing factor which increases disproportional outcomes is declining voter turn-out, about which the causes are not straightforward. Voter turn-out is discussed in more detail in Section B.
- 6.11 Other research on disproportionality of UK General elections provides a different perspective and emphasis. Johnston, Rossiter & Pattie (Johnston *et al*)⁸⁷ argue that the FPTP system is not in and of itself biased to the Labour Party. Instead the current bias is a function of primarily small constituency sizes, the increasing popularity of the Liberal Democrats in particular seats that would otherwise be won by the Conservatives and that Labour's vote share has become more efficiently distributed. They argue that the electoral system is not the cause of disproportional outcomes and that the disproportionality is not unique to the most recent General elections. Also, the fact that the circumstances now favour Labour and the size of the disproportionality is greater, is a new development. They argue that this could be reduced slightly if the Boundaries Commission reviews were both increased and sped-up but that

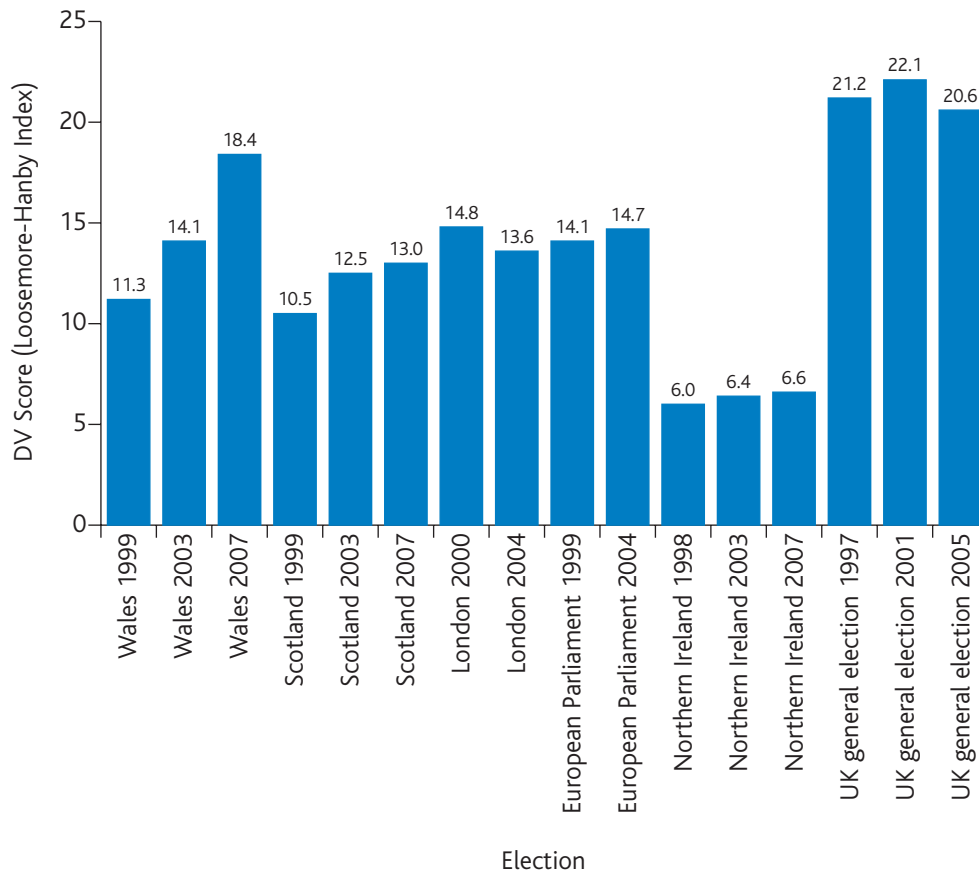
"bias caused by the constituency-size variations between and within countries is only one component of the total, although it may be crucial in close contests".⁸⁸

- 6.12 Johnston et al also point to improving voter turn-out as a potential solution as they conclude that it is how voters and parties act that contributes to the generation of the disproportionality and bias towards Labour under the current FPTP system. In their own words: "... except for variations in constituency size, the workings of the FPTP system cannot be "blamed" for delivering two landslide victories to Labour with less than 45 percent of the votes in 1997 and 2001 and a third in 2005 when a 25 percentage points lead in seats over its main opponent emerged despite only a three-point lead in vote share. Geography is key to those biases, but not the geography of constituency definition. Rather it is a combination of the geographies of party support, turn-out and party campaigning within that geography which produces most of the bias, currently favouring Labour because of where its supporters live, where they turn-out and where it campaigns for their support."⁸⁹
- 6.13 Johnston et al conclude that the causes of proportionality in election outcomes require sophisticated evaluation given the complex contributory factors. Simple attributions of the cause of disproportionality to the voting system do not reflect the circumstances that took place in recent UK General elections.

The experience of the devolved governments in the UK

- 6.14 To look at proportionality in the devolved jurisdiction elections relative to the General elections, one approach is to calculate the deviation from proportionality of the results (how far away the parties are from winning the same proportion of seats as their votes). That is, to measure how many representatives hold seats that are not justified by their party's share of the vote, either nationally or regionally. The conventional measure of deviation from proportionality is known as DV, and political scientists regard a DV score of 4-8 percentage points as indicating proportionality⁹⁰.
- 6.15 The following graph shows the DV scores for the UK General elections, Welsh, Scottish, Northern Ireland, European Parliamentary and London Assembly elections since 1997.

Figure 2
Deviations from proportionality in different UK elections⁹¹



For Wales, Scotland and London elections, figures measure deviation from proportionality against the regional votes only, and do not take account of the constituency votes.

For European Parliament elections, figures measure deviation from proportionality for Great Britain only, and exclude Northern Ireland.

For Northern Ireland elections, figures measure deviation from proportionality against the first count only.

6.16 The scores in Figure 2 suggest that STV was most proportional, with DV scores from 6.0 to 6.6 for Northern Ireland between 1999 and 2007, although under STV the DV score very much depends on the number of members in the multi-member constituencies. Similarly, the proportionality of AMS tends to depend on the ratio of list to constituency members, with Wales having a higher number of constituency members to list members (2/1) compared to Scotland's 1.3/1.

6.17 In Scotland and Wales, the DV scores have increased since 1999, while the opposite occurred in the London Assembly elections. In Scotland there were smaller increases between 1999 and 2007. In Wales, the DV Score is much larger in 2007 than the previous two assembly elections, which appears to be

in part because some of the small parties (in particular the UKIP and BNP), increased their share of the regional list vote but failed to win any seats overall. The data also suggests that the performance of AMS in devolved jurisdiction elections has been similar to the experience of the closed list system used in the European Parliamentary elections.

- 6.18 Overall, the DV scores show that AMS generally produces a result less disproportional than FPTP, and Northern Ireland's experience with STV is the most proportional.
- 6.19 Farrell (2001) finds that while generally majoritarian systems tend to produce more disproportional election results than PR systems, this is not surprising. However, he also points out that this is not a hard and fast rule, showing that there are many different factors in elections that affect the proportionality of the results, not just the voting system. For example, in the UK General elections, results have become less proportional with the increase in support for the small parties. The DV Score for the 2005 election was 20.6 but in 1951, when the Labour and Conservatives between them gained over 90 percent of the vote, the result was highly proportional with a DV score of 4.1, lower even than the Northern Ireland Assembly under STV. Other influences on proportionality include the magnitude of electoral districts and the number of seats in the assembly. Farrell shows that while majoritarian systems are less proportional in general, there are also many factors affecting proportionality other than just the voting system. He also points to the findings of Richard S Katz who contends that different types of PR systems in and of themselves do not tend to produce greater or lesser degrees of proportionality. Instead, the size of the electoral districts is a more important determinant of proportionality.⁹² Farrell's 2001 analysis, which tests Katz conclusion shows that if ranked by district magnitude, disproportionality under different systems decreases as district magnitude increases.⁹³ Therefore on balance, discussions about proportionality should take into account the complex causes of disproportionality.

Conclusion

- 6.20 All the new systems have achieved a higher degree of proportionality in outcome than FPTP, although only STV in Northern Ireland has achieved what academic observers consider to be close to genuine proportionality. While the FPTP system for Westminster currently favours the Labour Party, it is capable of large swings in seats won by the two major parties and this is less predictable with the advent of a relatively strong third party, the Liberal Democrats.
- 6.21 We can conclude that proportional systems tend to be just that, more proportional. However, factors other than the voting system impact on proportionality, in particular district magnitude and voter behaviour. While

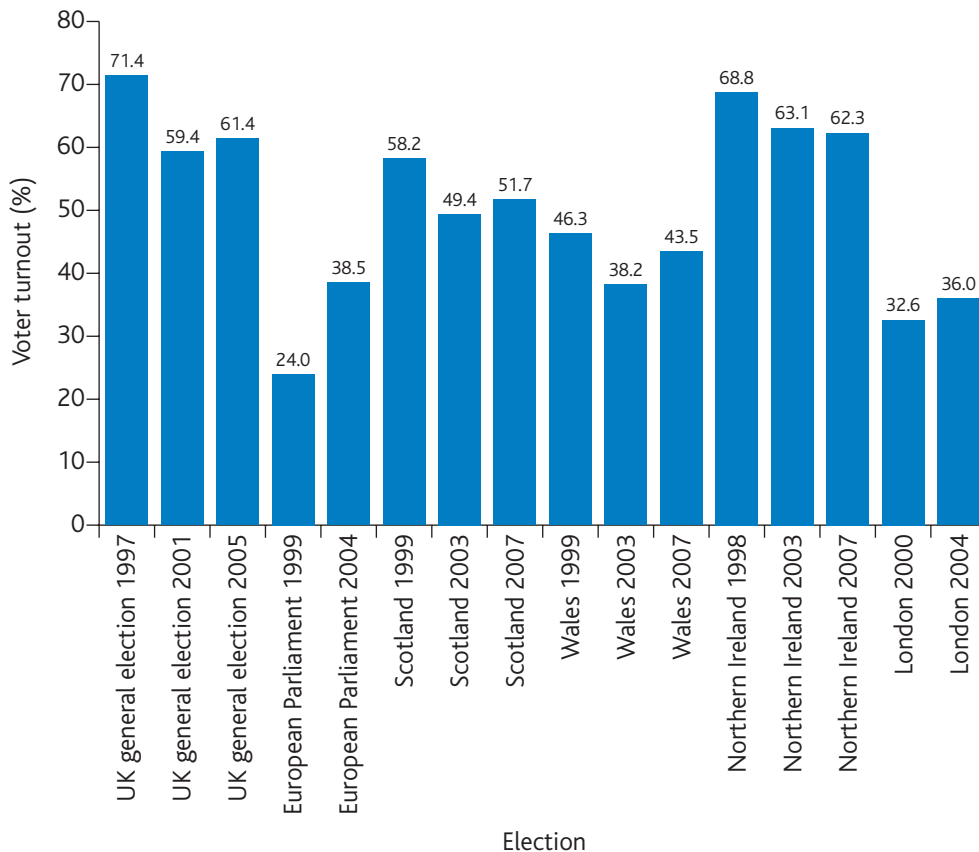
there is a consensus about the factors contributing to proportionality and disproportionality, there are different views on interventions. The questions that arise therefore are whether the debate about proportionality concerns the unfairness of the current system towards the emerging third party and if this is a justification for change, or whether changes in other factors such as turn-out and constituency size can reduce disproportionality. Debates about proportionality need to acknowledge the range of factors involved and require sophisticated evaluation.

B Voter participation

6.22 Voter participation is often seen as a measure of confidence in democracy and the voting system in use.⁹⁴ However, the drivers of voter participation and non-participation are complex. As we will see in Chapter 7 on the international perspective, research carried out by Pippa Norris in 2003 suggests that, on average, turn-out in countries with some form of PR tends to be about five percentage points higher than in those with majoritarian systems – around 65 percent compared with 60 percent. This differential is sometimes presented as being as high as 10 percentage points, but Chapter 7 explains why this may be an exaggeration. Also, voter turn-out is higher in countries where voting is compulsory. This section explores the factors impacting on voter turn-out in the UK since 1997.

6.23 Figure 3 shows turn-out in elections in the UK since 1997.

Figure 3
Voter turn-out (%) in UK elections since 1997⁹⁵



- 6.24 Turn-out for General elections is usually higher than for elections in the devolved jurisdictions, European Parliament and London elections and compared to local elections where turn-out tends to be in the 30-40 percent range. However, General election turn-out fell sharply in 2001 compared with 1997, before stabilising in 2005 without much improvement. Turn-out since the introduction of new voting systems initially fell in the Scottish, Welsh and Northern Irish Assembly elections but improved slightly in the most recent elections in Scotland and Wales. The 2004 European Parliamentary and London elections bucked the declining trend in turn-out, but levels are still much lower than for General elections.
- 6.25 Of the devolved jurisdictions, Northern Ireland has had the highest turn-out, although turn-out has dropped since 1998. The 2007 turn-out in the Northern Ireland elections did not improve from 2003, at 63 percent, though this was similar to the overall level of turn-out at the last General election. Some commentators considered that the recent Northern Ireland election turn-out was higher than expected given the uncertainty of whether a functioning Northern Ireland Executive would be established after the election. Generally, higher voter turn-out in Northern Ireland is likely to be influenced by a number

of factors, such as its unique political context, the perceived impact the Assembly has on people's lives, the level of grass-root party activity and the rarity of safe seats under STV.⁹⁶ In Wales, turn-out increased by 5 percentage points compared to 2003, with improvements in all but one constituency and amongst younger voters and those over 55 years. In Scotland there was just over a two percentage point improvement in turn-out. European and London elections have experienced the lowest turn-out although on an upward trend.

- 6.26 The experience in the devolved jurisdictions does not provide a clear pattern on turn-out. However, the causes of the drop in the General election turn-out to below 70 percent in 2001 and the small recovery in 2005 has been the subject of much speculation and analysis by researchers.
- 6.27 Turn-out is the product of a complex set of factors. Various factors that could be considered to impact on participation in elections are voter knowledge, the reward from voting, the cost of voting, ease or difficulty of registering to vote, the impact of efforts to increase registration, political campaigning and the impact of the news media. Other factors include perceptions about the status of different elections and that some may perceive the General election as 'first order' and other elections second, or even third. This may be caused by the lack of awareness about the different powers of assemblies and parliaments and how they affect people's lives. Others include the range of political choices, closeness of the contest, whether people feel their vote counts, whether people feel politicians speak for them, whether they are aware of the election and if there are convenient methods of voting. For example, on convenience, we know that postal voting has been associated with a doubling of turn-out at local, European Parliamentary and Welsh Assembly elections. We have not covered research into all the potential opportunities but provide the findings of some research that is pertinent to the concerns about the drop in participation in General elections.
- 6.28 Different researchers have taken different approaches to studying the causes of voter turn-out or lack of it. We present below findings from two approaches. It is important to note that research into the 'causes' of turn-out are heavily based on surveys, therefore the limitations of generalising the findings of different studies, and comparing different systems should be noted from the original sources.
- 6.29 One approach to the study of voter turn-out is to examine the *motivations* of voters. For various reasons, voters may be more or less interested or inclined to accept the efficacy of voting. A different approach is to look at the *circumstances* facing voters and choices put before them, such as the policies of political parties and messages from the media.
- 6.30 The Hansard Society Audit of Political Engagement (APE) undertaken from December 2003 onwards provides some insights into the motivations and

characteristics of voters.⁹⁷ The 2007 survey finds that political and electoral activism remains a minority activity, with 60 percent of people not having discussed politics or political issues in two or three years. While most people agree that they want to have a say in how the country is run, there is a gap between what they say they are willing to do and what they have actually done.⁹⁸ Respondents cited apathy or lack of interest in politics as reasons they are not more involved in politics.

- 6.31 In terms of propensity to vote, in November 2006, of those surveyed in the APE, 55 percent said they would be absolutely certain to vote in an immediate General election, whereas 11 percent would be absolutely certain *not* to vote. This was higher than responses in 2003 at 51 percent, and in 2005 it was 52 percent though 61 percent actually turned-out in the General election. As expected, the Audit finds that the propensity to vote increases by age and belief in a duty to vote. For example, 92 percent of those certain to vote also agreed that it is their duty to vote. However, while people who have no formal qualifications claim to be significantly less interested in and knowledgeable about politics, they have the same propensity to vote as those with A-levels or above (58 percent and 57 percent respectively). Another aspect is the propensity to vote by deprivation, where the audit finds that the very affluent and those living in rural areas have the highest propensity to vote but the propensity to vote is the same for those in 'deprived' areas and those in 'middle to affluent' areas. The 'very deprived' have the lowest propensity to vote. Overall the APE finds that across 16 indicators, there is no evidence of a decline in political engagement but that engagement levels are holding steady, although this analysis is limited in that the survey only began in 2003 after the decline of voter participation in 2001.
- 6.32 Other studies about voter motivations and characteristics also find that the decline in turn-out has resulted in turn-out inequality, where turn-out decreased most rapidly amongst young people and those within lower income groups.⁹⁹ The Electoral Commission suggests that six key reasons for not voting are apathy (a lack of interest in politics), disillusionment with politics, lack of impact (idea that individuals can't make a difference), alienation, lack of knowledge about politics and inconvenience.¹⁰⁰ However, in the case of 2001 and 2005, the Electoral Commission did not find that inconvenience, apathy or declining interest in politics or political activity contributed to falling turn-out but rather a perceived lack of efficacy.
- 6.33 The Curtice, Fisher and Lessard-Phillips study (Curtice *et al*)¹⁰¹ examine the circumstances before voters and the impact on voter turn-out in the 2001 and 2005 General elections. They found, based on the British Elections Study, that 59 percent of people who had no interest in politics voted in 1997 but the turn-out level of this category of people dropped to 31 percent in 2001 and remained at 31 percent in 2005. These elections failed to attract people who were already less motivated to vote.¹⁰² By comparison, 87 percent of

people who had 'a great deal' of interest in politics voted in 1997, but the proportion of such people who voted in 2001 and 2005 dropped only slightly, to approximately 81 percent each time. Curtice *et al* also show that the proportion of people in the latter group, i.e. with 'a great deal' or 'quite a lot' of interest in politics has remained very steady over the past twenty years, at about 30 percent. Therefore, the electorate does not appear to have become more 'disengaged' from politics in 2001 and 2005 than in 1997 but turn-out fell amongst those who were already disengaged from the political process, the voters least likely to vote and those most in need of persuading. This supports the APE findings about the increasing inequalities in voter turn-out discussed above.

- 6.34 At the same time, the proportions of people who had little or no interest in politics who also said there was not much difference between the parties increased, from 31 percent in 1997, to 58 percent in 2001, to 55 percent in 2005.¹⁰³ Curtice *et al* states that "*the perception that there is not much difference between the parties grew most rapidly between 1997 and 2001 amongst the least interested in politics.*"
- 6.35 Another criticism of FPTP is that it is said to encourage parties to cluster in the 'centre ground' of politics, which results in the two main parties promulgating similar policies. This is said to discourage voters because they cannot differentiate between the two main parties. For example, the Electoral Commission's surveys of voters and non-voters following the Scottish 2003 elections found that many people felt that there was little difference between the parties – 37 percent of non-voters in Scotland cited this as a reason for not voting. Curtice *et al* when comparing different countries and voting systems finds that in countries with FPTP, voters appear to be less likely to regard political parties as very different from each other and this is particularly the case for less knowledgeable voters.¹⁰⁴
- 6.36 It has been argued that all other things being equal, under FPTP fewer people are likely to vote relative to PR systems for a variety of different reasons.¹⁰⁵ One is that in constituencies where one party consistently wins, voters of other parties are less likely to think that their vote will make a difference (voter efficacy). Under a PR system, large overall majorities are unlikely and voters may have a greater chance to influence the outcome because their party can still achieve a seat even if they do not come first. With regard to voter efficacy, Curtice *et al* do find a difference between FPTP and other systems. Under other voting systems 38 percent strongly agreed that "who people vote for can make a difference to what happens" but only 28 percent agreed that their vote could make a difference under FPTP. However, amongst the less knowledgeable voters,¹⁰⁶ there is no difference in feelings of efficacy between FPTP countries and those with other voting systems. While we can generally expect voters with low knowledge to feel less efficacious, this is no less so in countries using FPTP than countries using other voting systems. So while studies on

voter motivation and circumstances show a decline in turn-out amongst less interested voters and those who perceive little difference between parties, a group also likely to also have low levels of knowledge of politics, there is no difference amongst this group in terms of voter efficacy between FPTP and PR. This illustrates the complexity of determining the causes of voter turn-out.

- 6.37 Turn-out can be influenced by both the motivations of individual voters as well as the specific external circumstances of elections. Curtice *et al* have argued that if an election appears to be a foregone conclusion or if there appears to be few differences between the parties, those with less interest in politics are less likely to turn-out. They also say that it appears that circumstances created by FPTP may discourage those with little knowledge or interest in politics from voting, but precisely why this is the case is not wholly clear – particularly since perceived voter efficacy amongst low-knowledge voters is not found to differ between countries with FPTP and other voting systems. Whilst it is reasonable to argue that lack of party differentiation has an impact, there is insufficient evidence about voter efficacy or campaigning behaviour having an impact on low-knowledge voters.
- 6.38 Additionally, the findings about low-knowledge voters by Curtice *et al* do not seem consistent with the findings from the APE about voters who are less interested and knowledgeable about politics and who have no formal qualifications, who under the APE survey appear to have the same propensity to vote as those with A-level qualifications. Regardless of the causes, the issue of lower turn-out amongst voters with less knowledge is a concern in terms of the inequality in turn-out between the more and less knowledgeable voters. It will be important to study further and monitor the relationship between low knowledge and interest in politics, if these two factors are related and whether the population of non-voters will increase in the future.
- 6.39 It is clear that on the impact of different voting systems, voter participation is difficult to establish. However, the findings from both 'voter-motivation' studies and 'voter-circumstances' studies show a decline in turn-out amongst voters with little knowledge and interest in politics in the General elections of 2001 and 2005, and this is a concern. John Curtice suggest that, since perceptions of a close contest seem to be an important factor in determining turn-out, as British politics becomes more competitive, the decline in voter turn-out could be reversed.

Conclusion

- 6.40 Voter turn-out in the elections in Scotland and Wales under AMS was initially relatively low in 1999, declined in 2003, but improved slightly in the most recent elections in 2007. London and the European elections saw improvements in turn-out under the SV, AMS and the Party List systems in

their 2004 elections, although turn-out was still low in comparison to other elections. Northern Ireland under STV has seen a slight decrease in turn-out since 1998. The General FPTP elections saw a sharp decline in turn-out in 2001 compared to 1997 with only a slight improvement in 2005. Turn-out dropped most in 2001 and 2005 amongst voters with no interest in politics and who perceive little difference between parties. The situation is made more complex by other studies that show various aspects such as deprivation and age as contributing factors to the propensity to vote. There is a suggestion that the trends of voter turn-out in the General elections suggest rising inequalities in turn-out, but perceived voter efficacy amongst those with low levels of knowledge does not vary between FPTP and other systems. Whilst this section has touched on just a few studies on voter turn-out, it is clear that the causes of turn-out are multiple and complex and it is difficult to assess the impact of the voting systems on turn-out in isolation.

C Stability and effectiveness of governments

- 6.41 Assessing the stability and effectiveness of governments is contentious and difficult. The debate has tended to focus on whether coalition governments can be as stable and effective as majority governments.

Stability

- 6.42 Supporters of the FPTP system often point to the fact that it has been associated with stable government in the UK and tends to produce a clear winner in a General election. It has produced a number of sustained periods of unbroken government by one party, particularly in the second half of the twentieth century: Conservative 1951-64 and 1979-97 and Labour since 1997. It has more often than not produced an unequivocal result, with the governing party being returned to Parliament with a comfortable working majority.
- 6.43 Only on two occasions in the past 60 years has a General election resulted in the party with the lower share of the vote forming the government. In 1951 the Conservative Party polled fewer votes than the Labour Party but won more seats and governed with the support of the National Liberals. In February 1974 the Labour Party polled fewer votes than the Conservative Party, but won more seats and formed a minority administration until a further election in October of that year.
- 6.44 On three occasions in the past 60 years an election has resulted in a party governing with a majority of fewer than ten seats. Only in one instance (Labour, October 1974-79) has the party managed to govern for a full term, although it did so with an agreement with the Liberal Democrats (Lib-Lab pact) for the latter part of its term from 1977.

Table 17
Ruling parties at Westminster since 1945¹⁰⁷

Election Year	Turn-out (%)	Winning party	Majority in seats	Govt share of vote (%)
2005	61.4	Lab	66	35.2
2001	59.4	Lab	167	40.7
1997	71.4	Lab	179	43.2
1992	77.7	Con	21	41.9
1987	75.3	Con	102	42.2
1983	72.7	Con	144	42.4
1979	76.0	Con	43	43.9
1974 (Oct)	72.8	Lab	3	39.3
1974 (Feb)	78.8	Lab	–33 (minority)	37.2
1970	72.0	Con	31	46.4
1966	75.8	Lab	96	47.9
1964	77.1	Lab	5	44.1
1959	78.7	Con	100	49.4
1955	76.8	Con	59	49.6
1951	82.6	Con	17	48.0
1950	83.9	Lab	5	46.1
1945	72.8	Lab	146	47.7

6.45 Table 17 shows that no party has governed with the support of more than 50 percent of the popular vote since the Second World War.

6.46 Jenkins' perspective when looking at government stability over a longer period was that:¹⁰⁸

"In only 64 of the past 150 years has there prevailed the alleged principal benefit of the first-past-the-post system, the production of a single party government with an undisputed command over the House of Commons."

6.47 Opponents of a move from the FPTP system for General elections point to the stability of governments since 1945 and contrast this with the prevalence of coalition government in Continental Europe under various PR systems. Italy is often used as the example of frequent changes of government, while Germany is used as an example of where a small party (the Free Democrats) have wielded disproportionate influence by choosing which other party it should join to form a coalition government. Nonetheless, Germany has had stable government, with the CDU/CSU/FDP coalition in power for 16 years between

1982 and 1998, and the SPD and Greens for seven years thereafter. Whilst it took time to form a government following the 2005 elections this was because the two major parties received very similar shares of the vote and a number of possible coalitions were considered before the “Grand Coalition”, including the two main parties, was formed. Italy, despite frequent changes to government before it switched to AMS in 1994, was ruled mainly by Christian Democrat-led coalitions and by the Socialists for a period in the 1980s. So there can be continuity through coalition government. More detail on the experiences of Germany and Italy can be found in Chapter 7.

- 6.48 Coalition government in many European countries is expected and the norm. The ‘pure’ PR system of the Netherlands, for example, is designed to prevent single parties or leaders becoming too dominant. However, new parties can emerge and gain a share of power, as the party of Pim Fortuyn did briefly in 2002 resulting in another election in 2003. With up to ten parties being represented in the Netherlands, the chance of instability may be greater. Overall, coalition government has been stable for the most part in the Netherlands since the early 1970s, with elections every 3-4 years but the year following the 2002 election saw a coalition break-down, resulting in an early election in 2006. In Sweden, coalition governments have usually featured the Social Democrats, with the proportional list system allowing the support from six other parties to ebb and flow as political circumstances change. Whilst the General election held in Sweden on 17 September 2006 saw the ruling Social Democrats and their left-wing allies narrowly defeated by the centre-right alliance, the defeated Prime Minister had previously held that position for 10 years. In the Republic of Ireland, there have been coalition or minority governments since 1989, during which time the Irish economy has undergone a highly successful economic transformation. A more detailed analysis of the experience of these three countries can be found in Chapter 7.

Effectiveness

- 6.49 Several academics have gone some way to investigating the link between electoral systems and the style or effectiveness of the resulting government. Arend Lijphart, in his testimony before the California State Legislature in 1995, gave an overview of his study into the effectiveness of policy-making under PR and plurality voting systems. He conducted a comparative study of 13 democracies with parliamentary systems over a roughly 30 year time span, between 1960 to the late 1980s, and analysed the relative success of the different countries with regard to:
- maintaining public order and peace
 - management of the economy

- stimulating economic growth
 - combating inflation and unemployment.
- 6.50 Lijphart declared that he had “found no significant differences except on unemployment and, in this one respect, it is the PR countries that actually have the better records. The important conclusion that we can draw is that there is no trade-off between democratic quality and effectiveness.”¹⁰⁹
- 6.51 Further studies by Lijphart in 1999 found that non-PR systems helped promote government duration (one potential indicator of stability) but the study also showed that it was possible for PR systems also to deliver the same result (Farrell 2001 p195-196). Farrell (2001) finds that the argument that PR produces instability is tenuous and that PR has had largely positive effects on democracy according to a range of measures.

The experience of the devolved jurisdictions in the UK

- 6.52 In Scotland the 1999 and 2003 elections saw Labour and Scottish Liberal Democrat coalitions. The 2007 election marked a change for Scotland, with the SNP forming a minority government with the support of two Green MSPs. Although there were occasional strains on the Labour-Liberal Democrat coalitions, the only instability at this time was due to other reasons such as the death of the first First Minister and the resignation of the second First Minister.¹¹⁰ Following the 2007 elections, with a very close contest between Labour and SNP, it was not initially clear who could form a government, although this was resolved in a matter of weeks.
- 6.53 In Wales, there has been more change. After the 1999 elections, Labour initially formed a minority administration. After the First Secretary lost a vote of no confidence in February 2000, a coalition was eventually formed with the Liberal Democrats, in October 2000. The coalition agreement made the subsequent Labour-Liberal Democrat government more stable and it lasted until the election in 2003. A small over-all majority in 2003 enabled Labour to form a single party government until 2005 (when Peter Law resigned) and Labour continued in minority government until 2007. Labour did not achieve an absolute majority in the 2007 elections but after a month of negotiations, struck a deal with Plaid Cymru. Initially Labour was unable to form a coalition with the Liberal Democrats and an alternative coalition option of the Conservative, Liberal Democrat and Plaid Cymru failed to come to fruition.
- 6.54 It is beyond the scope of this review to comment on the specific policies that have been implemented by the elected governments of devolved jurisdictions,

but the Independent Commission on Proportional Representation (ICPR 2003) reaches the following conclusions about the effect of electoral system change:

- “The presence of the Liberal Democrats led to rather more policy innovation than would have happened under Labour governing alone. And the evidence suggests that coalition can produce just as effective and efficient policy-making and implementation as single party government.”
- “PR has also led to a different relationship between government and parliament. Coalition governments have to negotiate more to win consent for their policies: with narrow majorities they cannot take the support of the assembly for granted. The Scottish Parliament has developed subject committees, which expose the Executive to more powerful scrutiny than their counterparts at Westminster. The weekly business is planned with all the parties, not just the major parties.”
- “These details of the political process may go unnoticed by the general public. But public attitude surveys in Scotland and Wales in 1999 and 2003 show little evidence of adverse reaction, and if anything the reverse: in Scotland and in Wales, people have warmed slightly to coalition government in the light of experience. They would prefer the parties to indicate their preferred coalition partners in advance; but they do not believe that the new voting system gives too much power to small parties, and they do not believe it leads to unstable government.”

6.55 In Northern Ireland, PR, and specifically STV, has been essential for delivering an accommodative regime for both Nationalist and Unionists, as it guarantees the representation of significant minorities and fosters power-sharing coalitions. Proportionality is essential for ensuring no significant groups are neglected by the electoral system and 84 percent people surveyed after the 2003 Northern Ireland elections supported power-sharing between communities.¹¹¹ However there have been a number of difficulties in how the voting system has operated within the context of the peace process and, because STV closely reflects voter behaviour, it has returned polarised parties, making government formations inherently difficult. Compared to 2003 the 2007 election saw the largest proportion of votes shift from the two largely centre-based parties to concentrate between the two more polarised parties (DUP and Sinn Féin, with the DUP having an eight-seat 'majority').

6.56 However, it is not the existence of STV in Northern Ireland that gives rise to a coalition government there. Rather, it was a fundamental principle of the Belfast (Good Friday) Agreement that there should be inclusive power-sharing within the Executive. Therefore, by law, Ministerial portfolios are allocated using the d'Hondt formula, which allocates seats on the Executive according to party strength within the Assembly. In addition, the largest party in each of the unionist and nationalist designations are able to nominate the First and Deputy First Ministers.

- 6.57 The experience in the UK has not shown a pattern of instability or ineffective government to date under the new voting systems. AMS had produced a mix of minority and coalition governments that were relatively stable, though with initial period of uncertainty, but have required greater policy-making by negotiation.
- 6.58 Therefore it is difficult to draw conclusions and one's views will be dependent on the interpretation of 'stable' and 'effective', most likely influenced by one's perspective on coalitions.

Views on coalitions

- 6.59 The advantage of government formed by coalitions is that a greater number of voters are represented by the government and policies are determined by consensus between governing coalition parties. As set out above, there is no clear evidence that suggests coalitions are unstable, and in some cases coalition governments are very stable because they achieve broad consensus. They can better represent changing voter preferences and a multi-cultural and plural society, particularly as they give voters the greater range of choices over candidates and parties.
- 6.60 Under PR multi-party governments can be formed either through coalitions, which requires power sharing, or other arrangements, such as individual agreements for supply and confidence. The General elections of New Zealand in 2005 under AMS (called Mixed Member Proportional) provides an interesting example. The New Zealand Labour party only obtained two more seats than the second largest party, the National party. Labour formed a minority government in coalition with its historical ally the Progressive Party (with one member), and with a confidence-and-supply agreement with the New Zealand First party (that had seven seats) and the United Future party (three seats). This arrangement including awarding both these party leaders' ministerial positions outside of the Cabinet, including the post of Minister for Foreign Affairs. Labour did not give the Green Party any Cabinet positions despite the Green's support of Labour prior to the elections, although several concessions on energy and transport policies were made. While historically relationships between these parties existed, this outcome was innovative and unexpected, particularly by Green voters as the Green Party was considered the natural coalition partner for Labour. Despite being complex and sometimes unpredictable, this has not resulted in any instability to date.
- 6.61 The disadvantage of government formation by coalition is that the patterns of coalition formation can be considered undemocratic. This is because rather than elections determining the result (as PR is less likely to provide a party with a 'surplus' to make a majority, and the UK experience has resulted in two parties getting roughly equally large shares of the votes), governments

are formed based on who can strike the best deal. While voters may be well aware that coalitions will be formed after the election, the potential coalition partnerships may not be clear and political parties have little incentive to make clear 'deals' before an election. There can also be a period of uncertainty following the election as parties scramble to make coalitions or other agreements. Since voters have no influence on the deals that get struck, people may feel their choices have been diluted.

- 6.62 In theory, FPTP is said to encourage political parties to be 'broad churches', reflecting many different societal groups, and exclude extremist parties from representation in the legislature. The major political parties have been criticised for moving to the 'middle' to improve their chances of being elected, contributing to disengagement by some voters. Despite the lack of differentiation perceived by some, this has enabled parties to field a diverse array of candidates for election – e.g. the Labour Party fielding high levels of female candidates. Extremist minority parties are unlikely to win seats under FPTP unless they have strong geographically concentrated support. By contrast, under List PR system with a single national-level district and a large number of seats, representation can be achieved through as little as 1 percent of the vote,¹¹² and in some circumstances, such small parties can hold the balance of power in coalition formations.
- 6.63 FPTP generally has given rise to single-party governments as it awards 'seat bonuses' for the largest party. Coalitions are the exception rather than the rule and this allows cabinets with few restraints in terms of having to bargain with a minority coalition partner.¹¹³ It also allows the ruling party to implement its policy agenda without too many compromises as required in coalitions. A benefit of a strong single-party government is that the opposition is also given enough seats to perform a critical checking role and present themselves as realistic alternative to the government, and gives rise to a coherent opposition in the legislature. This may be considered a more beneficial political environment to one under coalitions because agreements cannot be made 'behind closed doors' and in ways unintended by voters. This maybe considered as an advantage for Westminster because of this governing body's power and influence across the UK. The influence of very small parties could have a disproportionate influence on the formation of government and policy development.
- 6.64 Often Duverger's claim that FPTP tends to produce a two-party system is assumed to be a rule.¹¹⁴ However, consideration has been given to how FPTP will continue to perform in an environment of the major parties. ERS analysis shows that the tendency to produce overall majorities under FPTP is largely a contingent rather than a necessary feature of the system that comes about largely due to the rise of a strong third party and the decline of marginal seats. The ERS believes that given the trends from 1979 to 2005, large pluralities where a party attracts as much as 40 percent of the vote is unlikely to be

a regular occurrence in the future and a stable majority government is not guaranteed under FPTP in the future. 'Dead-heat' type elections such as those fought between two major parties with the emergence of a significant third party and declining marginal seats can result in the need for coalitions or the risk of a hung parliament. If that is the case, it is not clear that FPTP will continue to operate as it always has.

Public opinion and perception of government

- 6.65 Research on public opinions and support for continuing FPTP following the disproportional result of the 2005 General election did not show less support for the FPTP system. In fact, relatively few people have firm and consistent attitudes about different electoral systems.¹¹⁵ Results also tend to be highly sensitive to the wording of questions put to respondents. The British Election Study that surveyed attitudes towards PR from 1992-2005 finds that people do not have strong views about PR.¹¹⁶ Although more people agreed than disagreed that Britain should have PR *"so that the number of MPs in the House of Commons... matches more closely the number votes each party gets"*, one in three 'neither agreed nor disagreed' or said they 'don't know'. There was also no change in the popularity of PR found in the survey after the 2005 election relative to earlier years, suggesting that the outcome of the election did not impact on public opinion.
- 6.66 When asked if more specifically "change the voting system for General elections to the UK House of Commons to allow smaller political parties to get a fairer share of MPs... [or] keep the voting system for the House of Commons as it is to produce effective government... which comes closer to your view... change or keep as it is?" around three in five said they wanted to keep the current electoral system (p130). This study finds that when the questions emphasize the fact that the small parties might be the principal beneficiaries of PR and that it might be at the expense of 'effective government', opinion sways against PR. This study does not find any change in public opinion since the 2005 election in one direction or another and demonstrates a tension in public attitudes between proportionality and the influence of small parties.

Determining the government

- 6.67 One advantage of FPTP is that the winner is usually easily identified and largely undisputed. Under some PR systems that have preferential voting, such as STV, the outcome of an election could have been different if a different electoral system were in use to aggregate the ballots and determine the overall result. A potential source of an anomalous result under preferential voting concerns the issue of 'monotonicity', in which a candidate's chances of being elected could possibly be harmed by an increase in their share of the vote (refer to Farrell 2001 p148-149 for an example). While the circumstances in which this

could happen are expected to be very rare, under systems such as STV there is greater complexity in determining the winner than under FPTP.

Conclusion

6.68 Both PR and FPTP are associated with stable and effective governments. FPTP in the UK has tended to produce a clear majority winner with governments serving full term, although with the current relatively strong third party, a hung parliament, and a coalition/minority government is more likely in the future than previously. PR increases the chances of coalition government and with a greater number of parties involved, can increase the chance of instability and more frequent elections or changes of government, although there are many examples of stable and effective coalition governments. However, the debate also centres on the *nature* of governments. FPTP often produces an undisputed winner and can award the winning party with a surplus of seats to govern without necessarily being dependent on a coalition. Governments under PR are often determined by parties who can strike the best deal and enter coalitions or other kinds of arrangements in order to govern, with voters having little influence on these negotiations. There is a tension in public attitudes between agreeing with the merits of greater proportionality but being cautious about increasing the number of parties represented in Parliament. However there has been no shift in public opinion towards PR as a result of the last FPTP elections of 2005.

D Impact on the voter – effective choices, ease of voting and connection with representatives

(i) Effective choices

6.69 Different voting systems give voters different choices about a candidate. David Farrell provides a useful typology that characterises the degree of choice voting systems provide in relation to the extent of choice and the nature of choice provided by the ballot:

Figure 4
Farrell's Typology of Choices in Voting Systems¹¹⁷

		<i>Categoric (either / or choices)</i>	<i>Ordinal (varying degrees of choice)</i>
Nature of choice	<i>Candidate-based</i>	First Past The Post (UK)	Single Transferable Vote (Ireland)
	<i>Party-based</i>	Closed List (European)	Open List (Finland)

- 6.70 In this typology FPTP provides only one choice but voters can make this choice in terms of the candidate they select in their constituency, fostering a strong constituency-representative link. STV provides a greater extent of choice between candidates as voters can rank them according to their preferences. AV would sit between FPTP and STV in this typology as it provides voters with the ability to indicate their preferences between candidates but only elect one final candidate. AMS is a mixed system, and therefore provides a categoric choice of a candidate and a party (two votes).
- 6.71 One of the main arguments advanced in favour of some form of PR is that it will make everyone's vote count in some way, giving voters better choices and therefore giving more people an incentive to vote. The cause and effect is complex, as the section on turn-out shows, but there is considerable concern amongst commentators about the effectiveness of people's choices and votes under FPTP.
- 6.72 Effective choices can be viewed in a number of ways. The ERS report on the 2005 General election¹¹⁸ calculates that 68 percent of people's votes were "wasted", in the sense that they were either cast for losing candidates (50 percent of total votes) or were surplus to requirements in individual constituencies (a further 18 percent).
- 6.73 Patrick Dunleavy and Helen Margetts, in *Britain Votes 2005*,¹¹⁹ look at the effectiveness of people's choices by calculating whether voters were successful – in the sense that their chosen party came out on top – at one or more of three levels: constituency, regional and national. The only triple winners were some Labour voters, with just over 20 percent falling into the category. Triple losers accounted for 37 percent of voters. But overall, 63 percent of voters in Great Britain got something they wanted, in that their party was successful at least at one of the three levels. The question here will be how many people think about the regional level, given that the two main outcomes are electing a constituency MP and a national government.

- 6.74 Another perspective on choice and influence is provided by the New Economics Foundation (NEF), through its "Index of Democratic Power" (IDP).¹²⁰ For each parliamentary constituency, this takes into account the likelihood of the seat changing hands and the number of electors per seat. A score of 100 is said to give all electors in the constituency their "full fair share" of democratic power. A constituency of average size with a previous marginal result would fit the bill. Cheadle, in Greater Manchester, is said to be the closest to the ideal, with a score of 100.2. The highest score of all is Na-h-Eileanan at 131. On the other end of the scale, the electors of Bootle face an IDP score of 0.07. The average IDP score is 19.4, which means, according to the NEF, that 80 percent of democratic power in General elections is not exercised. This is rooted in the fact that since 1955, there have been 13 General elections, resulting in five changes of government in Westminster – yet only 11 percent of seats have actually changed hands.
- 6.75 Around the UK there are also many constituencies which are regarded as 'safe' for one particular party. It seems likely, therefore, that potential voters in many areas of the UK may feel their vote will not influence the outcome. There is no firm proof that this leads to disengagement, but it is reasonable to suppose that it is a contributory factor for some.
- 6.76 Other electoral systems, either through some form of proportional list system or the distribution of second preference votes, might allow voters to feel that they have an influence on the choice of representatives, even if it may seem indirect, particularly when representatives are chosen from a closed list system, as is the case in the European Parliamentary elections and for the regional elements of the Scottish, Welsh and London Assemblies. For example, in Northern Ireland under STV small parties have a greater chance of getting seats if they gain around one percent of votes at the national level and around 10 percent of the votes at the individual constituency level.¹²¹
- 6.77 The ICPR looked at ways in which voters are able to exercise choice under PR systems.¹²² Under AMS, significant numbers of voters have 'split the ticket', voting for one party for the constituent seat and another for the regional list. In the elections in Scotland, Wales and London, between 1999-2003, between 17 percent and 28 percent of voters split their tickets. Ticket-splitting could be, for example, a pragmatic vote for a large party candidate in the constituency and then a smaller party for the regional list. Or it could be confusion, as some observers have suggested that some voters think that the regional list vote is a second preference vote, as was noted earlier. The ICPR takes the view that in Scotland in 2003, for example, voters were exercising deliberate choices. Split-ticket voting was particularly prevalent amongst supporters of the Greens and Scottish Socialists, who knew that their candidates stood little chance of gaining constituency seats, but could win seats through the list systems. Consequently the Greens won seven seats and the Scottish Socialists six seats in the Scottish Parliament in 2003.

- 6.78 Under an SV system (as used for the London and other Mayoral elections) a voter can vote for a desired representative of a smaller party as first preference and still cast a second vote for a larger party candidate who may be more likely to win. Voter choice can be considered to be limited under SV because the only way a vote can affect the final result is if the voter votes for the most likely candidates to go through to the second round. Because the system assumes that the contest is likely to be between two established parties, it does not reflect the environment for Mayoral elections where independents and other parties also achieve a broad level of support. If a voter wants to ensure their vote helps elect someone, they need to know and have a preference for at least one of the top two candidates.
- 6.79 Under STV, voters can vote for as many candidates as they wish, in order of preference, allowing choice of party and individuals. They can rank all or as many candidates as they like. Because small parties have a greater chance of being elected, they field candidates in more constituencies, which also gives voters a greater range of choice.
- 6.80 Choice is more restricted in the European Parliamentary closed list system, but the proportionality of the system does at least give the voter the chance to vote for a smaller party and see a candidate from that party elected. The most striking example of this in 2004 was the election of 12 UKIP MEPs.
- 6.81 Different systems can provide different opportunities for parties, therefore affecting the formation of parties and campaigning strategies. Duverger (mentioned in the Section A on proportionality) claimed that PR would tend to lead to multiple parties over time and that FPTP would tend to produce a two-party system, although this is not an iron-caste rule.¹²³ Research measuring the number of 'effective parliamentary parties' under different systems has shown that there is a tendency for more parties under PR than under FPTP.¹²⁴ 'Effective' parties are identified by weighting each party by its size, determined by share of its vote or seats won. The ICPR found that under PR in the UK, elections have produced between three and four 'effective' parliamentary parties with STV in Northern Ireland the only system providing more than four 'effective' parties.¹²⁵ This is not just because PR systems allocate more seats to small parties but also because more people vote for small parties when PR is in place. This is a typical increase of one to two more parties by comparison to Westminster. However, while Westminster followed the Duverger rule of having two main parties for many years, there are currently three effective parliamentary parties under FTPT and it is no longer a two party system (the Liberal Democrats creating a significant third party along with Labour and the Conservatives).¹²⁶

Conclusion

6.82 FPTP provides categorical choice across candidates and parties but only gives voters one chance to influence the outcome and many voters may not have this opportunity in reality. STV provides ordinal choices and greater scope for voters to select between candidates and parties, with greater potential to choose the winner, and fewer 'wasted' votes. Choice is also enhanced under AMS because voters can choose a constituency and list candidate through two votes. Closed party lists offer the least choice but, like STV a greater chance of seeing the elected candidate win.

(ii) Ease of voting and understanding the implications

6.83 The previous section showed that under the newer electoral systems in the UK, voters are able to exercise a greater degree of choice and have more chance of their vote being effective in the election of a party or candidate. However, with choice comes the potential for confusion, both about how to vote and about the effect of one's choices. One of the virtues of the FPTP system is its simplicity. In General elections the voter simply chooses one candidate and the one with the most votes wins the seat.

How to vote

6.84 In 1998, before the introduction of a new voting system for the European Parliamentary elections, Patrick Dunleavy and colleagues conducted trials of mock ballot papers distinguishing between open and closed list systems. They established that most people could complete the ballot papers without difficulty and had a marginal preference for the more complex open list system. In 2003, the ICPR and National Centre for Social Research surveyed Welsh and Scottish voters after the 2003 elections¹²⁷. They found that while some voters found it difficult to understand how the votes translated into seats, only 11 percent of voters found the ballot papers difficult to fill in.

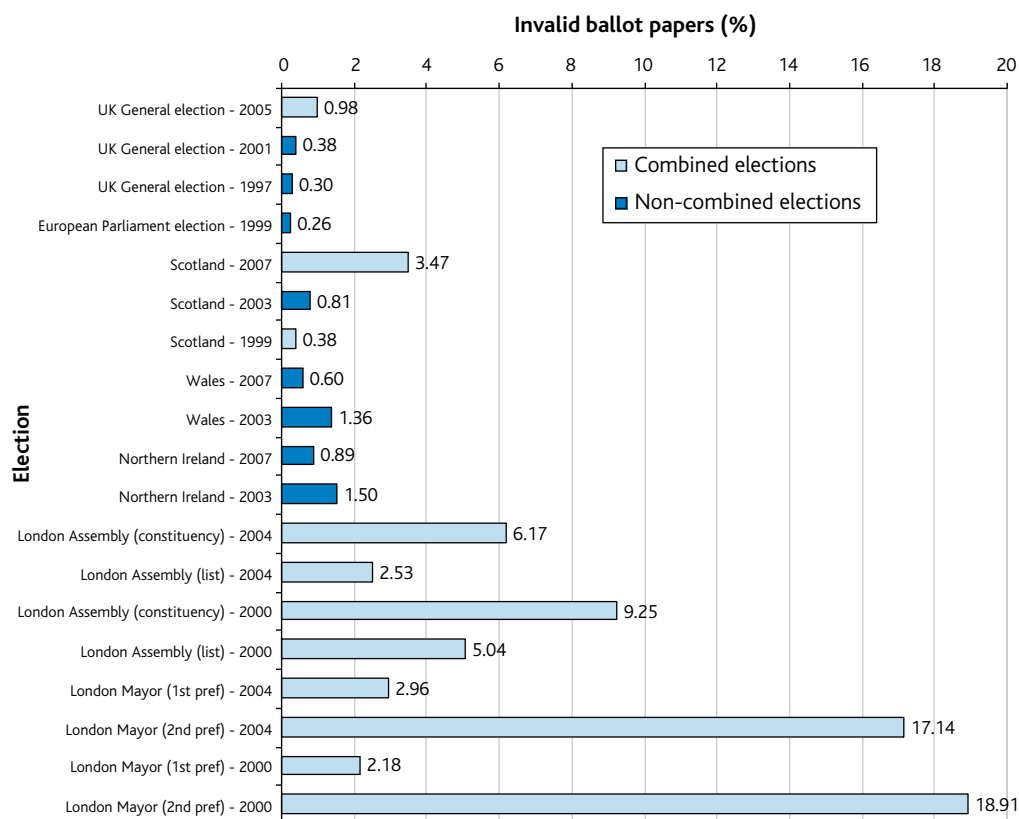
6.85 One way of measuring how difficult voters find the new voting systems is to look at the number of invalid votes cast, comparing them where possible with FPTP equivalents. However, it is important to acknowledge the complexities and limitations of using invalid vote rates.

6.86 There are several different categories of invalid (spoiled or rejected) votes. The main categories of invalid votes are when a voter makes 'more votes than entitled' or leaves the ballot 'uncertain or blank'. 'More votes than entitled' can be assumed to show failure of voters to understand the process, but 'uncertain or blank' votes are more difficult to assess as they may have been deliberate or in error. While overall invalid votes may increase or decrease, the composition of invalid categories may differ by category. Also it is difficult to

make conclusions about causality, as voter confusion is likely to be affected by multiple aspects such as the rules of the new system, having a combined election, the design of ballot paper and other factors such as the literacy of the voter.

- 6.87 Analysing invalid voting rates also is difficult because the data is not consistent and comparable across constituencies and elections, and there are varying administrative practices and local standards of what is considered acceptable by returning officers. Whilst we cannot control for all the factors that impact on spoiled votes, our analysis differentiates between combined and non-combined elections to try and observe the difference in spoiled ballots for different systems.
- 6.88 The following figure sets out invalid voting rates by elections, differentiating between combined and non-combined elections.

Figure 5
Percentage of invalid ballot papers at different elections¹²⁸



Notes: The Scottish Parliament election figures give combined spoiled ballots for list and constituency voters. Welsh Assembly election figures give spoiled ballots for constituency votes only. The European Elections of 2004 are not included due to incomplete data.

- 6.89 Overall there are more invalid votes in the new electoral systems with combined elections compared to un-combined General elections. With the exception of Scotland in 1999, all combined elections have relatively high invalid vote rates.
- 6.90 The problem of high invalid votes seems to have been most acute in the London Assembly and Mayoral elections. In 2004 a combined total of 570,328 votes across both elections were invalid (although categories of invalid votes vary, as discussed further below).¹²⁹ This amounted to 7.2 percent of the total votes cast in both elections (about 7.7 million).
- 6.91 The 2007 Scottish Parliamentary elections also saw a striking increase in the number of invalid votes where the Parliamentary and local government elections were combined. Although the 1999 combined election in Scotland had very low rates of invalid votes, the 2007 election saw a very high number of invalid votes where the local government election changed from FPTP to STV, a combined rate of 3.47 percent. The local government elections had a total of 38,352 or 1.83 percent invalid ballots, compared with 0.64 percent in the 2003 local government election under FPTP. The Scottish Parliamentary elections saw a total of 146,099 ballot papers rejected.¹³⁰ Of these, 60,455 or 2.88 percent were regional ballots and 85,644 or 4.1 percent were constituency ballots.
- 6.92 There was a notable decrease in the number of spoiled ballots in Northern Ireland non-combined elections, down to just under one percent in 2007 compared with 1.5 percent in 2003. Wales followed a similar pattern, with invalid vote numbers decreasing between 2003 and 2007.
- 6.93 General elections have had the lowest percentage of invalid votes. In 2005 where the General election was combined with other elections (i.e. with multi-member FPTP voting in local elections in England and STV in local elections in Northern Ireland) the rate of invalid votes increased, though it remained under 1 percent.
- 6.94 We can see that generally, when there are combined elections held on the same day there is a greater likelihood of increased invalid votes. However, the factor contributing to invalid voting rates may not necessarily be the combining of elections themselves, as discussed in the cases below.
- 6.95 The design of the ballot paper (constituency and list candidates appeared on the same ballot) may have contributed to voter confusion and invalid votes in the London elections. The London 2004 Elections Review Committee (ERC) report on the *Greater London Authority Elections*,¹³¹ put forward a number of reasons for the number of invalid votes cast, mainly relating to the design of the ballot papers and inadequate voter instructions. Their analysis for the 2004 London Mayor elections found a large number of the invalid votes

(271,117) could have been due to voters legitimately choosing not to exercise their second preference. However the ERC also noted that the numbers not indicating their first preferences (24,534 first preference Mayoral votes that were unmarked / uncertain and 56,243 Mayoral second preference votes with no valid first choice) suggested voter confusion arising from poor ballot paper design and inadequate instructions. On the Assembly votes under the AMS system, the largest categories of invalid votes for the constituency and list (regional) votes was 'uncertain or blank', 113,442 and 33,309 respectively. There was also a pattern of more invalid votes in socially deprived areas with high numbers of people with low levels of education.

- 6.96 The 2007 Scottish Elections Review (SER) did not find sufficient evidence to suggest that the simultaneous local government elections using STV contributed substantially to the invalid vote rates, despite the Arbuthnott Commission's recommendation to de-couple these elections.¹³² Rather, the SER point to voter confusion due to the combined Scottish Parliamentary ballot paper that included both the regional and constituency votes on one ballot sheet, with the regional ballot on the left column and the constituency ballot on a column on the right. The Arbuthnott Commission had suggested exploring a new design, such as combined ballot papers as used in other countries such as New Zealand. The SER analysis of invalid votes found that in the parliamentary elections, four percent of voters had one or both parts of their ballot paper rejected. Of these, 75 percent of voters (or three percent of all voters) left one side unmarked, while marking the other side correctly (the valid votes were accepted and the blanks rejected).¹³³
- 6.97 The most plausible explanation found was that some voters did not know or understand that they had two votes in the AMS system based on the way the ballot paper was designed. Voters who did not read or understand the instructions may have drifted naturally to the left, and the constituency side on the right may have looked like a continuation of the regional list to some voters. This may have particularly been the case in Glasgow and Lothians where the lists were longer and last minute changes to ballot papers resulted in abbreviated instructions. Rejected ballot papers were markedly higher in these regions, where social deprivation is also greater than other regions.
- 6.98 The SER point out that in combined elections where separate ballot papers were used for the AMS election (as in Wales in 1999, 2003 and 2007 and in Scotland in 1999 and 2003), the ballot paper rejection rates ranged from 0.36 percent and 1.39 percent. This is significantly lower than the examples of combined elections in London and Scotland where the AMS election used a single ballot paper for both votes discussed above.
- 6.99 The experience in these elections suggests that ballot paper design and information to voters is critical. We have not found analysis that points to particular combinations of elections causing greater invalid voting, although

the ERS have argued that there is a causal relationship between having more than one election on the same day and invalid votes, even if the same system is used.¹³⁴

Conclusion

6.100 There does not appear to be conclusive evidence that any one particular voting system is more confusing for the voter, in terms of casting their votes correctly, than any other system. Overall FPTP has the least number of invalid votes but what can be seen is that generally in combined elections, there is an increased level of invalid votes. However, the causes are not necessarily that elections are combined with different voting systems in operation. The cases of the combined elections in London in 2004 and Scotland in 2007 show that ballot paper design and the information provided to voters are critical factors contributing to invalid votes. Social deprivation and demographic characteristics of constituencies may also have a part to play in invalid voting rates. Given the limitations in the data on invalid voting it is difficult to assess reliably the nature of relationships between different combined systems and if some are better than others.

Understanding the outcome of the vote

- 6.101 The ICPR found no evidence from 1999 surveys¹³⁵ that not understanding how the voting system worked dissuaded people from voting. It points out that this finding is borne out in other countries, such as Germany, which have AMS: "Many German voters do not understand the purpose or significance of their second vote, but despite this, the German system is popular with its electorate."
- 6.102 The ICPR surveys of voters in the 2003 elections in Scotland and Wales¹³⁶ found that less than half of all respondents felt that they understood AMS, with about the same proportion saying that they did not understand it (with "not sure"s making up the difference). Recent elections saw a marked improvement in understanding of the new systems. In Wales, compared with 2003, the 2007 election saw a notable improvement in voter knowledge, where 53 percent felt they knew a great deal or a fair amount about the voting system, compared with 40 percent previously. In Wales a substantial minority of 37 percent felt they knew 'not very much' and 10 percent nothing at all in 2007, compared with 58 percent saying they knew 'not very much' or 'nothing at all' in 2003.
- 6.103 In the London Mayor and London Assembly elections, the Electoral Commission's opinion survey found that 57 percent were satisfied with the amount of information they were provided on the Mayoral candidates but only 34 percent were satisfied with the information about the London Assembly elections. This may have potentially contributed to the high invalid voting rate

in the AMS system in 2004, as discussed in the section on ease of voting and understanding the implications above.

Conclusion

- 6.104 Whilst there is evidence that voters do not need to understand how the outcome of the election is determined to vote effectively, voter knowledge may still impact on successful voting and on whether people vote at all, as set out in Section B on voter participation.

(iii) Connection with representatives

- 6.105 Another of the merits of FPTP put forward by its proponents is that constituency representatives have close ties to their electorate and other citizens locally. They are accountable to all their constituents, not just those who voted for them, and have strong incentives to take up issues on their behalf, given that they will face re-election at some point. In the UK, constituencies on average have around 70,000 registered electors, which is a relatively small number by international standards, so the quality of contact between MP and constituents could be relatively high.
- 6.106 Many MPs do indeed undertake a great deal of valuable constituency work, as well as fulfilling other important functions, such as scrutinising parliamentary legislation and representing the interests of their constituency and party in the House of Commons. The current debate on democratic engagement does, however, suggest that more could be done to connect MPs and local parties with their constituents. For example, a survey of Internet users after the 2005 General election revealed that 93 percent of people did not expect to be contacted by their MP until the next General election campaign.¹³⁷ The Electoral Commission and Hansard Society have conducted audits of political engagement for the past three years.¹³⁸ The surveys have consistently shown that engagement at local level remains low, despite the incentives provided by the FPTP system. Only 44 percent of those surveyed in 2006 knew their MP's name, whilst over the three years of the survey 13-17 percent of people said they had contacted their local MP over the previous two or three years.¹³⁹
- 6.107 The existence of a large number of 'safe' seats may also weaken the accountability argument advanced in favour of the FPTP system. In an article on compulsory voter turn-out published in the Hansard Society's *Democracy Series*, Chris Ballinger observes that: "In the 2005 UK General election, the battle was fought not in 646 constituencies, but in about 100 key target seats. The electorate responded to this targeting ... Electors, it seemed, felt unmotivated to vote for safely incumbent Government MPs. They were more motivated to vote in those seats in which the opportunity to influence the

result was most marked – which were also the seats in which the parties conducted their most active campaigning.”¹⁴⁰

- 6.108 The ICPR¹⁴¹ looked at the degree of constituency involvement by representatives under the newer electoral systems. It found that under AMS in Scotland and Wales, the role of the constituency representative is much the same as under the Westminster system. The role of regional list representatives was somewhat less constituency based, although many of those representatives may hold ambitions to become constituency representatives and do, of course, require a profile to be well placed on future regional lists. So they do take an interest in constituents’ issues and have had some conflicts with constituency representatives.
- 6.109 As we have seen in Chapter 5 on the experience of the devolved jurisdictions, the tension between constituency and list representatives in Scotland and in Wales has been perhaps the biggest single concern about the effect of AMS. The Government of Wales Act 2006 banned dual candidacy to address the tensions arising between the two classes of elected members under AMS. The 2007 Welsh Assembly elections were the first time candidates were obliged to choose to contest either a constituency or in a regional list and could not stand on both as was previously the case, and is the norm under AMS in most other countries.
- 6.110 The continued focus on constituency work may be a reflection that AMS is new to the UK, and representatives’ behaviour still mirrors that under the FPTP system, even though it has been in place for three terms. The ICPR¹⁴² also looked at New Zealand and Germany, which have AMS. In Germany there is less of a tradition of constituency service and relatively little difference between the roles of constituency and list representatives. In New Zealand, where AMS has been in place since 1996, list members have developed a strategic role, but they are also assigned geographical responsibilities by their parties. Some list members have previously been constituency representatives and are therefore keen to maintain constituency contacts. Because the constituencies are larger than they used to be under FPTP, constituency MPs now have larger caseloads than before.
- 6.111 STV systems are specifically designed to maintain contact between representatives and their constituents, while delivering proportional outcomes. The ICPR¹⁴³ suggests that in the Republic of Ireland, because candidates need to distinguish themselves from fellow party candidates as well as other parties, there has been an increased emphasis on local or single issues, particularly in rural areas. Proponents of STV argue that the connection between constituents and their elected representative is stronger as voters have greater choice between MPs representing their constituency and can approach several different MPs based on their preference for a party or individual.

6.112 The closed list system for the European Parliamentary elections, based on large regions, is not conducive to constituency casework, although a survey of 61 MEPs carried out by David Farrell and Roger Scully between 2001-3¹⁴⁴ found that British MEPs feel that they do more casework than their counterparts in other EU countries. The large size of the regions they represent does, however, make it difficult to make a strong connection with individual communities. If there is a trend since 1999, it is away from casework to an ambassadorial role for the region.

Conclusion

6.113 In conclusion, FPTP has the simplest direct relationship between representative and constituent. STV also allows for a direct relationship, but there are a number of potentially competitive representatives and greater choice for the electorate. AMS allows for the direct relationship, but has the complication of party list representatives being seen as competitors and somehow second order, by constituency representatives. However, choice is enhanced under AMS because a member of the electorate can either approach one constituency member or any of the regional list members. The closed party list establishes the least connection. Whether the connection between constituents and representatives is stronger under FPTP and STV (both candidate based systems) depends on one's perspective about whether there should be single or multi-member constituencies and representatives.

E Social representativeness

6.114 This analysis of social representation focuses on gender and ethnic minority representation. Other categories such as age or socio-economic status are not examined due to limited research on these topics.

6.115 In the 2005 General election, 126 women were elected to the House of Commons – an historic high. This is almost 20 percent of the total MPs, a figure which is still relatively low by standards elsewhere in Europe and well below the proportion of women in the population (50.9 percent in mid 2005).¹⁴⁵ For example, women comprise 47.3 percent of the total MPs in Sweden, 36.7 percent in the Netherlands, and 42 percent in Finland.¹⁴⁶ Whilst these countries have more proportional voting systems, other countries with PR do not share such high levels of representation of women, with Italy at 17.3 percent and Ireland at 13.3 percent. The position in devolved jurisdictions is better than the House of Commons. The proportion of women in the Scottish Parliament is 33 percent (43 women) and in Wales 47 percent (28 women). The Welsh Assembly was the first legislative body in the world to achieve parity between numbers of men and women elected in 2003 (50 percent). In 2006 following a by-election, there were two more female representatives than males, although the proportion of women dropped to 47 percent in 2007.

- 6.116 Around three-quarters of female MPs for the House of Commons were from the Labour Party, which has adopted all-women shortlists for some safe seats. All new female Labour MPs elected in 2005 were selected from all-women shortlists. No other party adopted this approach, although the Conservatives have sought to improve their selection processes and the Liberal Democrats have sought to give support to women candidates, through mentoring, training and financial support. The current level of women's representation in the Commons is potentially dependant on Labour's majority, due to Labour's policy of positive action in the mid-1990s and the use of all-women shortlists after 2002. The impact of these policies has been significant, with the 1997 elections seeing the number of female MPs double, from 60 in 1992 to 120 in 1997, of which 101 were Labour MPs.¹⁴⁷
- 6.117 In the 2005 General election, 15 MPs from a black and minority ethnic (BME) background were elected, marginally up from 13 in 2001. The first ethnic minority member of the Welsh Assembly was elected on the regional ballot representing Plaid Cymru in 2007, and for the Northern Ireland Assembly, the first Chinese politician was also elected in 2007. As the Electoral Reform Society points out, if the representation of BME groups in the House of Commons reflected the make up of the population (7.9 percent BME), there would be 51 BME MPs.¹⁴⁸ When young people from BME groups are surveyed about why many of them feel disengaged from the political process, many cite the fact that they cannot relate to their representatives, so few of whom seem to speak directly for them.
- 6.118 In its 2002 research report on voter engagement among BME communities, The Electoral Commission states that "It is an oversimplification to assume that the presence of BME representatives ensures representation of BME concerns and interests... However the importance of the presence of BME representatives in elected office is clear in terms of giving messages about the openness of the system and encouraging the participation of BME communities".¹⁴⁹ We have not found specific research on different voting systems and their impact on BME voters in the UK.
- 6.119 The introduction of party list systems, both for the European Parliamentary elections and the regional lists for Scotland, Wales and London, can provide an opportunity for political parties to address the gender and ethnic imbalances amongst their candidates, then flowing into electoral outcomes.
- 6.120 As far as gender is concerned, the composition of the Scottish, Welsh and London Assemblies suggest that significant progress has been made, although in the most recent elections the number of women dropped in both Scotland and Wales, and remained unchanged in Northern Ireland. Following respective elections, 36 percent of the London Assembly, 46.7 percent of the National Assembly for Wales, and 33.3 percent of the Scottish Parliament representatives are women.¹⁵⁰ However, contrary to what one might expect,

the percentages are higher in Scotland and Wales for constituency than list representatives, although when compared internationally, the pattern in Scotland and Wales has been an exception rather than the norm. This is largely attributed to the Labour Party's 'twinning' arrangement for female and male constituency candidates to ensure balance in Scotland and Wales in the 1990s. In Wales, Plaid Cymru is the only party that has more women representatives through the lists rather than constituencies (in 2001, five from the list and two from constituencies), due to their policy of placing a female candidate at the top of each list. Northern Ireland has a poor record of women's representation (16.7 percent in 2007, unchanged from 2003). However, in the London Assembly there are almost equal numbers of constituency and list members who are women.

- 6.121 Surprisingly perhaps, given that the closed list is theoretically the easiest for parties to control, women's representation is relatively low amongst UK Members of the European Parliament (MEPs) at almost 26 percent (20 female).¹⁵¹ This was partly influenced by the fact that in the most recent election none of UKIP's 12 elected MEPs was a woman, and Labour, which tends to have more female candidates than other large parties, lost seats. In comparison, 38 percent of Irish MEPs were female in 2004.¹⁵² As put by Julie Ballington of the Inter-Parliamentary Union (2007), political parties can, regardless of the voting system, remain "gatekeepers to the advancement of women in politics".¹⁵³
- 6.122 For BME groups, the London Assembly (8 percent) and UK members of the European Parliament (4.6 percent)¹⁵⁴ have higher representation than the House of Commons (2 percent). Improvements could be made across all voting systems in terms of the participation of BME groups although in this area it is not clear if a change to the voting system would have a significant impact. Positive action is likely to have a significant impact but can be difficult and controversial to implement.
- 6.123 The devolved jurisdictions have shown how progress can be made in improving gender representativeness, if the parties select a better balance of candidates in the first place. The ICPR also suggests that this is not so much because of PR, but because these were new Assemblies, with no incumbents blocking winnable seats.¹⁵⁵ However, in theory PR is described as facilitating the encouragement of the selection and election of more women but does not guarantee it. Since generally under PR multiple seats can be won per district, the turnover of incumbents is likely to be greater. In combination with some parties taking positive action, there has been improved gender representativeness in the UK. On this point however, the Arbuthnott Commission, when considering STV for Scotland, considered that STV would make positive action policies more difficult for parties to implement to promote more gender and ethnic minority representations. Whilst the electoral system is not the only determining factor, international experience suggests

that those countries with some form of proportional representation have better women's representation.¹⁵⁶

Conclusion

- 6.124 In the UK, the devolved jurisdictions have achieved better women's representation compared to Westminster but significant contributions have also been made by positive action policies. A much higher proportion of women have been elected to the Scottish, Welsh and London Assemblies than is the case for the House of Commons (or in Europe and Northern Ireland). List systems may help, but the driving factor has probably been the Labour Party's 'twinning' arrangement for male and female candidates in constituency seats in those Assemblies.
- 6.125 All systems in the United Kingdom need improvement in terms of representation of BME groups.

F Impact on political campaigning

- 6.126 One of the criticisms levelled at the FPTP systems, especially with ever more sophisticated use of media by political parties, is that it encourages parties to concentrate campaigning on marginal seats at the time of an election. For example the ERS point out that in campaigning for the 2005 General election the major parties were estimated to have focused on only 800,000 electors who were considered to be swing voters in marginal constituencies.¹⁵⁷
- 6.127 The Jenkins' Commission pointed out how FPTP "narrows the terrain over which the political battle is fought" meaning that political parties focused their efforts on "about a hundred or at most 150 swingable constituencies" [in 1997].¹⁵⁸
- 6.128 The Power Inquiry was also critical of the current style of political campaigning in Britain. It argued that the main political parties concentrate "electoral energy on the marginal seats which are subject to swing votes" whilst appeasing the core vote with a "handful of policies."¹⁵⁹
- 6.129 Under FPTP outside these targeted seats, there may be relatively little campaigning, especially by senior politicians from the major parties. This situation may have been exacerbated by the financial constraints faced by all the parties. The risk inherent in this focus on marginals is that most of the public conclude that the political parties are not interested in them. This is one factor which may contribute to political disengagement, although Curtice *et al* did not find any evidence of this when comparing FPTP with other voting systems. In their study of legislative elections held in recent years under various voting systems, in those elections using FPTP, 39 percent said a candidate

or someone from a political party has been in contact with them during the campaign whereas in countries with other systems only 21 percent of respondents said this was the case. Yet the critique of FPTP around the focus on marginal seats remains. So, are campaigning strategies and tactics different under other voting systems?

- 6.130 Under AMS, the ICPR¹⁶⁰ observes that we might expect at least three effects. First, parties might have an incentive to campaign everywhere because there are regional list votes to be won. There may also be a difference in constituency and list campaigning, the latter being more focused on regional issues, although this may be less likely if candidates are standing for both constituency and list seats. Second, parties may be encouraged to adopt more distinctive ideological positions in order to capture niche electoral markets. Third, despite more ideological stances, they might be expected to refrain from outright attacks on parties that they might be in coalition with after the elections.
- 6.131 In the experience of the devolved jurisdictions it is not clear yet if AMS has reduced the tendency for parties to concentrate on marginal seats in campaigns. The larger parties, including the SNP and Plaid Cymru have continued to target marginal seats and this was important in both the 2003 and 2007 elections.¹⁶¹ For Plaid Cymru, the ICPR observes that they deliberately concentrated on constituency seats because they did not want to be perceived as having limited opportunities to win in constituency seats. This suggested that list seats were being considered 'lower priority' seats. This is despite Plaid Cymru being one of the major beneficiaries of the list system. In 2007 Plaid Cymru increased their vote share by two constituency seats and one more list seat. The focus on marginal seats has boosted SNP dominance in the Scottish Assembly and Plaid Cymru's in the Welsh Assembly, largely due to the relative paucity of list seats.¹⁶² The Electoral Commission's reports of 2003 on the elections in Scotland¹⁶³ and Wales¹⁶⁴ reinforce the ICPR's findings that the focus is on winning key constituencies.
- 6.132 In terms of campaigning for the list seats, only a few small parties took advantage of the new system to good effect. In Scotland, the small parties such as the Greens and Scottish Socialists specifically targeted list votes in 2003 with some measure of success. These small parties focused their campaigns on winning list votes because they had little hope of winning constituency seats. For example the Green Party also did not have any candidates in the constituency contests and the Liberal Democrats in Scotland encouraged Labour voters to split their ticket on the grounds that their second vote for Labour would not help get anyone from Labour elected.¹⁶⁵ The large increase in the number of parties campaigning for the list vote in Wales in 2007 suggest a change in campaigning behaviour to take advantage of list opportunities. However, the four major parties have dominated all the seats in Wales (Labour, Plaid Cymru, Conservatives and Liberal Democrats) and no smaller party has won a list seat since the introduction of AMS in Wales.

- 6.133 The campaigns in the 2003 elections were of low intensity, especially in Wales, where the Electoral Commission was particularly concerned about the lack of profile and information the public received about the elections. Some of this lack of intensity was the result of the fact that the elections are still seen as second order by many people in comparison with the General election. However the situation improved in the 2007 elections. The Electoral Commission found significant improvements in the 2007 Wales elections in terms of turn-out as well as greater public knowledge about the Welsh Assembly and greater publicity of elections.
- 6.134 Voting systems also impact on the manner of political campaigning. FPTP, described as 'the winner takes all' system, is said to lead to adversarial campaigning and an emphasis on defeating opponents, largely due to the 'seat surplus' awarded to winning parties. Some argue that this contributes to voter disengagement.¹⁶⁶ Advocates of PR (and particularly STV) argue that PR encourages political parties to differentiate themselves from other parties (rather than all competing for the middle ground) widening the choices presented to electors as well as reducing adversarial politics.¹⁶⁷ Parties who may need to find coalition partners after an election are unlikely to engage in 'dirty politics' beforehand to ensure they have the support to form a government.
- 6.135 Under AMS there seems to be a continued adversarial approach in the campaign for constituency seats, particularly with the focus on marginal seats and small majorities in Scotland and Wales. Additionally there seems to be adversarial relations between different kinds of candidates in-between elections, such as in Wales before 2007, after which dual candidacy was abolished. Under STV, the ERS argue that in Northern Ireland parties of the extremes have themselves moved closer to the centre, although they point out that voters continue to be reluctant to cross the community divide by transferring their votes to other parties.¹⁶⁸ This suggests that adversarial relations between parties can continue regardless of the voting system, although in the case of Northern Ireland some of this may be due to the specific socio-political history and context. Because STV provides high levels of intra-party choice between candidates, this can create a tendency for decentralised campaigning and emphasising individual candidates, resulting in the potential for faction-fighting between candidates of the same party.
- 6.136 Campaigning for the European Parliamentary elections presents another set of challenges, with the closed list system meaning that candidates are little known by electors. Votes will therefore be geared towards the parties. There is only limited transnational campaigning. Interest in the European Parliament remains low, despite the importance of the legislation it passes. And while the major parties had quite distinct positions on the European Union, their own campaigns in 2004 focused on a wider range of issues than Europe, including, in the Liberal Democrats case, Iraq. The campaign was galvanised, however, by the anti-European messages of UKIP, which won 12 seats at the election. Other

factors, such as the controversy surrounding all-postal voting, may also have heightened interest in the elections. A study by ICM and Professor John Curtice also found that traditional activities such as personal canvassing and providing people with the right amount and sort of information helped turn-out¹⁶⁹. As a result of all these factors, turn-out at the European Parliamentary elections was higher than ever before, at 38 percent.

Conclusion

6.137 The broad conclusion to be drawn thus far about campaigning under the new electoral systems is that there has been relatively little change in the focus of campaigns. Although some small parties have been able to take advantage of strategic campaigning for the list seats under AMS, wider national issues and traditional constituency-based tactics tend to predominate. The role of UKIP in the 2004 European Parliamentary elections, and the Greens and Scottish Socialists in the 2003 Scottish Parliament elections, are exceptions. It may be that lessons learned from these experiences may lead to more distinctive approaches from the larger parties in time.

G Impact on administration of elections

6.138 The administration of elections can have a significant impact on the integrity in elections and public confidence in the democratic process. The Electoral Commission is tasked with setting standards for running elections and reporting on how well elections are run.

6.139 Chapter 5 outlined the Electoral Commission's analysis of the elections in Scotland, Wales, Northern Ireland and for the European Parliament since 1997. This chapter also outlined the findings of the GLA Elections Review Committee for the London elections of 2004. As well as the common theme of low turn-out, all of these reviews reflected on the increasing challenges faced by electoral administrators and returning officers in running successful elections and in playing their part in providing effective information to the electorate where new systems have introduced. Most recommendations for improvement concerned improving information available to voters, addressing inconsistent practice in regions in terms of ballot paper design, count practices, promotion of postal voting and candidate nominations procedures. Also, invalid votes were a concern in the London Assembly and London Mayor elections in 2004 and Scotland in 2007.

6.140 It is difficult to distinguish between the effect of particular voting systems and that of other reforms on the administration of elections. The difficulties faced by electoral officers in recent years have been the result of many factors, but in particular, the demands of increased postal voting, the challenges presented by the combination of different elections and changes to electoral legislation,

some of which was not delivered early enough to give administrators the certainty they need to plan well ahead. Other challenges include efforts to modernise electoral administration, such as introducing electronic counting of votes and e-voting.

- 6.141 New electoral systems have simply been a part of the challenge, and electoral officers have in the main responded well. All elections have taken place as planned and electoral petitions after the event have been few in number. Nonetheless, the representative bodies of electoral officers (the Association of Electoral Administrators (AEA) and the Electoral Matters Panel of the Society of Local Authority Chief Executives (SOLACE)) have warned about the increasing pressures on their members. Any further changes to voting systems in the UK will, therefore, need to take account of how the demands created by new voting systems combine with other demands.

(i) Combined elections, complexity and the need for consistency

- 6.142 Combining elections now appears to have become commonplace. There is good reason for this, as it has been seen as good for turn-out, with voters only having to attend the polling station or send their postal vote on one occasion each year rather than twice (or more) over a relatively short period. Low turn-out elections (typically local or European Parliamentary elections) have particularly benefited from combination with either a General election, or National Assembly/Parliamentary election. Combination does mean, however, that electors, parties, candidates and administrators may be faced with more than one voting system. This adds to the complexity of the elections and the logistical demands (for example, printing ballot papers, postal voting packs and counting votes).
- 6.143 Critics of PR and preferential systems often argue that complexities in the ballot paper can confuse voters and inadvertently benefit some candidates over others. For example, in the case of STV, they point to the weakness that voters read down (or up) the list of candidate names and can potentially vote sequentially (alphabetically) rather than by preference. This line of argument suggests that because ballot papers are longer under STV, it is more taxing on voters who have to read through the entire list of candidates and place a '1' next to the first name they recognise, a '2' next to the second and so on, until all are completed. This is said to produce a biased result that favours those candidates whose names start with letters at the beginning or end of the alphabet. There has been evidence of this in Australian and Irish elections¹⁷⁰ although there are several different ballot design and management techniques to reduce the chance of this. This issue arose in the Scottish 2007 elections where the SER found attempts by political parties to influence the design of the ballot papers. This led the SER to recommend a more consistent approach

to naming political parties and an equitable system for positioning parties on the ballot paper.¹⁷¹

- 6.144 The European Parliamentary, Greater London Assembly and London Mayor elections were combined in 2004. Voters had the opportunity to cast five different votes. The high percentage of invalid votes cast (see discussion and Figure 5 in section D) suggests that significant numbers of voters did not find this easy. The 2004 Elections Committee for London attributes a good deal of the difficulty to inadequate information for voters (notwithstanding the acclaimed booklet on Mayoral candidates), inconsistent approaches to polling cards and poor ballot paper design. It also refers to inconsistent practices in other areas of electoral administration. As a result the Committee proposes stronger directive powers for the Greater London Returning Officer in the run up to and during the 2008 elections.
- 6.145 The SER, when evaluating the administration of the 2007 combined Scottish elections, highlighted problems of fragmented legislation, accountability, policy development, planning and implementation of elections and deficiencies in co-ordination and timely decision-making. Given that the administration of elections is already quite complex, the fact that it was a combined election and additional requirements were necessary to ensure electronic counting, meant that there are multiple and over-lapping issues to be addressed. The SER also recommend that before any further changes to electoral systems or administration are proposed, that better research and user testing be undertaken well before changes are to be implemented. On the case of Scotland, the SER only suggested de-coupling elections as one option (the other was changing the ballot paper design). Most of the recommendations related to reducing complexity and improving co-ordination in the administration of elections rather than to aspects of combining different voting systems.
- 6.146 The need for electoral officers to play a greater role in the provision of information about the elections and the need for greater consistency of practice was echoed in The Electoral Commission's reports on the elections in Scotland¹⁷² and Wales.¹⁷³ The important issue is that in all these elections there is a need for consistent information provision to ensure a level playing field for voters across the region or country, and maintain a focus on what is best for voters.¹⁷⁴ While combined elections provide opportunities to improve turn-out, they require better prepared information for voters and run an increased the risk of invalid votes.

Conclusion

6.147 Combined elections and the use of different voting systems increase the complexity for voters and bring into play the importance of the consistency of information provided to voters and the design of the ballot papers. This requires electoral officers to play a greater role in ensuring the success of such elections.

(ii) Counting the votes

6.148 Another area of elections where there has been concern about inconsistent practices, and which is affected by differing voting systems, is the count. The Electoral Commission's report on Welsh¹⁷⁵ elections expressed concern at the different approaches taken to the counting of the regional list votes – the top-up. Some returning officers did not begin verifying the list votes until the constituency count had finished. Others verified the list votes at the same time as counting the constituency votes, so that they could move on swiftly to counting the list votes. This affected the timing of the announcement of the result of the regional member elections, and the final declaration of the results was not until 7.30am the day after the elections. Parties and candidates, as well as the media, were particularly concerned about this and the Commission recommended that public announcements of the timing of counts of future elections should be made as early as possible.¹⁷⁶

6.149 Counting takes even longer under STV, if conducted manually. In Northern Ireland in 2003, the count began the day after the elections (which is standard practice there for all elections) and took two days. In both 2003 and 2007 there was some criticism of the time taken to count votes but the transfer of votes from one preference to another is a complex business and it is important to get it right.

6.150 The greater complexity of counting in most proportional voting systems has led to some use of electronic counting, with the likelihood that it will be increasingly relied upon in the future. It was used successfully in the 2004 London combined elections as well as in Scotland in 2007.

6.151 Electronic counting works well, but does have some issues. Some are technical and are likely to be ironed out over time. Others challenge some of the traditional expectations around elections, such as the candidates being able to get a feel of the progress of the count by observing the piles of ballot papers. In the example of Scotland in 2007, the SER did not find evidence that electronic counting contributed to the number of rejected ballot papers in Scotland. The SER pointed out that the lateness of legislative and policy developments created an environment where the technology, as a matter of necessity, began to drive procedure. The SER recommended that electronic counting technology

be properly integrated into the electoral process and continue to be used in Scotland for future local government elections.

- 6.152 The arrival of new voting systems requires all the participants in an election to adapt, and since most changes in the UK are recent, some people may not be satisfied and would prefer traditional practices.

Conclusion

- 6.153 The more complicated counting methodologies required for PR elections means that vote counting takes longer than for FPTP. This has increased the need for electronic counting, which has in turn has introduced new technical challenges and changes to the way elections are traditionally run, in particular, a need for greater planning. There is also need for greater consistency in counting methods across elections.

(iii) Planning ahead

- 6.154 All of these practical concerns will need to be addressed seriously if there is ever a decision to change the voting system for the Westminster elections. A change to the voting system could not be viewed in isolation from the rest of the electoral process. Any administrative defects would likely be attributed to the change in the system even if the root causes lay elsewhere, and the credibility of the elections could be affected. The SER advised "if a different ballot paper design, alternative instructions, new electoral systems or marking systems are considered for future Scottish elections, a comprehensive research and testing programme should be implemented under the guidance of electoral practitioners".¹⁷⁷
- 6.155 All the reports on recent elections in the UK using proportional systems call for planning well in advance, for good project management and procurement (especially for postal voting), and effective working between all stakeholders in an election, including provision of information to the elector. Should the Westminster elections move to a more complex voting system, the Government may have to consider whether fixed term elections, or a longer elections timetable following the announcement of the dissolution of Parliament, are necessary in order to allow for effective preparations.
- 6.156 The administrative experience of the new voting systems introduced in the UK has been varied with some key areas requiring better performance but also with signs of some improvement over time (i.e. in Wales and Northern Ireland). What can be concluded at this point is that combined elections are administratively more challenging than individual elections and, given the complex arrangements in the UK, more can be learned and improved in the area of informing voters, ensuring consistency of administrative practices and

ballot paper design in combined elections. This includes undertaking sufficient research and testing of any changes to electoral systems and administration.

Conclusions

- 6.157 Given the range of concerns around the need for consistent information, greater lead-in times, consistent practice in counts and improved ballot paper design, research and testing would be needed for elections to facilitate effective planning if changes were proposed for Westminster. In the current complex environment of multiple jurisdictions and multiple and sometimes combined elections, careful consideration continues to be needed for running elections in the future.

H Findings and Conclusions

- 6.158 As set out in the introduction, the purpose of this assessment is to contribute to the knowledge base and debate on whether or not changes should be made to the voting system for the House of Commons. It sets out to provide objective information to contribute to this debate, not to make judgements or recommendations that would be inherently political in nature. Attitudes towards different voting systems can be highly influenced by the systems' impact on groups or parties that a person supports or opposes. Opinions, and to some extent the interpretation of research findings, may also reflect the values different people place on certain properties and characteristics of representative democracy as practised in the House of Commons. Voting systems are inherently a political topic and these value-based assumptions are natural and unavoidable.

Outcomes Under Different Scenarios

- 6.159 There has been quite a lot of interest in what the outcomes for Westminster could be under different voting systems. A number of studies have looked at the impact of the different voting systems on offer by calculating what the effect would be if they were used in the General election, given the numbers of votes cast for each party and in which locality. A large number of assumptions have to be made, especially about second preference or list voting, but they can still give a useful indication of the proportionality or otherwise of different systems. The following example is taken from the ERS's report on the 2005 General election.

Table 18

Seat* allocation under different voting systems, based on 2005 General election votes¹⁷⁸ (*excluding the Speaker)

Key	Voting system						
A	First past the post						
B1	National list PR – “pure” version						
B2	National list PR – d’Hondt method						
C	Regional list PR/additional member with large top-up (40-50%)						
D	Alternative vote						
E	Alternative vote with top-up (AV+)						
F	Single transferable vote						

Party	A	B1	B2	C	D	E	F
Labour	355	227	232	242	366	307	263
Conservative	197	209	213	208	175	199	200
Lib Dem	62	142	145	144	74	110	147
UKIP	0	14	14	10	0	0	0
SNP	6	10	10	11	7	5	9
Green	0	7	6	3	0	0	1
DUP	9	6	5	7	9	8	6
BNP	0	5	4	2	0	0	0
Plaid Cymru	3	4	4	5	3	3	4
Sinn Fein	5	4	4	5	5	4	4
UUP	1	3	3	3	2	3	4
SDLP	3	3	3	3	2	3	4
Respect	1	2	1	1	0	1	1
Scot Socialist	0	1	1	1	0	0	0
Other	0	7	0	0	0	2	2

6.160 In *Britain Votes 2005*,¹⁷⁹ Patrick Dunleavy and Helen Margetts run a similar calculation, including assumptions about the effect under AMS with a 25 percent and 50 percent regional list top-up. The latter gives a little less to Labour than C above, but the outcomes are broadly similar. AMS with 25 percent top-up delivers 275 seats for Labour, 203 for the Conservatives and 118 for the Liberal Democrats, 12 for UKIP, eight for the SNP, four for Plaid Cymru, three for the Greens and one for the British National Party (BNP).

6.161 All systems other than FPTP and AV (with no top-up) would lead to coalition or minority government following the 2005 election.

- 6.162 The major beneficiaries of new PR systems in 2005, when compared to FPTP outcomes, would have been the Liberal Democrats. Labour would have been the biggest losers; while the Conservatives would on the whole have been affected only marginally by most systems. The worst system for the Conservatives would have been AV, because the ERS analysis assumed that in the 2005 election relatively few voters who principally favoured another party would have put them as second choice.
- 6.163 Small parties, such as the Greens, UKIP and the BNP would have benefited significantly from list-based systems, but once there is a strong constituency basis to the voting system, even under STV, they would have been unlikely to win many, if any, seats.
- 6.164 The Jenkins Commission proposed AV+ because it would increase proportionality but with reasonable impacts on the current parties in Parliament. There would be a moderate negative impact on Labour, a positive impact on the Liberal Democrats, while leaving the Conservative position much the same. It would, however, do little for the small parties who are currently not represented at Westminster.

Concluding contributions to the debate

- 6.165 It is not possible for any one voting system to meet all the criteria set out in this review, and therefore any conclusion drawn about which system is best for Westminster will depend on the value placed on different criteria. We set out below a brief summary of our findings and points of contribution.
- 6.166 In the experience of the UK since 1997, PR systems have produced more proportional results than FPTP. STV (in Northern Ireland) has been the most proportional, followed by the Party List system and AMS. However, while recent General elections under FPTP have produced less proportional results, this has not always been the case. For example, outcomes were more proportional in the 1950s when the two main parties received the vast majority of votes cast. Since the 1970s the number of two-party contests in constituencies has declined sharply. Other factors (other than the voting system) that impact on disproportionality are district magnitude and patterns of voter behaviour. While there is a consensus about the factors contributing to proportionality and disproportionality, there are different interpretations about which contributing factors are problematic (e.g. district magnitude or the voting system?) Some argue that the disproportionality of FPTP is unfair to small parties, in particular for the Liberal Democrats, and call for a change in the voting system. Others argue that the disproportionality is a result of changing patterns of voter support, turn-out and constituency size, with the voting system not being the sole cause of disproportionality per se. These various factors have a significant

impact on understanding proportionality, and need to be taken into account in debates about disproportionality in recent UK General elections.

- 6.167 The impact of different voting systems on voter participation and turn-out is perhaps the most complex criterion, about which interest is high but answers are not straightforward. While there are many factors that impact on a person's propensity to vote, recent research shows that sophisticated analysis is required to look at the relationship between different factors. Voter knowledge, interest and lack of perceived differences between parties have emerged as important factors in voter participation, although the precise relationship is not yet clear. One particular trend that has been identified across different studies is the inequalities in turn-out at General elections, with turn-out decreasing most rapidly amongst those being identified as being at greatest risk of disengagement. Interventions to improve participation, particularly amongst the least engaged, should target a range of contributory factors. John Curtice has also suggested that since turn-out is sensitive to perceptions of a close contest, the trend of voter turn-out may be reversed as British elections become more competitive. It is certainly too simplistic to attribute turn-out levels to particular voting systems or to blame the FPTP system specifically for poor turn-out in the last few General elections. Turn-out has been relatively low in most other elections in the UK since 1997 but more recently has been improving across Scotland, Wales, London and for the European Parliamentary elections.
- 6.168 We do not find a difference between PR systems and FPTP in terms of delivering stable and effective governments although, with a greater number of parties involved under PR, the political landscape can be more dynamic. In the experience of the UK, coalition governments can be just as stable as single-party governments. It is clear though that the new voting systems deliver different kinds of government. Greater proportionality impacts on the nature of government formation in that it almost always leads to either a minority government, or necessarily coalition governments with an increased number of small parties in government. There is debate about the appeal of coalition governments (in how the prospect affects parties and voters before and during elections and in how such governments decide on their policy platforms after elections) and the consequential political implications, which are outside the scope of our study and about which opinions vary.
- 6.169 One of the main benefits of PR, and in particular STV, is that voters have a greater degree of choice in elections and a greater chance of their vote counting in terms of who gets elected. The consequence is that more parties become represented in assemblies and parliaments, and in the case of the devolved jurisdictions, this has improved opportunities for local parties and small parties to compete with the large three parties usually represented at Westminster.

- 6.170 We do not find, on balance, any evidence to suggest that voters find one voting system easier or more confusing than another voting system. Recent performance of elections with the new voting systems did show encouraging improvements, though knowledge and understanding of voting systems could improve further. While FPTP is simpler in theory for voters and has less invalid voting rates, ease of voting has not been an overwhelming problem in the new systems when elections are not combined and when taking into account a period for adjustment. Combined elections with different voting systems have caused voter confusion and problems of invalid votes, largely due to the design of ballot papers and information provided to voters, with some evidence of a greater impact in socially deprived areas. While voters can adapt and learn new voting systems, multiple systems operating in the same election increase the importance of ballot paper design and provision of information to reduce the potential for confusion. While some voter confusion may be inevitable in combined elections, it is clear that ballot paper design also has a critical role to play in mitigating voter confusion in combined elections, as well as the quality of information provided to voters.
- 6.171 It is too difficult to draw conclusions on the quality of representation under different voting systems because this is so dependent on individual views and historical traditions. Whether a constituency is better represented by one or several representatives, and whether list/regional representatives are as legitimate as constituency representatives is highly debated in the UK context. The change under PR systems in the nature of representation and the legitimacy of elected representatives is likely to be topical in the debate for Westminster.
- 6.172 On the criteria of social representation, the newly introduced voting systems have improved the situation of women, although Labour's positive action policies have also been an important contributory factor. There has been very little improvement in the representation of BME groups across all voting systems and it is clear that for both ethnic and gender representation, party behaviour in terms of selecting candidates is more critical than the voting system alone.
- 6.173 It is also too difficult to draw conclusions on the impact on the nature of political campaigning, due to the limited amount of research that is available. It is worth noting the findings from Curtice *et al* that in their comparison, countries with FPTP elections had more people reporting contact with a political party than other countries. It is difficult to draw conclusions from the limited research available about the experience of campaigning in the UK.

6.174 Administrative issues such as the provision of information, co-ordination, consistency of practices (e.g. in counting votes), design of ballot papers and innovations in the management of elections (e.g. electronic counting) are increasingly important in determining the confidence people have in electoral processes. Often problems arising from administrative issues are reflected on the voting system, or vice versa, but it is clear that a complex range of factors impact on the success of an election. However, the impact of improved administration should not be underestimated. Much of the progress made in some of the more recent elections in devolved jurisdiction were attributed to improved administration, while there were also examples of administrative challenges resulting in a lack of confidence in some elections.

Chapter 7: International experience

A Introduction

- 7.1 In her 2003 book, *Electoral Engineering*,¹⁸⁰ Pippa Norris described how, in the 1990s, issues of electoral engineering (changing electoral rules and systems) have moved up the policy agenda in many countries. This included the western democracies, where following the establishment of the universal franchise, electoral systems had, for the most part, been stable. Arend Lijphart, in his study of the electoral systems used in 25 established democracies from 1945 to 1990,¹⁸¹ found that only one – France – had experienced a fundamental change to its electoral system. The 1990s saw that change. Norris writes:

"In the 1990s, some established democracies experienced the most radical reforms to electoral systems for over a century. Major change from majoritarian to PR, or vice versa has occurred in... Israel, Japan, New Zealand, Britain and Italy, and more modest amendments have also been adopted in Austria, Portugal and Switzerland. Moreover, the international community has become deeply invested in attempts to generate free and fair competition in dozens of nations around the globe [including] Bosnia and Herzegovina... East Timor and Cambodia. The constitutional settlements in post-communist Europe, dissatisfaction with political systems in Latin America and the rise of electoral democracies in Asia, as well as state-building and regime change in the Middle East and Africa, have all revived interest in what might have appeared the rather technical, dull and rather abstruse issue of electoral engineering."

- 7.2 She goes on to observe that there are conflicting schools of thought about the impact or origin of electoral engineering. On the one hand, rational choice theories suggest that changing electoral systems can significantly change the behaviour of politicians, parties and citizens, and attempts at electoral engineering are based implicitly or explicitly on such assumptions. On the other hand, sceptics about rational choice may argue that changes to systems are more likely to be a reflection of changes in society. The responses needed from electoral systems may change as society becomes more affluent and educated, with access to more information through a variety of sources and with less allegiance to traditional political and social organisations.
- 7.3 There is no simple cause and effect relationship and electoral systems both change and reflect political and social behaviour and circumstances. Our analysis of the changes to UK voting systems would certainly seem to support this.

- 7.4 In this chapter on international experience we look further at the impact of different voting systems on turn-out, representation in parliaments and stability of government. A case study of New Zealand's transition from FPTP to MMP offers some insights into whether electoral engineering does change voting patterns and electoral outcomes.
- 7.5 The following sections focus on a selection of different electoral systems in established western democracies that provide a degree of comparability with the new electoral systems in the UK. These are:
- the Netherlands, Italy and Sweden with the PR list system also used for European elections in the UK
 - Germany and New Zealand using AMS, as used for the Scottish Parliament and Welsh Assembly
 - the Republic of Ireland using STV, as used for the Northern Ireland Assembly (and Scottish local government elections)
 - the AV system as used in Australia, also considered given that the Jenkins Commission proposed a variant of AV with a proportional top-up for Westminster.
- 7.6 We also briefly consider the issues raised by an interesting deliberation in British Columbia and Ontario in Canada, where a Citizens' Assembly made proposals about changes to the province's electoral system that were put to referendum.
- 7.7 Finally, we provide an international comparison of voting systems and turn-out.

B New Zealand

(i) Background

- 7.8 New Zealand provides a particularly interesting example because it has changed its electoral system from FPTP to the MMP system (similar to AMS in the UK) in recent times. The first election to be held under MMP was in 1996, following referendums in 1992 and 1993 which first rejected FPTP and then selected MMP from four proportional options. The 1993 referendum, which was binding, took place at the same time as the 1993 election where 84.5 percent of voters favoured replacing FPTP and 70.3 percent chose MMP (the next most popular was STV with 17.5 percent).
- 7.9 New Zealand has a unicameral parliament and central government is relatively strong compared to local government. In the past it was held up as the epitome of a two party system operating under FPTP. Since 1945, there had never been more than two members of Parliament from outside the two main

parties – the National and Labour parties. In 1978 and 1981, the National Party gained power although the Labour Party won more votes. In 1985, having won in 1984, Labour established a Royal Commission on the Electoral System, to consider the case for changing the electoral system. The Commission's report in 1986, *Towards a Better Democracy*,¹⁸² recommended a move to MMP. Although the Labour Party made a commitment in 1987 to hold a referendum before or at the 1990 election, this did not materialise. However, the National Party also committed itself to a referendum in 1990, and the two stage process eventually took place in 1992 and 1993.

- 7.10 One interesting impact of the change in the electoral system took place between 1993 and the first MMP election in 1996. Three new parties were formed by MPs and others had their numbers boosted by defections from the two main parties, as the table below illustrates.

Table 19
Party allegiances – preparing for the changed voting system in New Zealand¹⁸³

Party	Seats at 1993 election	Seats prior to 1996	MP movements
National	50	41	9 defected
Labour	45	41	4 defected
United	0	7	4 Nat, 3 Lab joined
NZ First	2	5	2 Nat, 1 Lab joined
Alliance	2	2	
Conservative	0	1	1 Nat*
Christian Democrats	0	1	1 Nat
Ind	0	1	1 Nat*

* Initially 2 National Party MPs founded Conservatives, but one then became Independent.

(ii) Election outcomes

- 7.11 The results of the elections since 1996 are summarised in Table 20 below. Seven electorate seats are currently reserved for the Maori electorate. Before 1993, there were four seats reserved for Maori – the number now reflects the number of people who choose to go on the Maori electoral roll. Maori people can choose either to vote for candidates standing for the reserved seats (by registering on a Maori register) or in non-reserved constituencies (general register). Those seats have usually been won by either Labour or the National Party, but in 2005 a new Maori Party was formed by a defected Labour member and it won four seats.

Table 20
Summary of New Zealand election results 1987-2005 (seats won)¹⁸⁴

E = electorate seat (constituency); L = list seat

Party		2005	2002	1999	1996	1993	1990	1987
Labour	E	31	45	41	26	45	29	57
	L	19	7	8	11			
National	E	31	21	22	30	50	67	40
	L	17	6	17	14			
NZ First	E	0	1	1	6	2		
	L	7	12	4	11			
Green	E	0	0	1				
	L	6	9	6	0			
Maori	E	4						
	L	0						
United Future	E	1	1					
	L	2	7					
ACT	E	1	0	0	1			
	L	1	9	9	7			
Progressive	E	1	1					
	L	0	1					
Alliance	E	0	0	1	1	2		
	L	0	0	9	12			
United	E			1	1			
	L			0	0			

7.12 In 1996, the balance of power was held by the New Zealand First Party, who gained 17 seats, 11 list seats and six electorate seats, the strongest performance by a smaller party since 1919. New Zealand First had been expected to join forces with Labour, but after two months of negotiations, it formed a coalition with the National Party. This was unpopular with the public and with many of its own voters. New Zealand First eventually left the coalition in August 1998 leading to an early election. In 1999 the party won five seats.

7.13 In 1999 the Labour Party and the Alliance made clear their intention to work together in coalition if necessary before the elections. In the event their combined seats fell two short of an absolute majority and they formed a coalition, supported from outside the coalition by the Green Party. The Alliance Party splintered in 2002 and an early election was called in July of that year.

- 7.14 Following the 2002 elections the Labour Party formed a minority coalition with the Progressives, with support in 'confidence and supply' votes from the United Future Party. They were not expected to support the Government in all votes. In 2005, the same coalition formed the government, but with confidence and supply support from New Zealand First as well as United Future. The leaders of New Zealand First and United Future took ministerial posts but were not in the Cabinet. This includes the post of Foreign Minister being held by the leader of New Zealand First outside of Cabinet. The Labour party only obtained two more seats than the second largest party, the National party. A surprise development was that Labour did not give the Green Party any Cabinet positions despite a previous coalition as well as Green support of Labour in the lead up to the elections, although several concessions on energy and transport policies were made.

(iii) Impact of MMP

- 7.15 Since 1996, New Zealand has been governed by coalitions, usually with a minority of the seats in Parliament. Obviously this makes it more difficult for the leading party to achieve all of its policy aims but, arguably, policy decisions reflect the views of a wider coalition of voters. Tina Day, a Director of the Joseph Rowntree Reform Trust interviewed 21 MPs in the 2002-05 Parliament for her research. She argues in her 2005 paper *Increasing the representativeness of parliament in Aotearoa/New Zealand*,¹⁸⁶ that there has been a shift of power from the Executive to Parliament, with select committees (whose composition reflects the multi-party Parliament) assuming a very powerful role. There is also a greater representation of women (around 30 percent of members), Maori and the Asian population in Parliament. She argues that this has increased the legitimacy and standing of Parliament (notwithstanding the early unpopularity of coalition government). It also means that divisions in opinion within the country are played out in Parliament to a greater extent.
- 7.16 A number of parties have clearly benefited at times from the existence of the list top-up system, notably New Zealand First and the Green Party, and in the first two elections, the Alliance and ACT. We noted the presence of 'split-ticket' voting under AMS in Chapter 6. The 2005 election was also notable for both the major parties significantly increasing their list seats, while in the case of Labour, losing a large number of electorate seats.
- 7.17 Proportionality, not surprisingly, has increased under MMP. Using the Gallagher index,¹⁸⁷ disproportionality has fallen from an average of 11.1 percent between 1946-93 to 4.36 percent in 1996 and 1.11 percent in 2005. Under the Loosemore-Hanby index (as used in Figure 2 for elections in the UK in recent years), the deviation from proportionality scores of New Zealand elections has fallen from about 26 in 1993 to 7.6 in 1996 and 2.2 in 2005, when comparing

seats won with list votes cast. Again this shows that proportionality has increased under MMP.

- 7.18 Table 21 below shows the outcome of the 2005 election in terms of percentage of votes and seats. It shows how the list system makes up for the more disproportional effect of the FPTP system for the constituency seats.

Table 21

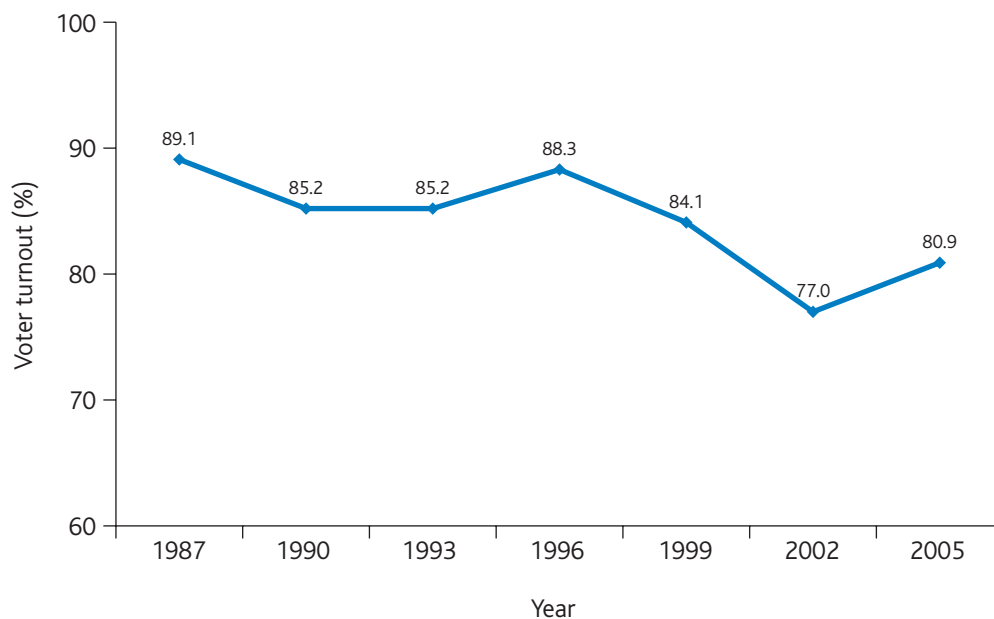
New Zealand election results in 2005¹⁸⁸

Party	Electorate (%)		List (%)		Total
	Votes	Seats	Votes	Seats	Seats (%)
Labour	40.3	31	41.1	19	50 (41.3)
National	40.4	31	39.1	17	48 (39.7)
NZ First	3.5	0	5.7	7	7 (5.8)
Green	4.1	0	5.3	6	6 (5.0)
Maori	3.4	4	2.1	0	4 (3.3)
Utd Future	2.8	1	2.7	2	3 (2.5)
Other	5.7	2	4.5	1	3 (2.5)

- 7.19 In the last FPTP election, in 1993, the National Party won 50 of 99 seats with 35.1 percent of the vote, while Labour won 45 with 34.7 percent of the vote. The Alliance Party won two seats with 18.2 percent of the vote and New Zealand First won two seats with 8.4 percent of the vote.
- 7.20 Turn-out has not increased with the introduction of MMP. Official turn-out figures show turn-out increasing to 88.3 percent in 1996 from 85.2 percent in 1993, but then falling to 84.1 percent in 1999 and 77.0 percent in 2002, before recovering to 80.9 percent in 2005. These are still healthy turn-out figures by international standards, but overall, turn-out is lower under MMP than it was under FPTP. As we noted in the discussion about turn-out in the UK, participation in elections is the result of many different factors – the voting system is but one. Some observers have attributed disappointing turn-out to public dissatisfaction with coalition government; others to the trends observed in most countries, especially among the young; and others to less party mobilisation under MMP.
- 7.21 The issue of party mobilisation has been studied by, among others, Jeffrey A Karp from Texas Tech University. In a paper from 2003 entitled *The Effects of Proportional Representation on Party Activity in New Zealand*,¹⁸⁹ he shows that there has been a decrease in the proportion of citizens who report being contacted by parties, particularly those who report being contacted in person. Parties are less likely to concentrate on marginal constituencies, and more likely

to treat electorate seats equally, but the rate of contact has been lower than in the safest seats under FPTP. Jack Vowles, in a study of turn-out decline between 1996 and 1999¹⁹⁰ observed that campaign expenditure on electorate seats declined by seven percent between the two elections.

Figure 6
New Zealand election turn-out (%) 1987-2005¹⁸⁵



7.22 Overall then, MMP has made significant changes to the way that New Zealand is governed, and has made its Parliament a good deal more representative of the population; but the positive effects on turn-out and parties' contact with the electorate that are often attributed to PR systems do not appear to have materialised. In both cases this may be due to factors other than the voting system, but it reinforces the observations made elsewhere in this paper that many things impact on turn-out and changing the voting system alone is not likely to boost participation.

C Election outcomes under proportional voting systems and the alternative vote – international examples

7.23 The selection of countries below is chosen to give an example of all the main proportional systems in established western democracies, so a degree of comparability with the new electoral systems in the UK is possible. These are:

- the Netherlands, Italy and Sweden with the PR List system also used for European elections in the UK

- Germany (and New Zealand) using AMS, as used for the Scottish Parliament and Welsh Assembly
- the Republic of Ireland using STV, as used for the Northern Ireland Assembly (and Scottish local government elections).

7.24 The AV system in Australia is also considered, given that the Jenkins Commission proposed a variant of AV with a proportional top-up.

(i) Netherlands

7.25 The Dutch Parliament, the *Staten Generaal*, has two chambers, the *Eerste Kamer* and the *Tweede Kamer* (second chamber). The latter is the main chamber, initiating legislation. There are 150 seats in the second chamber and the maximum term of the Parliament is four years. The Netherlands has one of the most proportional of electoral systems, which has been in place since 1917. There is a list system where a seat is apportioned for every 1/150th of votes cast – this fraction is the electoral quota. There are 19 electoral districts and typically candidates appear on most if not all of them. Parties' overall percentages of the vote are rounded down, so that there are a few residual seats, which are allocated according to popular vote, using the d'Hondt method. The apportionment of seats to candidates is quite complex, a combination of automatic selection for candidates with more than 25 percent of the electoral quota, allocation according to order on party lists, and then allocation of the residual seats.

7.26 The proportionality of the electoral system leads naturally to coalition government. Since 1981, the coalitions have, with one exception, involved permutations of four parties – the Christian Democratic Appeal (CDA), Labour, the VVD (right-liberal People's Party for Freedom and Democracy) and Liberal Democrats 66. The exception was following the 2002 election, when the List Pim Fortuyn (LPF) won 26 seats and a place in the Government with the Christian Democrats and VVD. The LPF quickly split and this precipitated another election in 2003, which restored the coalition, minus the LPF, but with Democrats 66 joining. An early election was also called in November 2006 when the Democrats 66 withdrew from the coalition over disagreements regarding immigration policy. Following the 2006 elections there were potentially four different coalition options. Two parties previously not represented were elected; the far right-wing Party for Freedom (PVV) including a former VVD member, and the animal-rights Party for the Animals. By February 2007 CDA, PvdA and CU formed a centre-left coalition and presented their coalition agreement and the six broad policy commitments of the new cabinet. The large number of parties involved has meant that coalition formation in the Netherlands is complicated and often takes several months for detailed agreements over policies. Cabinets can take up to half a year to form and not always in the ways anticipated by election results.¹⁹¹

7.27 The main parties in the second chamber for the past five elections are shown in Table 22 below, with governing parties in bold. 1994 was significant for being the first time in 90 years that a Christian Democratic party had not been part of the coalition and it took four months to agree this coalition.

Table 22

Election results (number of seats) in the Netherlands 1994-2006¹⁹²

Party	Seats*				
	2006	2003	2002	1998	1994
CDA	41	44	43	29	34
Labour (PvdA)	33	42	23	45	37
VVD	22	28	24	38	31
Socialist (SP)	25	9	9	5	2
LPF	–	8	26	–	–
Green Left (GL)	7	8	10	11	5
Democrats 66	3	6	7	14	24
PVV	9	–	–	–	–
CU	6	3	2	–	–
SGP	2	2	4	3	2
Party for Animals (PvdD)	2	–	–	–	–
Other	–	–	2	5	15

*bold indicates governing coalition

7.28 Governing coalitions have generally had more than 50 percent of seats in the chamber (the last minority coalition was in 1982), and most Prime Ministers have a reasonably long tenure – there have only been four since 1981, despite shifting coalitions. There are typically around 10 parties in the chamber, with a single party (CDA) leading recent coalition governments and small parties having opportunity to be part of governing coalitions over the years. Hence the Dutch electoral system appears to deliver representativeness and responsiveness to change (the LPF example being the most striking example of the receptiveness of the system to new forces). While there are examples of stable coalitions in the Netherlands, there are also examples of coalition breakdown in recent years. The year following the 2002 election saw the fall of the CDA-LPF-VVD coalition that only lasted five months due to internal strife in the LPF. It was the shortest ruling Dutch cabinet since the Second World War and elections were necessary the following year. In 2006 the CDA-VVD-D66 coalition broke down due to the Democrats 66 leaving the coalition, which brought about early elections. Coalition negotiations typically take several months but the detailed coalition agreements can be said to have

encouraged consensual government in the Netherlands and the voting system provides openness to a wide range of political interests. However there have been concerns about the often elusive and 'untransparent' manner by which coalition cabinets have been formed after elections.¹⁹³

- 7.29 In March 2006 a 140 member Civic Forum was established at the Cabinet's request to review and advise on the most suitable electoral system for the Second Chamber. The Civic Forum was commissioned in response to concerns about declining public confidence in politicians in the Second Chamber. In its report in December 2006 the Civic Forum made modest recommendations for reform. The main proposal was to amend the current voting system to open party lists (allowing voters to either vote for a party or an individual). As part of this change, they also recommended a new method for allocating residual seats, adopting the 'largest-remainder method' instead of the currently used 'highest average method'. Supplementary recommendations related to concerns about the number of members separating from their party between elections, the use of 'list pushers' (personalities added to the bottom of the list to attract votes), improvements to education about how Dutch democracy works and greater use of civic forums in policy making.¹⁹⁴ At the time of writing, the Government was still discussing its position on the proposals but it seemed unlikely that the Parliament would pass the Civic Forum's recommendations.
- 7.30 Turn-out, ranging between 73-80 percent over the past four Dutch elections, is healthy.

(ii) Republic of Ireland

- 7.31 The Irish Parliament, the *Oireachtas*, consists of two houses, the *Dáil Éireann* and the *Seanad Éireann* (the Senate). The main legislative house, the *Dáil*, is elected at least once every five years using STV. Ireland is one of two countries that use STV for elections to the main legislative house (Northern Ireland, while part of the UK, also uses STV for its Assembly and local elections). STV has been used in Ireland since 1922. There have been two referendums, in 1959 and 1968, asking the Irish electorate whether STV should be replaced, but in both cases the proposition was rejected.
- 7.32 There are currently 166 seats in the *Dáil*, elected from 42 constituencies. Seven parties are currently represented in the *Dáil*, as well as a significant number of independent Teachta Dála (TDs – members of the *Dáil*) – 13 resulting from the last election in 2002. STV, with its multi-member constituencies, where voters exercise the preferences for individual candidates, makes this number of independent representatives possible (though 13 is by far the highest number in recent times).

- 7.33 In recent elections one or other of the two largest parties in Ireland, *Fianna Fail* and *Fine Gael*, are always in the Government, but there has been no single party government between 1987-89. Between 1957 and 1981, *Fianna Fail* was in sole power, with the exception of a period of national coalition between 1973 and 1977. Ireland shows for long periods of the 20th century that it is possible to have non-coalition government under PR, if that is what the voters want. Equally, as Irish society has changed, the dominance of the two main parties is not as strong as before and coalition government has more recently become the norm.
- 7.34 During the period of coalition (or minority) governments since the early 1980s, Ireland's third largest party, Labour, has at times held a pivotal position. In 1987, the election was precipitated by the withdrawal of Labour from its coalitions with *Fine Gael*, after disagreements over budget proposals. In 1994, having formed a coalition with *Fianna Fail* after the 1992 election, Labour left that coalition and formed the "Rainbow Coalition" with *Fine Gael* and the Democratic Left Party, which then formed the Government until the next elections, in 1997.
- 7.35 In 1997, *Fianna Fail* and the Progressive Democrats formed the Government after the elections. The same coalition continued after the 2002 elections. This was the first time that the serving Government had been re-elected since *Fianna Fail* was returned to power in 1969. Following the May 2007 election a coalition government of *Fianna Fail*, the Green Party and the Progressive Democrats was formed, with support from four Independent TDs by June 2007.
- 7.36 The 1980s saw five elections as some coalitions proved not to be durable, but since 1989 there have been only four elections.
- 7.37 Table 23 below shows the composition of the Dáil since 1992, and for the most recent election in 2007, the percentages of seats and first preference votes won. A glance at the figures suggests broad proportionality, although allocation of seats obviously is also determined by other lower preferences. The Jenkins report suggested that the relatively small size of Ireland's constituencies with three to five members did not deliver as proportional a result as constituencies with seven to eight members. Nonetheless, it has been enough to allow seven parties to win representation in the Dáil, as well as a significant number of independents, although 2007 saw a significant decline in the number of independents from 13 in 2002 to five.

Table 23
Election results for the Dáil in Ireland 1992-2007¹⁹⁵

Party	2007			2002	1997	1992
	Seats	%	% 1st preference	Seats	Seats	Seats
Fianna Fail	77	46.4	41.6	81	77	68
Fine Gael	51	30.7	27.3	31	54	45
Labour	20	12.0	10.1	20	17	33
Prog Dems	2	1.2	2.7	8	4	10
Green	6	3.6	4.7	6	2	1
Sinn Fein	4	2.4	6.9	5	1	0
Socialist	0	0.0	0.6	1	1	0
Other parties	0	0.0	0.6	0	4	4
Independents	5	3.0	5.7	13	6	4
Speaker	1	0.6	-	1	1	1

(iii) Germany

7.38 The political framework of Germany is laid out in the 1949 constitution, the *Grundgesetz* or Basic Law, which remained in place with some amendments following German re-unification in 1990. Power is divided between federal and state level as well as between the legislature, executive and judiciary. The Federal Republic consists of 16 federal states (*Länder*). The *Länder* provide the members of the *Bundesrat*, the second chamber in Germany's bicameral legislature. Representation is based on population and representatives take instruction from their state governments. The main chamber is the *Bundestag*, which is elected using the MMP system (referred to as AMS in the UK). Voters have two votes, one for a constituency representative and the other for a party – the list vote.

7.39 The Bundestag nominally has 598 members; 299 are elected in single-seat constituencies on a FPTP basis, the other 299 are allocated from national party lists in order to ensure that the distribution of seats mirrors parties' share of the national list vote (those parties which meet the threshold for representation). To be represented in the Bundestag, a party must have five percent of the national vote, or win at least three constituency seats. There can be more than 598 members of the Bundestag, as the result of 'overhang' seats caused by the larger parties winning more constituency seats than their share of the national vote would suggest.

- 7.40 Since its first post war election in 1949, the Bundestag has been dominated by two parties, the Christian Democratic Union (CDU) and its Bavarian equivalent the Christian Social Union (CSU) – which is in effect a single party from the point of view of forming a government – and the Social Democratic Party (SDP). Every post war government has had at least one of these parties in the ruling coalition, and on three occasions there have been “Grand Coalitions” involving both the SPD, and CDU/CSU – the first post-war Government under Chancellor Adenauer; a coalition from 1966 to 69 and the present coalition which has existed since the formation of a Government following the 2005 elections.
- 7.41 There have been long periods where either the SPD or the CDU/CSU, with a coalition partner, usually the Free Democrats (FDP), have been in power. From 1949-69, the CDU/CSU were the leading party in power, from 1969-82 the SPD were in power, from 1982-98 the CDU/CSU, and from 1998-2005, the SPD. So it cannot be said that Germany’s proportional electoral system has led to unstable government. Only once has an election led to a complete transfer of power. That was in 1998, when an SPD/Green coalition took over from the CDU/CSU/FDP.
- 7.42 On the other hand, one of the features of German political history since 1949 is that the FDP have often held the balance of power, with their seats deriving from list rather than constituency votes. The biggest percentage of the list vote won by the FDP was 12.8 percent in 1961; typically it ranges from six to 11 percent. From 1949 to the election of 1998, the FDP had always been part of the governing coalition at the start of a Parliament (in 1966 they left the coalition with the CDU/CSU, precipitating the Grand Coalition which lasted until the 1969 election. In 1982, they exerted probably their strongest influence by leaving the coalition with the SPD and joining forces with the CDU/CSU, which ushered in 16 years of Government led by Helmut Kohl.
- 7.43 Generally, largely because of the five percent threshold, the Bundestag has not been home to a large number of parties. In 1949, 80 seats were won by 10 small parties (one of which, the German Party with 17, formed part of the coalition), but by 1961 only four parties (SPD, FDP, CDU, CSU) won seats and this remained the case until the emergence of the Greens as a parliamentary force in 1983. In 1990, after Re-unification, the ex-Communist PDS won 17 seats, which rose to 36 in 1998, before falling away to two in the 2002 elections. In 2005, a new party of the Left, including well known politicians such as Oskar Lafontaine, previously of the SDP, won 54 seats in the Bundestag. It seems reasonable to suggest that the German system has supported a core of mainstream coalition parties, but has at the same time been flexible enough to allow voters to respond to newer parties where there are growing political forces (the environment from the 1980s, some post Re-unification dissatisfaction in eastern Germany in the 1990s, perhaps concerns about unemployment now). It is the list system which allows this. As Table 24 below

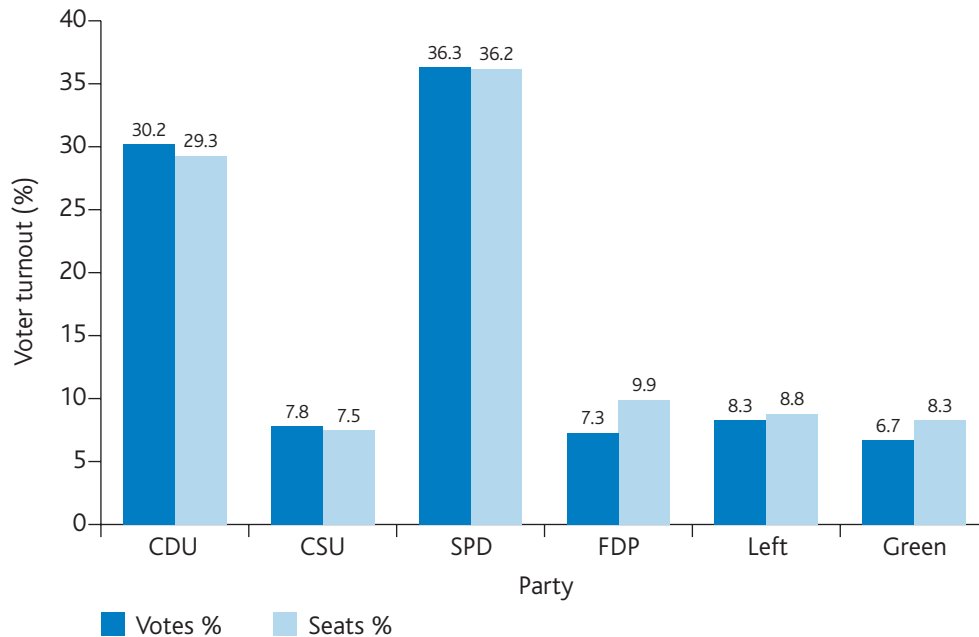
indicates, the FDP, Greens and Left Party are almost entirely reliant on list votes for their seats. The reverse is true of the one regionally-based party, the CSU which has almost all constituency seats. The only parties with a balance of constituency and list seats are the SPD and CDU.

- 7.44 The protracted coalition negotiations following the 2005 elections, which resulted in the formation of a CDU/CSU/SPD Grand Coalition led by Chancellor Angela Merkel of the CDU, have been used by UK critics of coalition government as evidence of the problems of delivering effective government under proportional electoral systems. However, the outcome of the elections was extremely tight, and arguably, in those circumstances, a coalition of the major parties reflects voting intentions more accurately than one party assuming control without a clear mandate from the electorate to do so. Much depends on the expectations of the society in question – as we have seen in Ireland and especially New Zealand since 1996, it has been possible for there to be effective minority government. In Germany, which is still adjusting to the huge economic impact of Re-unification, among other things, a coalition of a wide range of interests appears to be the preferred option.

Table 24
Outcome of 2005 elections to the German Bundestag¹⁹⁶

Party	Constituency		List		Total seats
	% Votes	Seats (%)	% Votes	Seats (%)	
CDU	32.6	106 (35.5)	27.8	74 (23.5)	180
CSU	8.2	44 (14.5)	7.4	2 (6.3)	46
SPD	38.4	145 (48.5)	34.2	77 (24.4)	222
FDP	4.7	0	9.8	61 (19.4)	61
Left	8.0	3 (10.0)	8.7	51 (16.2)	54
Green/Alliance 90	5.4	1 (3.3)	8.1	50 (15.9)	51
Other	2.7	0	4.0	0	0
Total	100.0	299	100.0	315	614

Figure 7
Comparison of total votes and total seats percentages in 2005 German elections¹⁹⁷



7.45 Figure 7 shows that broad proportionality is achieved by Germany's MMP system – almost exactly for the SPD in 2005. The system seems to favour slightly the parties who rely on their seats from the list system, despite the overhang seats won by the major parties.

(iv) Italy

7.46 Italy is often cited by opponents of PR as an example of unstable government, with the suggestion that there is a cause and effect from the electoral system to the changes in government. A look at the evidence reveals a much more complex picture.

7.47 Italy has a bicameral system composed of a Senate and a Chamber of Deputies. Both are directly elected and are of equal authority. The Speakers of the Senate and Chamber are respectively second and third to the President of the Republic in the Italian order of precedence. The analysis below focuses on the Chamber of Deputies.

7.48 In the post Second World War period, the dominant party in Italy was the Christian Democrats, from the first elections in 1948 until the early 1990s. The electoral system was a proportional list system based on multi-member electoral districts. In all this time the Christian Democrats were the main party of Government and governed in coalition with small parties which

included, from the beginning of the 1960s, the Socialist parties. In 1948, the Christian Democrats won 48.5 percent of the popular vote, with a coalition of Communists and Socialists the main challengers with 31 percent. Through their period in Government, the Christian Democrats typically won between 30-40 percent of the vote. Changes in government and Prime Minister were frequent (there were 23 Prime Ministers from 1945-83), but the ruling coalition remained largely the same. The main opposition was the Communist Party, which in the 1970s and 80s polled around 30 percent of the popular vote.

- 7.49 In the 1980s the Christian Democrats' hold on power weakened, and for a while the Socialists became the leading party in Government, principally under Bettino Craxi for three and a half years in the mid 1980s (the Christian Democrats remained the largest party during this time). However, in the late 1980s and early 1990s most of the major political parties were caught up in various crises, including corruption. In 1992 and 1993, the Christian Democrat, Socialist and Communist Parties were all dissolved. Following a referendum in 1993, the electoral system was changed to a version of the Mixed Member System (also known as AMS in the UK and MMP in New Zealand), with a heavy emphasis on FPTP in constituencies with uninominal seats. Seventy five percent of seats in the Chamber of Deputies were uninominal, 25 percent a proportional top-up, with a 4 percent threshold to limit the number of parties in the Chamber of Deputies.
- 7.50 Three elections were held under MMS – in 1994, 1996 and 2001. The 1994 elections saw a major change in representatives, with 452 out of 630 deputies being elected for the first time. There remained a large number of parties competing for votes, but coalescing around two groups: the "House of Freedoms" and the "Progressives". The former, led by the Forza Italia Party, under Silvio Berlusconi, won power, but only until December 1994, when the Northern League withdrew from the coalition. A 'technical' Government was in power until the next set of elections in 1996, following which a series of governments (including the "Olive Tree" coalition under Romano Prodi between 1996 and 1998) were in power until the 2001 elections. In 2001 Silvio Berlusconi was returned to power at the head of a five party coalition (the House of Freedoms again).
- 7.51 Table 25 shows the high level outcomes of the elections from 1994, 1996, and 2001. Essentially, a relatively large number of parties remained in the Chamber of Deputies under MMS, but there was a greater sense of there being alternative governments than under the pre-1994 PR system. There was no real increase in government stability, however, if measured by changes in government. Between 1994 and 2006, there were eight different governments and six Prime Ministers, although Silvio Berlusconi remained Prime Minister from 2001-2006.

- 7.52 Italy has also witnessed the use of 'decoy' party lists by the two coalitions in order to maximise their share of PR seats. Under this scheme, many constituency candidates were linked to decoy lists in the proportional part of the election – *Abolizione Scorporo* and *Paese Nuovo*. The former was linked to House of Freedoms candidates and the latter to Olive Tree candidates. Three hundred and sixty of the 475 constituency seats were won by such candidates, although the two decoy parties won only 0.2 percent of the proportional vote. This meant that when the proportional seats were allocated, fewer were deducted from the main coalitions' shares on account of their performance in the constituency elections. The House of Freedoms coalition won 52 percent of the proportional seats with 41 percent share of the vote, where under most versions of AMS, one would expect the larger party or coalition to win fewer seats in the top-up than its share of the vote.
- 7.53 Italy also had a relatively high proportion of invalid or blank votes under MMS. This may be connected to the fact that voting is a duty in Italy, as well as the complexities of MMS. In 2001, 9.2 percent of the proportional votes were invalid or blank, with 7.4 percent of the constituency votes suffering the same fate.

Table 25
High level election results in Italy 1994, 1996, 2001¹⁹⁸

Party	Constituency		Party	Proportional	
	% Votes	Seats (%)		% Votes	Seats (%)
1994					
Progressives	32.8	164 (34.5)	Forza Italia	21.0	30 (19.3)
House of Liberty	22.8	164 (34.5)	Party of Left	20.4	38 (24.5)
Hse of Good Govt	14.9	129 (27.2)	It Popular Pty	11.1	29 (18.7)
National Alliance	6.7	8 (1.7)	Nat Alliance	13.5	23 (14.8)
			Northern Lge	8.4	11 (7.1)
			Comm Refdn	6.0	11 (7.1)
1996					
Olive Tree	45.4	247 (52.0)	Dems of Left	21.1	26 (13.3)
House of Freedoms	43.2	169 (35.6)	List Dini	4.3	8 (5.1)
Northern League	10.8	39 (8.2)	Oth centre-left	6.8	4 (2.7)
Comm Refdn	2.7	15 (3.2)	Comm Refdn	8.6	20 (13.3)
			Forza Italia	20.6	37 (23.8)
			Nat Alliance	15.7	28 (18.1)
			CCD-CDU	5.8	12 (7.8)
2001					
House of Freedoms	45.4	282 (59.4)	Forza Italia	29.4	62 (40.0)
Olive Tree	43.2	184 (38.7)	Nat Alliance	12.0	24 (15.5)
			Dems of Left	16.6	31 (20.0)
			Daisy democracy (La Margherita)	14.5	27 (17.4)
			Comm Rfdn	5.0	11 (7.1)

Note: In all three elections there were 475 constituency and 155 proportional seats.

7.54 Controversially, before the 2006 elections, the House of Freedoms Government initiated a change in the electoral system back to a list-based regional PR system (these elections were also the first to create seats for overseas voters).

7.55 The system now operates as follows:

Chamber of Deputies

- 100 percent of parliamentary seats are decided on the basis of PR with large voting districts replacing smaller constituencies (in total 27 districts).
- There are three separate cut-off thresholds for parties and coalitions:
 - a) single parties obtaining less than two percent of the national vote are not represented in parliament, and their votes count towards their coalition's overall tally. (However, should some seats remain unallocated these votes are then assigned to those parties that have received less than two percent of the national vote in descending order);
 - b) parties obtaining less than four percent of the national vote (but more than two percent) are not given seats, but their votes count towards their coalition's tally; and
 - c) coalitions failing to win at least 10 percent of the national vote do not obtain seats.
- In the event of a close result and, should the winning coalition not gain the necessary 340 seats (out of 618 plus 12 for constituencies representing Italians resident overseas) to guarantee a sufficient majority in the Chamber of Deputies, then the 'missing' extra seats (see (a) above) are given to this coalition.

Senate

- 100 percent of senatorial seats are decided on the basis of PR according to regions (20 regional constituencies).
- There are two separate thresholds for parties and coalitions:
 - a) single parties obtaining less than eight percent of the vote in each single region are not represented in the Senate; and
 - b) coalitions failing to win 20 percent of the vote in each region do not obtain seats.
- The threshold to reach in order to obtain a senatorial seat corresponds to 55 percent of all regional votes within each region. In the event of a close result, the coalition with the majority of votes is given extra seats to reach that percentage. On a national basis the seats amount to 308 (six for constituencies overseas).

7.56 Naturally the assumption was made by some that the changes to the voting system were made to benefit the ruling coalition; but in a very tight election (which was disputed for some time afterwards, given the closeness of the result – less than one percent of the popular vote), the “Union” coalition, led by Romani Prodi, emerged the winner. The Olive Tree coalition of three parties – Democrats of the Left, Daisy-Democracy is Freedom and the European Republican Movement – dominates the Union coalition with 220 seats in the Chamber of Deputies. Another eight coalition parties (including two communist parties) have 121 seats, while six overseas seats are allocated to the Union, and one to the Italy of Values Party, giving the Union coalition a majority of 67 seats. The opposition House of Freedoms coalition currently has 277 seats in the Chamber of Deputies spread over five parties and four overseas seats in total. One overseas seat assigned to South America is independent. In the Senate, the Union coalition depends on the votes of the seven Senators for life.

Table 26

Outcome of the 2006 Chamber of Deputies election in Italy¹⁹⁹

Party	% Votes	Seats	% Seats
The Union	49.8	348	55.2
– Olive Tree	31.2	220	34.9
– Comm Refdn	5.8	41	6.5
– Others*	12.8	87	13.8
House of Freedoms	49.7	281	44.6
– Forza Italia	23.7	137	21.7
– National Alliance	12.3	71	11.3
– Union of Christian & Centre Democrats	6.8	39	6.2
– Northern League	4.6	26	4.1
– Overseas (FI)		3	

* Others includes 7 parties plus 7 overseas seats

Note: Also one overseas seat representing Italians in South America.

7.57 The Union coalition was a beneficiary of the mechanism built in to the proportional system to produce majority government. If the coalition that receives a majority of the votes initially receives less than 55 percent of the seats (340 out of 618), it receives a 'majority prize' which takes its number of seats to 340. Given that the two coalitions were separated by less than 0.1 percent of the popular vote (49.8 percent to 49.7 percent), this was a highly significant benefit.

7.58 The 2006 elections are very recent and the first back under the PR list system, so it is hard to judge what the longer-term effects may be. But the number of

parties involved does suggest that the situation may be fluid and not destined for the long term. Given the widespread (cross-party) dissatisfaction with the effect of the current electoral law, work is ongoing to identify a new law, possibly based on other EU countries' systems (e.g. Germany, France or Spain). Possibly some parties may consolidate or fade from the picture over the time, as often happens under proportional systems. Indeed the two largest parties on the centre-left are in the process of forming a new single party, the Partito Democratico, of which Prodi will be Chairman. It is difficult to predict what will happen next in Italy.

- 7.59 The MMS between 1994 and 2006 did encourage parties to coalesce around two poles, but there remained more parties than in other countries with similar systems. This may simply reflect the fact that all political cultures are different and that in Italy, a relatively large number of parties is the norm, especially now that the umbrella of the Christian Democrat Party, which dominated for more than 40 years (with the Communists as the main opposition) after the Second World War, no longer exists.

(v) [Australia \(not including the 2007 election\)](#)

- 7.60 Australia has a bicameral Parliament with both chambers – the House of Representatives and the Senate – having equal legislative powers under the Australian Constitution. The exception is that appropriation (money) bills must originate in the House of Representatives and, while they may be rejected by the Senate, they may not be amended in the Senate. In practice most legislation is initiated in the House of Representatives, but the Senate is in a powerful position to block or negotiate amendments to Government legislation when, as has often been the case in the past, the Government is in a minority in the Senate. The current Government, a coalition between the Liberal and National parties (who effectively operate as a single party) has had a majority in the Senate since July 2005, following the 2004 federal election. Before that it had relied on negotiations with small parties and independents to secure passage of its legislation.
- 7.61 The Australian electoral system was studied closely by the Jenkins Commission because, although the AV system used for the House of Representatives is not proportional (and can in fact lead to even less proportional outcomes than FPTP), it does allow people to express preferences; and the Senate voting system, using STV, allows for some smaller party representation and often provides a check on the House of Representative majorities.
- 7.62 Australia has also had compulsory voting since 1924. This ensures turn-out of around 95 percent at federal elections. About five percent of votes cast are usually invalid or “informal” as they are known in Australia. Some of those will be votes from people who do not wish to elect any of the candidates on offer.

- 7.63 Each House of Representatives may sit for a maximum term of three years and elections must be held within 68 days following the House's expiry. The Prime Minister can approach the Governor-General to seek elections for the House of Representatives at any time. Most Senators have six year terms, with half the Senate elected every third year. The exception to this is if there is a "double dissolution" called by the Government as a result of the Senate not passing legislation initiated in the House of Representatives. In the ensuing elections, all Senate seats must be competed for. The last time that this happened was in 1987. Senators for the two Territories (Australian Capital Territory and Northern Territory) have the same term as the members of the House of Representatives.
- 7.64 The AV system for the House of Representatives has helped to deliver majority government in Australia. There is effectively a two party system, with a majority held either by the Liberal/National Party coalition (which has been in power since 1996, led by John Howard) or the Australian Labor Party (which prior to 1996, had been in power since 1983, led by Bob Hawke from 1993-91 and Paul Keating from 1991-96). There have been three Prime Ministers in the past 23 years – indicative of stable government.
- 7.65 STV is used to elect members of the Senate, although this does not lead to proportionality according to the number of voters, as each of the six States elects 12 senators, and the two Territories elect two. This leads to the smaller and less populated states being over-represented in comparison with the more heavily populated states like New South Wales and Victoria. The proportionality of STV is reflected by the political make-up of the Senate in which small parties are represented, with the Australian Greens and Australian Democrats each holding four seats since 2005 and the Family First and Country Liberal parties holding one each, in the 76 seat chamber. It is argued that the more diverse political representation in the Senate enhances its reviewing role on legislation, particularly when the majority party (or coalition) in the House of Representatives does not have a majority in the Senate. Further, in both recent periods when the Government has had a majority in both Houses, some Senators from the party of Government have opposed elements of Government legislation and obtained amendments in negotiation with the Opposition and cross benches.
- 7.66 Preference voting systems can be complex, particularly when STV applies to constituencies with a large number of representatives, as is the case in Australian Senate elections. As voters can face the prospect of having to set out an order of preference for 60 or more candidates, a 'group voting ticket' is allowed, whereby, ballot papers allow voters to select a single party or group of parties, with the ensuing preferences following a party list.²⁰⁰ More than 90 percent of voters exercise this 'above the line' option. For example, at the past four elections for Senators to represent the State of New South Wales there

have been more than 60 candidates on the ballot paper. This is an example whereby STV can be engineered to operate like a PR-List system.²⁰¹

- 7.67 In the House of Representative elections, voters must indicate an order of preference for every candidate on the ballot paper in order for their vote to be valid. To mitigate the possibility of errors, or the 'donkey vote', where electors simply number their preferences from top to bottom of the ballot paper, volunteers from all the political parties stand outside polling places with "How-to-vote" cards, with instructions on where to place their preferences if they want to elect the candidate from a particular party. In addition, political party names appear on the ballot papers under the names of their endorsed candidates. As noted above, the incidence of invalid or informal votes, at around five percent, is not as high as it might be, given the complexity and the fact that there is compulsory voting.
- 7.68 As Table 27 below shows, the number of House of Representatives seats won by the major parties can vary considerably for a given share of the first preference vote. This is the partly the impact of preference voting and partly an effect of single-member constituencies. The table shows that the Labor Party, for example, won 49 seats with 38.7 percent of the vote in 1996 (the year it lost power), but 65 seats with 37.8 percent of the vote in 2001. In 2004, it lost five seats, with 0.2 percent less of the vote. According to the Australian Electoral Commission²⁰² 61 out of the 150 seats in the House of Representatives were decided by preference votes in the 2004 election. Of the largest parties that did not win seats the Greens (7.2 percent of first preference votes) strongly favoured Labor (80.8 percent of second preference), while Family First (2 percent of first preference votes) preferred the Liberal/National coalition in 66.6 percent of cases.

Table 27

Australian House of Representatives election results 1993-2004²⁰³

Year	Liberal/National		Labor	
	1st preference votes	Seats (%)	1st preference votes	Seats (%)
2004	46.7	87 (58.0)	37.6	60 (40.0)
2001	42.7	82 (54.7)	37.8	65 (43.3)
1998	39.5	80 (53.3)	40.1	67 (44.7)
1996	47.2	94 (62.7)	38.7	49 (32.7)
1993	44.0	65 (43.3)	44.9	80 (53.3)

(2007 election not included)

- 7.69 The National Party, during this period, won between 12-18 seats (1996 the peak, 2004 the low). Its share of the first preference vote ranged from 8.2

percent in 1996 to 5.3 percent in 2001. In 2004 it won fewer first preference votes than the Greens. The Greens did not win any seats. Independents won between one to five seats. The most recent election was held in late 2007 but due to time constraints an analysis has not been included in this review.

- 7.70 The Australian electoral system, therefore, appears to allow for relatively stable two party government, with greater political diversity provided by the Senate. The preference systems for elections to both chambers are complex if fully exercised, but there is a simpler list based alternative for Senate elections and the political parties themselves play an active role in promoting voters' understanding of the processes.

(vi) Sweden

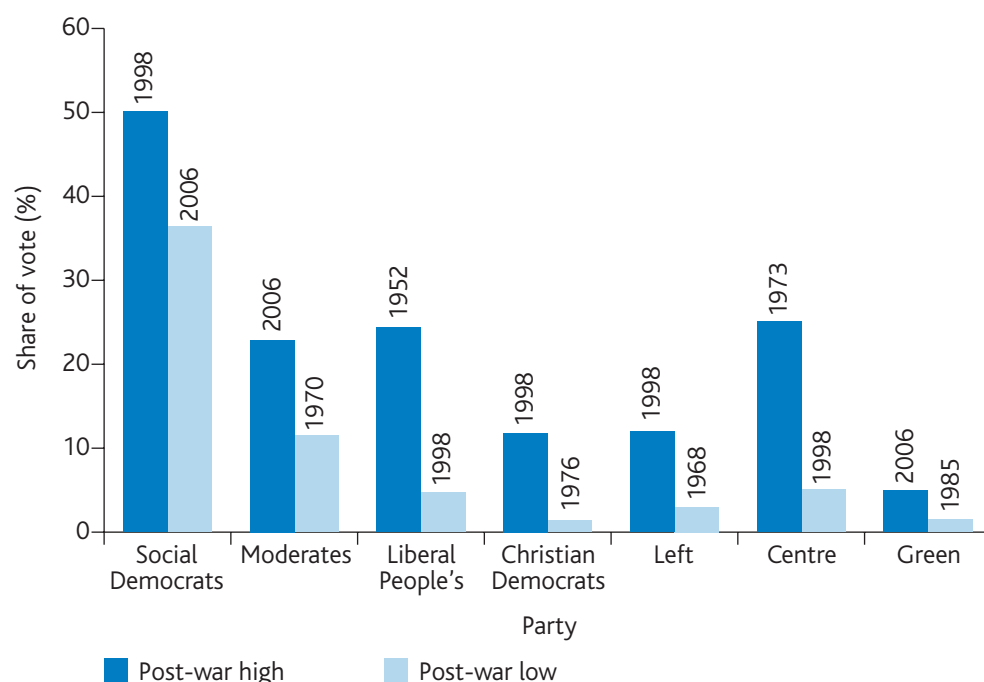
- 7.71 On a national level Sweden holds elections to its legislature, the *Riksdag*, every four years (it was every three years between 1970 and 1994). Local elections take place at the same time. A proportional list system, in 29 multi-member national electoral districts is used. Three hundred and ten members are elected to these districts, with the other 39 seats allocated in order to make the distribution of seats more proportional. There is a threshold for representation of either 4 percent of the national vote, or 12 percent of a single electoral district.
- 7.72 Ballot papers in Sweden are provided by the parties, though paid for by the Government if the party in question has won at least one percent of the vote in one of the previous two national elections. The voter has a choice of three ballot papers, any one of which can be used to vote. One ballot has the name of a party and its list of candidates. The voter makes a mark against a preferred candidate. Another has the name of a party only. The third is a blank paper, on which the voter can write in his or her preferred candidate.
- 7.73 Although a large number of parties stand for election, the seven parties in the 2002 *Riksdag* have dominated since 1982, which was the first time that the Green party was elected. The one exception was when the New Democracy Party won 6.7 percent of the vote and 24 seats in 1991. The Christian Democrats are a relatively recent phenomenon (the party was formed in 1964), winning its first seat in 1985. The other five parties have all been permanent fixtures since 1917.
- 7.74 The Swedish General election was held on 17 September 2006 and saw the minority Government of Göran Persson's Social Democratic Party and their left-wing allies narrowly defeated by the centre-right alliance. Göran Persson had been Prime Minister for 10 years and his party had been in power since the 1994 election.

Table 28
Swedish Riksdag election results 2006²⁰⁴

Party	% Votes	Seats (%)
Social Democrats	35.0	130 (37.2)
Moderates	26.2	97 (27.8)
Centre	7.9	29 (8.3)
Liberal People's	7.5	28 (8.0)
Christian Democrats	6.6	24 (6.9)
Left	5.9	22 (6.3)
Green	5.2	19 (5.4)

- 7.75 Fredrik Reinfeldt, leader of the Moderates, was appointed Prime Minister by Parliament in the beginning of October 2006. The centre right parties (The Moderate Party, The Liberal People's Party, The Christian Democrats, and The Centre Party) now together form a majority Government.
- 7.76 The Social Democrats have been the leading party in the majority of Swedish Governments since the Second World War, with Social Democrat Prime Ministers for all but the six years between 1976-1982 and the three years from 1991-1994. The Social Democrats have consistently won the largest share of the national vote, with a post war high of 50.1 percent in 1968, and a low of 35.0 percent at the 2006 election that, despite being the largest share of votes, was low enough to remove them from government.

Figure 8
Share of national vote in Sweden by main parties – highs and lows²⁰⁵



7.77 Overall, Sweden has combined a proportional electoral system that allows the strength of parties to ebb and flow over time, with stable coalition or minority government, generally dominated by the Social Democrats. Turn-out remains high at around 80 percent, although this is below the 1970s peak of 90 percent.

D British Columbia & Ontario – Asking citizens to review the voting system

7.78 Prior to the provincial elections in British Columbia in 2001, the Liberal Party, who were then in opposition, made a commitment to appoint a Citizens' Assembly on electoral reform to assess all possible models for electing members of the Legislative Assembly (MLAs), including preferential ballots, PR and the prevailing electoral system, FPTP. The Citizens' Assembly would have a mandate to hold public hearings throughout British Columbia. If it recommended change to the electoral system, the option would be put to a province-wide referendum.

7.79 All of this transpired following the Liberals' landslide victory in the 2001 provincial elections, where they won 77 of the legislature's 79 seats, therefore winning power from the New Democrats.

7.80 Under FPTP, British Columbia had frequently experienced significant swings in seats for the main parties from election to election. In the post war period until 1991, the dominant two parties were the New Democrats and the Social Credit Party. The Social Credit Party collapsed in 1991, winning only seven seats out of 75, with the Liberals emerging as the second party with 17 seats, having won no seats for the previous three elections. Results since 1991 have been as follows.

Table 29
British Columbia election results since 1991²⁰⁶

Party	Votes (%)	Seats	%
1991			
NDP	40.7	51	68.0
Liberals	33.3	17	22.7
Social Credit	24.1	7	9.3
1996			
NDP	39.6	39	52.0
Liberals	41.8	33	44.0
3 other seats won by small parties			
2001			
NDP	21.6	2	2.5
Liberals	57.6	77	97.5
2005			
NDP	41.5	33	41.8
Liberals	45.8	46	58.2

7.81 In 2001 the Greens won 12.4 percent of the vote, and in 2005, 9.8 percent, but no seats.

7.82 These results show some highly disproportional results under FPTP, particularly in 2001, with the ruling NDP being reduced to two seats, so that it could not even qualify as an official opposition. In 1996, the Liberals won the largest proportion of the popular vote, but lost out to the NDP on seats. While it is reasonable to assume that the 1996 result may have been a reason for the Liberals' proposal for a Citizens' Assembly, it stuck to its plans having won the 2001 landslide.

7.83 The Citizens' Assembly was created in 2003. The British Columbia legislature unanimously appointed Jack Blaney, former president of Simon Fraser University, to the Chair of the Assembly. Members of the Assembly were

chosen at random from the province's 79 electoral districts (though names were grouped by age and gender, to ensure a good mix) and included two randomly selected First Nations (aboriginal) members. Elections BC, which runs BC elections, ensured impartiality. Eventually 161 Assembly members were selected. The members underwent a three-month learning programme and then embarked on a range of consultative exercises – public hearings, written submissions, and a deliberative phase, including a mandate to look at electoral systems in other jurisdictions around the world.

7.84 The Citizens' Assembly, following its deliberations, recommended that British Columbia should move to STV – "BC-STV". It did so on the following grounds, which are set out in its December 2004 report, *Making every vote count*.

- BC-STV is easy to use – voters rank candidates in order of preference
- BC-STV gives fair results – each party's share of seats reflects its share of voter support
- BC-STV gives more power to voters – they decide which candidates within a party, or across all parties are elected. Local representation is strengthened as all candidates must work hard to secure votes
- BC-STV gives greater voter choice – choosing more than one member from a riding (BC electoral district) means that voters will select from a greater range of candidates.

7.85 The Assembly recommendations were put to a referendum at the same time as the 2005 provincial elections. Certain thresholds had to be passed for a new electoral system to be introduced: first, 60 percent of the valid votes province-wide had to be in favour of the change; and second, the change needed to receive the support of more than 50 percent of the valid votes in at least 48 (60 percent) of the 79 electoral districts.

7.86 The second of these criteria was met in the referendum, with 77 of the 79 districts having at least 50 percent approval. However, the province-wide threshold of 60 percent was narrowly missed, with 57.7 percent of voters supporting the change to the electoral system. Turn-out at the referendum was 61.5 percent.

7.87 Therefore, there has been no change to the electoral system at this point. However, the BC Premier Gordon Campbell promised a second referendum in 2008. That has now been put back to 2009, to coincide with the next provincial elections, which are now held according to a fixed term of four years.

Ontario – Referendum of 2007 on electoral Reform

7.88 In this section we briefly note recent events in the province of Ontario but a detailed description of the electoral system and outcomes is not provided. Ontario also recently reviewed its voting system, which was subject to a referendum being held on 10 October 2007. Ontario's Citizens Assembly on Electoral Reform²⁰⁸ reporting in May 2007 recommended the Mixed Member Proportional system (MMP or AMS). Under this model the Ontario legislature would expand from 107 to 129 seats. The number of local constituency seats would drop to 90 and 39 seats would be filled via a top-up list. A party would need to achieve a minimum of three percent of the overall vote to receive any seats in the legislature. The Referendum asked voters to choose which voting system Ontario should use to elect members to the provincial legislature, FPTP or MMP. To be adopted it had to receive 60 per cent of all votes cast across Ontario and 50 percent or more of the ballots cast in at least 64 of the 107 ridings.²⁰⁹ However, only 37 percent of the participating electorate and 5 out of 107 ridings voted for the MMP.²¹⁰ These elections had the lowest turn-out levels for Ontario at 52.8 percent. The previous lowest election recorded was in 1923 with 54.7 percent turn-out. It was also the first referendum in 83 years.

E Turn-out under different voting systems

7.89 Figure 3 showed that turn-out in elections under the new electoral systems in the UK had not matched that of the FPTP system for the General election. In this section we draw on the research conducted by Pippa Norris in *Electoral Engineering*. The figures were also used by ICPR in its 2003 report.²¹¹

7.90 Norris's findings are summarised in Table 30 below. The figure that is generally quoted from these findings is that PR systems generally have turn-out about 10 percentage points higher than majoritarian systems. However, this is a selective figure that does not tell the whole story, and gives the highest differential between majoritarian and proportional systems, as closer study of the table below indicates.

Table 30
Electoral systems and turn-out, worldwide 1990s²¹²

Type of electoral system	Mean vote vs VAP	Mean vote vs reg	Number of systems
Alternative vote	65.5	92.9	2
Second ballot	58.5	65.0	21
First past the post	61.2	67.7	43
Single non-transferable	52.6	59.8	2
Block vote	56.5	70.9	9
All majoritarian	60.4	68.3	77
Combined – dependent	66.6	71.9	7
Combined – independent	63.5	69.0	19
All combined	64.0	70.4	26
List PR	70.0	74.7	59
STV	83.4	81.7	2
All PR systems	70.0	74.6	61
All systems	65.0	70.8	164

Mean vote vs VAP: number of valid votes as proportion of voting age population.

Mean vote vs reg: number of valid votes as a proportion of the registered electorate.

Combined systems: equivalent to mixed or additional member systems. Note no control is made for countries where voting is compulsory (Belgium, Cyprus, Luxembourg & Australia).

7.91 Some key observations:

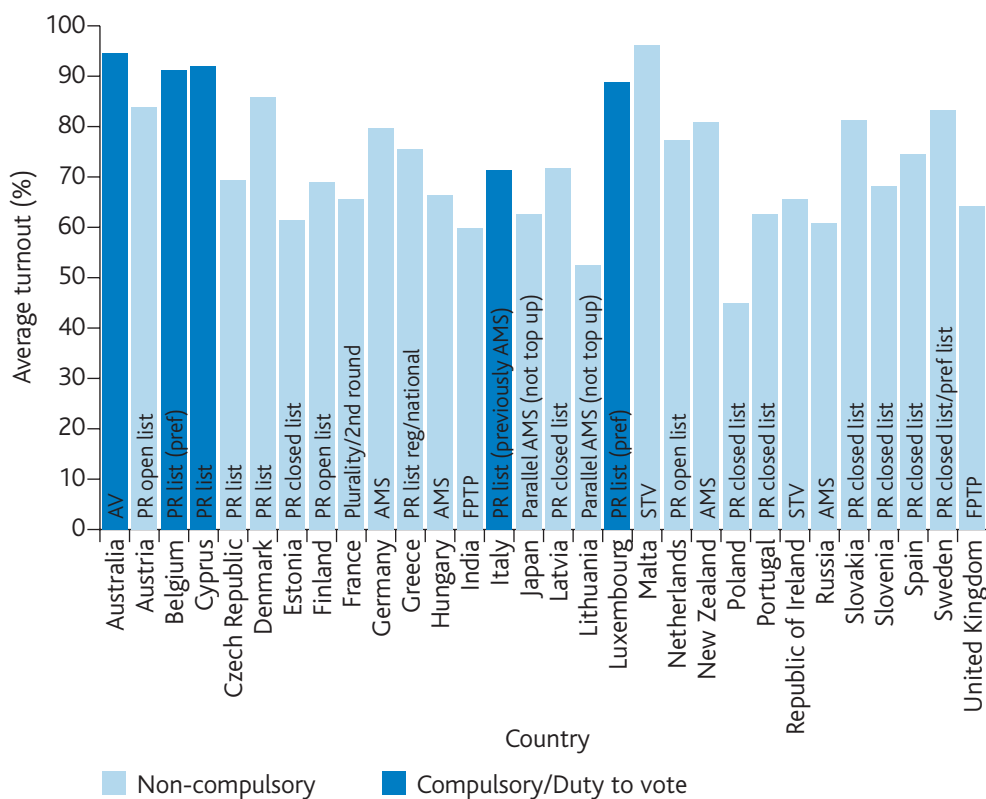
- the 10 percent differential is the difference between majoritarian and STV/ list systems (and a few other PR variants). It does not include AMS, which can be as proportional as some list systems, but appear to have lower turn-out
- the 10 percent differential is for turn-out using voting age population as a denominator. Many people tend to measure turn-out as a percentage of the registered electorate
- using registration as the denominator, majoritarian systems have turn-out that is 2.1 percentage points below that of AMS and 6.3 percentage points below STV and list systems. If we combine the AMS and PR systems and simply find the mean figure for turn-out, it is 73.4 percent. So the differential reduces to 5.1 percent.

7.92 So, turn-out differences between majoritarian systems – calculating turn-out as a percentage of the registered electorate – varies according to the specific systems one is comparing, but five percent is probably a reasonable average differential worldwide in the 1990s.

7.93 Figure 9 below shows average turn-out in some of the larger democracies across the world and in the European Union countries. The figures are a simple mean average of the past three national elections in those countries.

Figure 9

Average turn-out (%) over past three elections in selected countries²¹³



7.94 Leaving aside those countries with compulsory voting, the highest levels of turn-out are mostly in countries with some form of list system, many of them closed list, where voters do not get a choice of which candidates to vote for. Equally, some of the countries with the lowest turn-out in the EU also had closed list systems. Overall, this suggests that in Europe at least, the type of electoral system is not a particularly good predictor of relative turn-out.

7.95 Analysis undertaken by IDEA looking at average turn-out in Western Democracies since 1945 for the nine major electoral systems used around the world states that there is a relatively small difference between the two most widely used systems, List PR turn-out at 73 percent and FPTP turn-out at 67 percent.²¹⁴ With a six percentage point difference, this is similar to our findings above.

7.96 Research shows that in countries with PR systems, turn-out is slightly higher than for countries with FPTP, particularly those operation List PR systems.

Mixed systems perform somewhere in the middle. These findings should also be considered alongside the findings in Chapter 6 about the multiple and complex factors that impact on voter turn-out and that the voting system is not the only influencing factor.

F Conclusions

- 7.97 Internationally, turn-out under proportional systems is on average about five percent higher than for majoritarian systems (principally, but not exclusively, FPTP). This differential cannot be attributed solely to the voting system, as set out in the section on participation in Chapter 6 with other multiple factors impacting on voter turn-out. Countries in Europe with relatively high turn-out are those that operate closed list systems, which make the least connection between individual candidates and constituents, a feature valued highly in the context of the UK.
- 7.98 The international examples studied in this review reinforce the view that the political culture rather than the voting system determines the number of parties in parliament, the longevity of governments and political behaviour. The voting systems are more likely to be enablers for change, rather than the causes of change. While PR enables a greater number of parties to be represented, with the likelihood of coalition governments, the longevity of represented parties differs by political contexts.
- 7.99 New Zealand provides a particularly interesting case study because it changed from FPTP to the MMP system as recently as 1996. There have been some important changes, with majority governments being replaced mainly by minority administrations supported by other parties in Parliament, with the role of the parliament in policy making and scrutiny being strengthened. There have also been other developments in New Zealand which proponents of PR might not have expected. After an initial small boost, turn-out has fallen below the rates under FPTP. Mobilisation of political parties has also fallen, according to academic studies – fewer people now report being contacted by parties, particularly in person. Innovative coalition agreements have been formed in ways sometimes unexpected.
- 7.100 Coalition formations in the Netherlands and Italy have resulted in greater volatility than in the case of Sweden and Germany (except for the close contest of the last election in Germany). Recent elections in the Republic of Ireland provide examples of stable coalition governments without any need for early elections.

7.101 In British Columbia a Citizens' Assembly was formed to investigate a change to the voting system and make proposals. It recommended a change from FPTP to STV, and this was put to a referendum in the province. A majority of voters elected for change, but the majority fell just short of the 60 percent threshold. Another referendum is scheduled for 2009. Voters in the Ontario referendum for the provincial government in October 2007 voted in favour of retaining the current FPTP over introducing a new MMP (AMS) system with a majority of 63 percent.

Acronyms

AEA	– Association of Electoral Administrators
AMS	– Additional Member System
APE	– Audit of Political Engagement
AV	– Alternative Vote
AV+	– Alternative Vote Plus top-up (voting system proposed by the Jenkins commission)
BC	– British Columbia
BME	– Black and minority ethnic
BNP	– British National Party
CDA	– Christian Democratic Appeal (Netherlands)
CDU	– Christian Democratic Union (Germany)
CSU	– Christian Social Union (Germany)
DCA	– Department for Constitutional Affairs
DUP	– Democratic Unionist Party (Northern Ireland)
DV	– Deviation from proportionality
ECJ	– European Court of Justice
ERS	– Electoral Reform Society
EU	– European Union
FDP	– Free Democrats (Germany)
FPTP	– First past the post
GLA	– Greater London Authority
IDP	– Index of democratic power
LPF	– List Pim Fortuyn (Netherlands)
MEP	– Member of the European Parliament
MLA	– Member of the Legislative Assembly
MMP	– Mixed Member Proportional System
MP	– Member of Parliament
MSP	– Member of the Scottish Parliament

NEF – New Economics Foundation

PR – Proportional representation

SER – Scottish Elections Review (Gould Review)

SDLP – Social Democrats and Labour Party (Northern Ireland)

SDP – Social Democratic Party (Germany)

SMDS – Single member district

SNP – Scottish National Party

SOLACE – Society of Local Authority Chief Executives

STV – Single Transferable Vote

SV – Supplementary Vote

TD – Teachta Dála

UK – United Kingdom

UKIP – UK Independence Party

UUP – Ulster Unionist Party (Northern Ireland)

ANNEX A – Summary of selected voting systems²¹⁵

Additional Member System (AMS), Mixed Member System (MMS), and Mixed Member Proportional (MMP)

Summary:
These all refer to essentially the same system, where some proportion of the seats are directly elected and the remainder are drawn from larger areas to increase proportionality. Electors cast two votes – one for a constituency representative and one for a party list. The percentage of list votes obtained by each party determines their overall number of representatives and is used to top-up the number of constituencies won to the required degree of proportionality. The constituency or directly elected members are usually elected by first past the post; the list element is usually closed.

Example (AMS):
Five parties stand for election – Party A, Party B, Party C, Party D and Party E. At the polling booth, voters cast two votes – one for a constituency representative and one for a party list. Constituency members are elected by first past the post (see below) and the results are as follows:

	Party A	Party B	Party C	Party D	Party E
Constituency seats	4	3	2	0	0

Additional members (regional seats) are elected using a closed party list and are tallied as follows:

	Party A	Party B	Party C	Party D	Party E
Party list (No of votes)	800	500	900	500	80

The number of votes cast for each party list is divided by the number of constituency seats gained plus one (d'Hondt method). For example, Party A gained 4 constituency seats so the party list vote is divided by 5. Once that calculation is complete, the party with the highest regional figure gains the first regional seat. The results of the regional list election are below:

	Party A	Party B	Party C	Party D	Party E
Round 1	160	125	300	500	80
Round 2	160	125	300	250	80
Round 3	160	125	225	250	80
Round 4	160	125	225	166	80
Round 5	160	125	180	166	80

Result:

Party A: 4 constituency seats and 0 regional seats = 4 MPs

Party B: 3 constituency seats and 0 regional seats = 3 MPs

Party C: 2 constituency seats and 3 regional seats = 5 MPs

Party D: 0 constituency seats and 2 regional seats = 2 MPs

Party E: 0 constituency seats and 0 regional seats = 0 MPs

Alternative Vote (AV)*Summary*

Voters fill in a ballot paper by marking their ballot paper 1,2,3 etc against their most preferred individual candidates in a single member seat. Winning candidates must get more than 50% of the votes as the second and later preferences of the least successful candidates are counted in turn.

Example:

Three parties stand for election – Party A, Party B and Party C. At the polling booth, voters list each party in order of preference. On election day, 120 people turn-out to cast their vote. The votes are counted and tallied as follows (third preferences have been omitted for the sake of simplicity):

	42 voters	17 voters	10 voters	51 voters
1st preference	Party B	Party A	Party A	Party C
2nd preference	Party A	Party B	Party C	Party A

The first preferences are counted and the results are:

Party A = 27, Party B = 42, Party C = 51

No candidate has the 61 votes needed to win an outright majority. Party A has the fewest votes, so is eliminated. The votes of those who put Party A as their first preference are then re-distributed to their second preference nominations. In this example, 17 votes are transferred to Party B and 10 votes are transferred to Party C. After this process, the new result is:

Party B = 59, Party C = 61

Alternative Vote Plus or Top-up (AV+)*Summary:*

This is an AMS system, with two modifications (proposed by the Jenkins Commission). Firstly the constituency members are elected by alternative vote rather than first past the post. Secondly, the lists used to elect top-up members are semi-open.

First past the post (FPTP)*Summary:*

Voters fill in a ballot paper by marking an X against a single candidate. Winning candidates must get more votes than any other candidate in the constituency (a plurality, but not necessarily a majority).

Example:

Three parties stand for election – Party A, Party B and Party C. At the polling booth, voters mark a cross next to their preferred party. On election day 120 people turn-out to cast their vote. The votes are counted and tallied as follows:

	Party A	Party B	Party C
Votes received	39	48	33

Result: Party B received the most votes and wins the election.

List Systems

Summary:

There are considerable variations in the different types of list systems but the basic principle behind them is that the proportion of votes that each party receives determines the number of seats it can fill.

Each party draws up a list of candidates in each constituency and the size of the lists is based on the number of seats to be filled. Since the basis of the list system is a vote for a party rather than a candidate, the type of list that is used is the means of determining the allocation of seats between the party candidates. There are three main types:

- Closed list systems: voters choose their preferred party list (voters vote for parties rather than candidates)
- Semi-open list systems: voters may vote either for the list as published or for a candidate on the list (the vote for a candidate counts as a vote for the party)
- Open list systems: voters may vote for a candidate (candidates are not ranked in order of preference by parties. Personal votes have an influence on candidate rank order).

Semi-open and open lists can also allow preferential voting (ranking candidates by order of preference).

Different electoral formulas are used in different list PR systems. See Annex B for a summary of a selection of electoral formulas.

Single Transferable Vote (STV)

Summary:

Voters fill in a ballot paper by marking their ballot paper 1,2,3 etc against their most preferred individual candidates across any party or combination of parties. Winning candidates must obtain a 'quota' of support so as to qualify for one of the seats in a constituency.

Example:

Five parties stand for election – Party A, Party B, Party C, Party D and Party E. There are 3 seats to be allocated. At the polling booth, voters list each party in order of preference. On election day, 20 people turn-out to cast their vote. The votes are counted and tallied as follows (some lower preferences have been omitted for the sake of simplicity):

	7 voters	3 voters	1 voter	5 voters	2 voters	2 voters
1st preference	Party A	Party B	Party C	Party D	Party E	Party C
2nd preference	Party B	Party A	Party D	Party C	Party D	

In an STV election, a quota is the minimum number of votes a candidate must receive in order to be elected. Using the Droop quota, with 20 voters and 3 seats to be allocated, the quota is 6.

When ballots are counted the results are as follows:

	Party A	Party B	Party C	Party D	Party E
Round 1	7	3	3	5	2
Round 2	1	9	3	5	2
Round 3	1	9	3	5	2
Round 4	1	9	3	7	

Round 1: Party A meets the quota and is elected.

Round 2: Party A's surplus votes are all transferred to Party B. This causes Party B to reach the quota and be elected. There are no surplus votes from Party B.

Round 3: None of the remaining candidates has reached the quota, so Party E, which has the fewest votes, is eliminated.

Round 4: Party E's second preference votes are transferred to Party D. This causes Party D to reach the quota and be elected to the final seat. Party C is eliminated.

Result: Party A, Party B and Party D are elected.

Supplementary Vote (SV)*Summary:*

Voters fill in a ballot paper by marking an X against their first preference candidate and, if they want to, against a second preference candidate. A winning candidate must either: 1) get majority (50.1%) support from voters' first preferences, or 2) obtain majority support following one or more redistributions of the second preferences of voters backing the bottom candidates, or 3) be the leading candidate after one or more such redistributions of second and subsequent preferences of voters backing the bottom candidates.

Example

Four parties stand for election – Party A, Party B, Party C and Party D. At the polling booth, voters rank at least one and no more than two candidates in order of preference. On election day, 120 people turn-out to cast their vote. The votes are counted and tallied as follows:

	45 voters	15 voters	20 voters	40 voters
1st preference	Party A	Party B	Party D	Party C
2nd preference	Party D	Party C	Party A	Party B

The first preferences are counted and the results are:

Party A = 45, Party B = 15, Party C = 40, Party D = 20

No candidate has the 61 votes needed to win on majority, so all Parties except the two with the most votes are eliminated. In this case, Party B and Party D are eliminated and their second preference votes are distributed. After this process, the new tallies are:

Party A = 65, Party C = 55

Result: Party A now has an overall majority and wins the election.

Two Round System (second ballot or runoff voting)*Summary:*

Voters fill in a ballot paper by marking an X against their preferred candidate. If no candidate receives an absolute majority of votes, then all candidates, except the two with the most votes, are eliminated, and a second round of voting occurs. A winning candidate must either: 1) get majority (50.1%) support from the first round of voting, or 2) obtain majority support following the second round of voting.

Example

Four parties stand for election – Party A, Party B, Party C and Party D. On election day, 100 people turn-out and cast their vote for their preferred candidate. The votes are counted and tallied as follows:

	Party A	Party B	Party C	Party D
No. of votes	43	35	16	6

At the end of the first round of votes, no Party has an absolute majority, so the two Parties with the most votes, Party A and Party B, proceed to a second round, while Party C and Party D are eliminated. The people who voted for Party C and Party D must now vote for one of the remaining candidates. The results of the second round of votes are:

	Party A	Party B
No. of votes	47	53

Result: Party B now has an absolute majority and wins the election.

Annex B – Summary of selected electoral formulas

Different electoral formulas are used in different list PR systems, producing different results in terms of proportionality, large-party bonus and so on. Electoral formulas separate into:

- *Highest average systems* – uses divisors, of which the main two are d'Hondt and modified Sainte-Lague. Pure Sainte Lague (known in the USA as the Webster method) is used in New Zealand; and
- *Largest remainder systems* – referred to in the USA as the Hamilton method. This approach uses an electoral quota, the most common of which are Hare and Droop. Italy used the Imperiali quota until 1993.

Highest average systems

d'Hondt Formula

Summary:

This system allocates seats in successive rounds. In each round, votes cast for each party are divided by the number of seats the party has already been allocated, plus one. For the party which won a seat in the previous round, the amount derived from that calculation is removed from its total. The party with the highest remaining total in the round wins the seat.

Example:

The formula for the quotient is $\text{Votes} / (\text{Seats} + 1)$ where:

- Votes is the total number of votes that party received; and
- Seats is the total number of seats that the party has been allocated so far. At the start of the calculation, this will be zero for all parties in a list only ballot, but will include the number of seats that the party has already won where this process is combined with a separate ballot).

See below for a worked example:

Round	Party A	Party B	Party C
1	700	400	300
2	350	400	300
3	350	200	300
4	233	200	300
5	233	200	150

The winners of each round are in bold. Party A wins the first round and so wins a seat. Its vote for the second round is halved ($1 \text{ seat} + 1 = 2$). The other parties' votes remain unchanged for the second round. Party B then wins the second round, so its vote is similarly halved for the third round. Party A wins the third round, winning a second seat, so for the fourth round its vote is divided by 3 ($2 \text{ seats} + 1 = 3$), giving 233 votes ($700 / 3 = 233$ to the nearest whole number).

Result: Party A wins 3 seats, Party B wins 2 seats and Party C wins 1 seat.

Sainte-Laguë*Summary:*

The Saint-Laguë method of the highest average is one way of allocating seats proportionally with party list voting systems. The Sainte-Laguë method is a divisor method, in the same manner as the d'Hondt method. However, the divisor is calculated using a different formula.

Example:

After all the votes have been tallied, successive quotients are calculated for each party. The formula for the quotient is $\text{Votes} / (2 \times \text{Total Seats} + 1)$ where:

- Votes is the total number of votes that party received; and
- Total Seats is the number of seats that the party has been allocated so far. At the start of the calculation, this will be zero for all parties.

The party with the highest quotient is allocated the next seat. Their quotient is then recalculated because their seat total has increased. This process is repeated until all the seats are allocated.

Largest remainder systems**Droop quota***Summary:*

A quota is the minimum number of votes required for a party or candidate to capture a seat. The Droop quota is most commonly applied in elections that take place using the STV system. Elections held under the largest remainder method of party-list PR may also use the Droop quota. It is named after its inventor, Henry Richmond Droop.

Example:

The formula for the Droop quote is $\text{Votes} / (\text{Seats} + 1)$ where:

- **Votes** = Total number of votes cast in the election.
- **Seats** = Total number of seats to be filled in the election.

Hare formula (simple quota)*Summary:*

The Hare formula is used under some forms of STV as well as the largest remainder method of party-list PR. The English lawyer and mathematician Henry Richmond Droop devised his Droop quota (see above) as an improvement on the Hare quota. The Hare quota is today rarely used with STV. It is still often used in party list election systems.

Example:

The formula for the Hare quota is **Total Votes/Total Seats** where:

- Total votes = Total number of votes cast in the election.
- Total seats = Total number of seats to be filled in the election.

Imperiali quota*Summary:*

The Imperiali quota is a formula used to calculate the minimum quota of votes required to capture a seat in some forms of STV or largest remainder method PR voting systems. Typically its effect is kinder to larger parties than using the Droop quota or Hare quota. It produces smaller numerical quotas, which creates a risk that more candidates will be elected with full quotas than there are seats. Indeed, in a two-list election, or in an STV election, it is inevitable that the wrong number of candidates will be elected, requiring some further adjustment. This flaw means that it is rarely used.

Example:

The Imperiali quota is:

Total Votes/Total Seats + 2

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- no useful fixed *maximum* value. This limitation is a serious one, since ideally we want our indices to run from 0 to 100 per cent. In fact a DV score of 100 per cent can only occur if all the seats go to a party that gets no votes at all, a nonsensical result in a liberal democracy and hence not a relevant point of reference against which to measure performance." Dunleavy, P., & Margetts, H., 'How Proportional are the 'British AMS' Systems' in *Representation*, Vol. 40, No 4, McDougall Trust, 2004.
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