



Sir Alistair Graham  
Chair  
Committee on Standards in Public Life  
35 Great Smith Street  
London SW1P 3BQ

15 May 2006

Dear Sir Alistair,

**Review of The Electoral Commission**

The Hansard Society is pleased to contribute to the Eleventh Inquiry of the Committee on Standards in Public Life: The Review of the Electoral Commission.

It should be noted at the outset that the Hansard Society values a very close working relationship with the Electoral Commission since its inception. In particular, we work closely on areas relating to democratic engagement, the involvement of young people, and piloting new projects. We have been recipients of funding from the Commission for a number of projects and we are working on a number of ongoing projects in partnership with the Commission.

**1. The Mandate of The Electoral Commission**

The Electoral Commission was set up with a dual function, which now seems somewhat difficult to manage: that of regulator and enforcer of the *Political Parties, Elections and Referendums Act* (PPERA) and that of educator, to promote public awareness and involvement in the democratic system.

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This difficulty stems from the fact that while the role as regulator or "watchdog" is clear, that as educator is less so. The role of regulator is unique to the Electoral Commission, while that as educator is shared with a crowded field where various non-profit organisations, educational institutes and academics are researching matters covered by the Commission and instigating activities to enhance awareness and involvement in the democratic system. This is not to say that it is inappropriate for the Commission to carry out this work, but we are concerned at the risk of duplicating other's work and suggest that the Commission would better act as a coordinating body on these matters.

The distinct role of the Commission would perhaps be clarified if the Commission could define this role as information provision and be the source of funding to outside bodies to actually carry out the activities. We believe this is the direction the Commission is moving towards with its new 'Partnership' grants but it is worth noting here because there are occasions where the confused educator role gets in the way of that of the clear regulator function. We understand the need to fulfil the requirements of promoting awareness under the PPERA but suggest that this now needs further clarification for example, to continue to conduct original research unique to the Commission such as the Audit of engagement, and the exchange of best practice in the field.

Although the Electoral Commission is tasked with building public awareness of electoral matters, there have been instances where this has also been carried out by central government departments. It is unclear in these cases who is responsible for the public awareness programmes and why overlaps exist between them.

## **2. Governance of The Electoral Commission**

It is entirely appropriate that the Chair, Commissioners and staff of The Electoral Commission are independent of any political party. However, we believe that the "ten year rule" is overly long. The Commission is necessarily working in a political environment and our experience with the Commission has demonstrated that a "five year rule" in relation to active political involvement might be more appropriate for commissioners and staff.

### 3. Accountability of The Electoral Commission

We support the idea in principle of accountability to a committee in Parliament. However, the current arrangements do not present the ideal situation. It would be more appropriate for the Commission to be accountable to a different sort of committee that can sit in public in the same way that other regulators are accountable to committees in Parliament. The role of the Electoral Commission as a regulator demands unqualified support from all within Westminster and Whitehall

A Joint Committee on The Electoral Commission (or ad hoc joint committee) might be more appropriate, especially if it offered representation from the devolved administrations, which also fall within the Commission's remit. This would seem a better way of operating, enabling greater transparency and accountability in the Commissions' reporting to Parliament.

Please do not hesitate to contact us if we can aide your review further in any way.

Yours sincerely



Lord Holme  
Chair



Clare Ettinghausen  
Chief Executive