



## News release: embargoed until midday on Tuesday 9 December 2014

### Reforming electoral law across the UK

In a consultation opening today the Law Commissions of England and Wales, Scotland and Northern Ireland set out provisional proposals for reforming the law that governs the conduct of elections and referendums across the UK.

Electoral law in the UK is spread across 25 major statutes. It has become increasingly complex and fragmented, and difficult to use. The last century has seen a steady increase in the numbers and types of election. Today we may be asked to vote – at the same time – for a range of representatives. We could be casting votes for our local mayor, police and crime commissioner and councillors while also voting for our MP, MSP or MLA, Welsh or London AMs or our MEPs. Each of these election types comes with its own set of rules and systems, and combining them to produce one election event introduces yet more layers of electoral laws.

The Law Commissions are seeking views on potential reforms that will modernise and rationalise electoral law. Their consultation looks at the management and oversight of elections, notice of elections and the polling process, as well as registration of electors, management of postal voting applications, and how and when an election can be challenged. All the Commissions' provisional proposals for reform are founded on two principles:

- the laws governing elections should be rationalised into a single, consistent legislative framework governing all elections, and
- electoral laws should be consistent across all types of election.

Nicholas Paines QC, Law Commissioner for public law, who is leading the project for the Law Commission of England and Wales, said: "Elections are fundamental to democracy. They are the mechanism by which citizens exercise their democratic rights. The price we pay as a democracy when the electoral process loses credibility is high and potentially catastrophic.

"It is clear that electoral law is in need of reform. Inconsistencies and ambiguities risk undermining the credibility of our electoral process. The law must be simplified, modernised and rationalised so that it can be more easily understood and used by administrators and candidates, and public confidence in electoral administration can be strengthened."

Lord Pentland, Chairman of the Scottish Law Commission, said: "The Scottish Law Commission entirely agrees that it has become essential for electoral law throughout the UK to be streamlined and put into a modern, accessible and user-friendly format, which is fit for the 21st century. We have, therefore, been delighted to participate fully in this important law reform project. We look forward greatly to receiving a wide range of responses to the consultation exercise."

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Dr Venkat Iyer, the Law Commissioner leading on the project for Northern Ireland, said: "UK Parliamentary and European Parliamentary elections, as well as UK-wide referendums, are subject to rules across jurisdictional borders. We are very pleased to be conducting this timely review in partnership with our colleagues in the Law Commission for England and Wales and the Scottish Law Commission."

The consultation is open until 31 March 2015.

#### **Notes for editors**

1. The Law Commission and the Scottish Law Commission are non-political independent bodies, set up by Parliament in 1965 to keep all the law of England and Wales and of Scotland under review, and to recommend reform where it is needed.
2. The Northern Ireland Law Commission exists to review areas of the law and to make recommendations for reform. It was established under the Justice (Northern Ireland) Act 2002 (as amended by the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010), and was set up in 2007 following the recommendations of the Criminal Justice Review Group.
3. For more details on this project, visit:
  - <http://lawcommission.justice.gov.uk/areas/electoral-law.htm>
  - <http://www.scotlawcom.gov.uk/law-reform-projects/joint-projects/electoral-law/>
  - [http://www.nilawcommission.gov.uk/index/current-projects/electoral\\_law\\_reform.htm](http://www.nilawcommission.gov.uk/index/current-projects/electoral_law_reform.htm)
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