

Committee on Standards in Public Life Eleventh Inquiry – ‘The Electoral Commission’

Submission of Evidence by

The Referendum Party

No.1, 12th June 2006

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1.0. The Referendum Party welcomes the opportunity provided by the invitation to submit evidence to the Committee on Standards in Public Life, particularly as it was this Committee’s report which was so influential in the setting up of the Electoral Commission following the passing into law of the Political Parties, Elections and Referendums Act 2000

2.0. Our written submissions will be made with reference to four broad themes. These will attempt to deal appropriately and fully with our main areas of concern as seen from our particular viewpoint on:

- the issue of the underlying political reasons for the introduction of PPER 2000 and their effect on future functioning of the Act and of the Electoral Commission
- the reasons, as we see them, for the alienation of the public from the political process
- our view of the performance of the Electoral Commission to date and the future implications of PPER 2000
- possible consequences of future Commission activity and decisions on the possibility of the formation of new political parties that can realistically challenge the dominance and isolation of the three main established parties.

2.1. We believe that it is impossible to properly evaluate the performance of those responsible for setting up and steering the Electoral Commission through its early years without a much more rigorous inquiry into the government of the day’s motives in putting PPER 2000 onto the statute books. In submission No.3 dated 2 March 2006 (point No.9), Dr. Matthew Flinders proposes a mechanism “through which the independence of the Electoral Commission is protected against the Executive’s de facto extensive (but not complete) control of the House of Commons”. It might well be worth while to look back to the unusual political conditions pertaining in 2000 and critically examining how much the brief of the Electoral Commission reflects the will of Parliament, and how much it might in some respects be a consequence of self interest and political contrivance by the leaders of the main parties at the time.

2.2. We have what is possibly a rather different view to most commentators on the reasons for the alienation of so many people from our political process. Our view is based on campaign feedback, particularly from the 1997 general election when over three quarters of a million voters and literally thousands of

activists gave their support to the Referendum Party's attempts to improve the quality and standards of our political life in one particular area. All providers of services are made aware eventually that if you deceive and deliberately lie to your customers they may simply make the decision not to do business with you ever again. From the time of the retrospective referendum on accession to the Treaty of Rome, through to Maastricht, to the promises of a referendum on the euro, to the promises of a retrospective referendum on a constitution for Europe that was intended to be set superior to our own constitution, many people believe that leading politicians in the three main parties have systematically sought to deceive them and, to put it in plain language, to lie to them on the most important issue of our time.

2.3. It is our view that the Electoral Commission has performed with exemplary integrity and almost always with basically sound and pragmatic judgement on the issues that have presented themselves. The one exception to this was the acceptance by the Commission of the government of the day's requirement to produce within a very few days a validation - or a critical rejection - of the wording of a proposed and promised referendum on a European constitutional document that sought and, according to some still seeks, to take precedence over our own constitution. A matter of such constitutional significance surely deserved lengthier consideration. In our view the proposing of the acceptance of such a multi-national document could be considered as treasonous and the wording of the referendum question contained a very deliberate attempt to deceive the electorate.

2.4. As the Referendum Party discovered in 1996/97, the electoral playing field is very steeply inclined in favour of the established main parties. The main means of communication with the electorate is via television and access by political parties to this medium is entirely state controlled. In addition all broadcasters nowadays, including the BBC, seem to have their own political agendas and loyalties. Their bias will always be, for sound commercial reasons as much as political idealism, towards established parties, particularly those with a chance of forming a government or being involved in coalition. We believe that some consideration should be given to the question of whether the Commission is itself raising the entry barriers and entry costs that prevent any realistic possibility of any new party being formed and achieving its legitimate political aims through the ballot box within any time period less than a human lifetime.

3.0. Evaluations of the performance of the Electoral Commission should perhaps take into account the fact that PPER 2000, in setting up the Commission, took away from the people the right to form political parties and run for election to Westminster within only the constraints of the generally applicable law of the land and such specific measures as regulated the setting up of clubs and participation in the electoral process.. This Act took away at the end of the last century our historic right to form political parties without having

to seek state approval. It is very surprising that there has been so little discussion of the underlying reasons for and potential eventual consequences of this Act.