

Agenda – Y Pwyllgor ar Ddiwygio Etholiadol y Cynulliad

Lleoliad: I gael rhagor o wybodaeth cysylltwch a:
Ystafell Bwyllgora 4 – Tŷ Hywel Helen Finlayson
Dyddiad: Dydd Llun, 16 Mawrth 2020 Clerc y Pwyllgor
Amser: 09.45 0300 200 6565
SeneddDiwygio@cynulliad.cymru

Rhag-gyfarfod preifat

(09.45–10.00)

1 Cyflwyniadau, ymddiheuriadau, dirprwyon a datgan buddiannau

(10.00)

2 Systemau a ffiniau etholiadol: tystiolaeth lafar

(10.00–11.00)

(Tudalennau 1 – 78)

Yr Athro Roger Awan–Scully, Pennaeth Gwleidyddiaeth a Chysylltiadau
Rhyngwladol ac Athro Gwyddorau Gwleidyddol, Prifysgol Caerdydd
Jess Blair, Cyfarwyddwr Cymdeithas Diwygio Etholiadol Cymru

Dogfennau atodol:

CAER(5)–7–20 Papur 1 – Termau a chysyniadau allweddol systemau a ffiniau
etholiadol [Saesneg yn unig]

CAER(5)–7–20 Papur 2 – Briff ymchwil [Saesneg yn unig]

CAER(5)–7–20 Papur 3 – Nodyn ar fethodolegau cyfrif etholiadau [Saesneg yn
unig]

CAER(5)–7–20 Papur 4 – Papur gan Gymdeithas Diwygio Etholiadol Cymru
[Saesneg yn unig]



3 Papurau i'w nodi

(11.00)

3.1 Ymatebion i ymgynghoriad y Pwyllgor ar systemau a ffiniau etholiadol

(Tudalennau 79 – 123)

Dogfennau atodol:

ESB 01 Yr Athro Denis Mollison [Saesneg yn unig]

ESB 02 Comisiwn Ffiniau i Gymru

ESB 03 Peter Varley [Saesneg yn unig]

ESB 04 Y Comisiwn Etholiadol

ESB 05 Comisiwn Ffiniau a Democratiaeth Leol Cymru

ESB 06 Cymdeithas y Gweinyddwyr Etholiadol [Saesneg yn unig]

ESB 07 Cymdeithas Diwygio Etholiadol Cymru [Saesneg yn unig]

ESB 08 Plaid Annibyniaeth y Deyrnas Unedig [Saesneg yn unig]

ESB 09 Cyngor Sir Gaerfyrddin

ESB 10 Cyngor Caerdydd

ESB 11 Make Votes Matter [Saesneg yn unig]

ESB 12 Cyngor Sir Benfro [Saesneg yn unig]

4 Cynnig o dan Reol Sefydlog 17.22 i ethol Cadeirydd dros dro ar gyfer y cyfarfod ar 20 Ebrill 2020

(11.00)

5 Cynnig o dan Reolau Sefydlog 17.42(vi) a (ix) i benderfynu gwahardd y cyhoedd o weddill y cyfarfod

(11.00)

6 Systemau a ffiniau etholiadol: ystyried y dystiolaeth

(11.00–11.10)

7 Capasiti'r Cynulliad: y dull o ymgynghori

(11.10-11.20)

(Tudalennau 124 – 130)

Dogfennau atodol:

CAER(5)-7-20 Papur 5 – Y dull o ymgynghori [Saesneg yn unig]

8 Ethol Cynulliad mwy amrywiol: diweddariad ar yr ymchwiliad

(11.20-11.35)

(Tudalennau 131 – 165)

Dogfennau atodol:

CAER(5)-7-20 Papur 6 – Nodyn o gyngor cyfreithiol [Saesneg yn unig]

CAER(5)-7-20 Papur 7 – Nodyn o'r digwyddiad i randdeiliaid [Saesneg yn unig]

CAER(5)-7-20 Papur 8 – Tystiolaeth ysgrifenedig ar ethol Cynulliad mwy amrywiol [Saesneg yn unig]

9 Blaenraglen waith

(11.35-11.45)

(Tudalennau 166 – 174)

Dogfennau atodol:

CAER(5)-7-20 Papur 9 – Blaenraglen waith

Mae cyfyngiadau ar y ddogfen hon

Mae cyfyngiadau ar y ddogfen hon

Yn rhinwedd paragraff(au) vi o Reol Sefydlog 17.42

Mae cyfyngiadau ar y ddogfen hon

Electoral Reform Society Briefing for the Committee on Assembly Electoral Reform

Introduction

The Electoral Reform Society welcomes the establishment of the Committee to consider the recommendations of the Expert Panel and appreciates the opportunity to provide further information on the workings of different electoral systems.

As the Committee is aware, the Expert Panel recommended that the Assembly should be elected by Single Transferable Vote from 2021, if gender quotas were adopted. If not, the Expert Panel recommended that the Assembly should be elected through the Flexible List system of proportional representation.

This briefing draws upon and supplements the Expert Panel's findings by considering: how the different systems work; voter experience; the systems' effects – including their strengths and limitations – on democratic outcomes; effects on voter behaviour; and effects on party behaviour.

The Electoral Reform Society campaigns for the adoption of proportional representation for elections at all levels in the UK by the method of the Single Transferable Vote (STV). For this reason, we are able to offer much more and in-depth evidence on the operation of this particular electoral system.

Choosing an electoral system is a complex decision which usually involves trade-offs among competing criteria – no voting system is perfect. The fundamental premise of any system is to convert the preferences of voters into as accurate a representation as possible, with the business of government subsequently flowing from that. In their considerations, the Expert Panel were guided by the following principles against which they evaluated different electoral systems:¹

1. **Government accountability and effectiveness:** the system should encourage the return of effective, accountable and stable governments, whether majorities or coalitions.
2. **Proportionality:** the system should be no less proportional than the Assembly's current electoral arrangements, and preferably be more proportional.
3. **Member accountability:** the system should ensure that all Members are clearly accountable to voters and able to represent them effectively and appropriately in the national interest.
4. **Equivalent status:** as far as possible, the system should ensure that all Members are elected with broadly equivalent mandates which afford them equal status.
5. **Diversity:** the system should encourage and support the election of a body of representatives which broadly reflects the population.
6. **Voter choice:** where appropriate within its design, the system should allow voters to select or indicate a preference for individual candidates.
7. **Equivalent mandates:** the system should reflect the general principle of electoral system design that votes should have approximately the same value, with seats apportioned taking electorate numbers and geography into account.

1

<https://www.assembly.wales/NAfW%20Documents/About%20the%20Assembly%20section%20documents/Expert%20Panel%20on%20Assembly%20Electoral%20Reform/A%20Parliament%20that%20Works%20for%20Wales.pdf>

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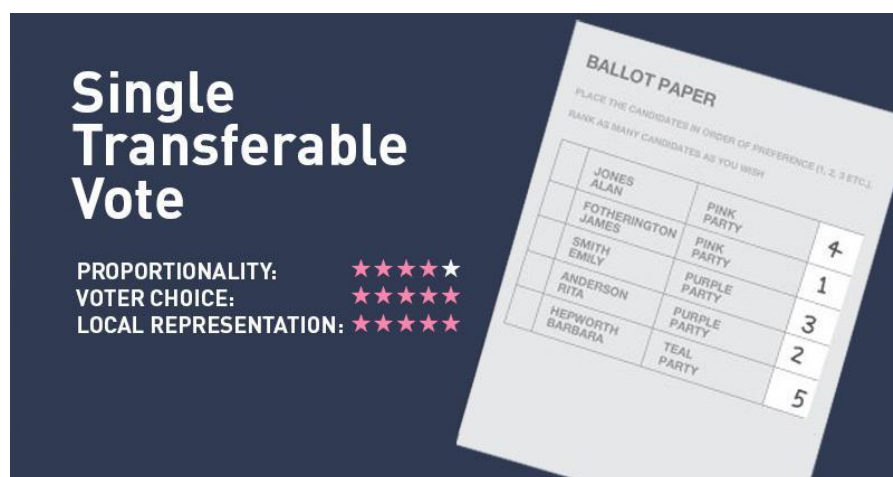
8. **Boundaries:** the system should be based on clearly defined geographic areas which are meaningful to people and take into account existing communities of interest, and existing electoral and administrative boundaries.
9. **Simplicity:** the system should be designed with simplicity and intelligibility for voters in mind.
10. **Sustainability and adaptability:** the system should be able to be implemented in 2021, and subsequently respond and adapt to changing political, demographic and legislative trends, needs and circumstances without requiring further fundamental change in the near future.

While we have done our best to outline changes under different electoral systems, estimating party and voter behaviour, and election results under different electoral systems is a complex endeavour, as changes are contingent upon the specific context in which they occur. In the case of Senedd reform in particular, changes to the electoral system should go hand in hand with an increase in the size of the Assembly (and as a corollary, the question of which boundaries to use). While the Electoral Reform Society has traditionally favoured increasing the number of AMs to 100, we back the Expert Panel recommendation of having 80-90 AMs.

It is worth noting that the Expert Panel did explore three boundary models; the existing 40 Assembly constituencies, the 29 proposed Westminster constituencies and the 22 local authority areas. Each system discussed here would lend itself to a particular boundary system, which we have referenced below.

Regardless of the electoral system that is ultimately chosen, an effective awareness-raising and information campaign, publicity and voter education will be essential to ensuring that Welsh citizens are familiar and comfortable with how their democracy works.

Single Transferable Vote (STV)



Key decisions for voters under STV:

- Under STV electors face just one question with multiple possible answers, the question of what their preferred rank order is of the candidates on the ballot paper?

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Key decisions for parties under STV:

- How many candidates to field in each constituency
- How much freedom to give candidates to run their own campaigns and raise their personal profile independent of their party, while maintaining a coherent party brand and policy platform
- Strategies for ensuring that they maximise the number of seats they win (see details below)

What is STV?

The Single Transferable Vote (STV) is a form of proportional representation created in Britain. Scotland, Northern Ireland, the Republic of Ireland, Malta and Australia use this system for some or all of their elections.

The basis of STV is to give voters a choice of candidates and fair representation for their views. Although STV tries to give voters what they want, it is also fair to candidates and parties in how they can obtain representation.

Rather than one person representing everyone in a small area, as under First Past the Post (FPTP) for example, bigger areas elect a small team of representatives. Given that each constituency will elect more than one member, parties will often stand more than one candidate in each area. These representatives reflect the diversity of opinions in the area.

Voter experience

Under STV, each voter has one vote, but they can rank candidates in order of preference. On election day, voters are presented with a ballot paper which lists the names of the candidates from each party, or of independent candidates. In some cases, candidates are listed on the ballot paper alphabetically – either within or outwith a party, in the case of partisan candidates.² Voters vote by putting a '1' next to the name of their favoured candidate, a '2' next to the name of their next favoured candidate and so on. Voters can rank as many or as few candidates as they like. The numbers tell the people counting to transfer one's vote if their favourite candidate already has enough votes to be elected or stands no chance of winning.











Unlike AMS, STV uses a less complicated single ballot paper. The ballot paper must allow electors to exercise their single votes for their preferred candidates by expressing their first preferences. It must also permit them to indicate, if they desire, their subsequent orders of preference for any of the other candidates. The number of preferences which may be expressed bears no relation to the number of places to be filled. A voting paper is valid providing that a first preference is clearly

² A more in-depth analysis of ballot paper ordering can be found in Gilmour (2018) 'Comparison of Within-Party Voting Patterns in Recent STV Elections in Scotland, Northern Ireland, Ireland and Malta', pre-conference paper for a presentation to the EPOP conference 2018.
https://www.researchgate.net/publication/327702499_COMPARISON_OF_WITHIN-PARTY_VOTING_PATTERNS_IN_RECENT_STV_ELECTIONS_IN_SCOTLAND_NORTHERN_Ireland_AND_Ireland_AND_MALTA

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expressed. Later preferences are contingency choices only, which may or may not be expressed, and, if expressed, may or may not be considered.

There is no evidence to suggest that voters find any of the electoral systems currently used (including STV) too complicated to understand.³ Sometimes the instructions for those running and scrutinising the election are highly detailed, but the instructions to voters are not. Voters more often experience problems when faced with two different elections using different systems on the same day (such as when the 2007 Scottish Parliament and local elections were held on the same day).

EDINBURGH CITY COUNCIL: LEITH WALK WARD		
<p>Four of the candidates listed below will be elected. You can make as many or as few choices as you wish. Put the number 1 in the voting box next to your first choice. Put the number 2 in the voting box next to your second choice. Put the number 3 in the voting box next to your third choice. And so on.</p>		
<p>BALFOUR, Jeremy 6 Featherhall Drive, Corstorphine Scottish Conservative and Unionist Party</p>		<input type="checkbox"/>
<p>BROCK, Deirdre L. 3 Lorne Avenue, Edinburgh Scottish National Party</p>		<input type="checkbox"/>
<p>BUCHANAN, Tom 2 Little Lane, Liberton Scottish National Party</p>		<input type="checkbox"/>
<p>BURNS, Andrew 78 Buccleugh Avenue, Edinburgh Scottish Labour Party</p>		<input type="checkbox"/>
<p>CHAPMAN, Maggie 6 Bellevue Lane, Broughton Scottish Green Party</p>		<input type="checkbox"/>
<p>DUNBAR, William Henry 122 Mountcastle Avenue South, Portobello Independent</p>		<input type="checkbox"/>
<p>FROST, Mark 24 Leadervale Crescent, Liberton Independent</p>		<input type="checkbox"/>
<p>MACLAREN, Marilyn Angela 19/10 Fowler Street, Edinburgh Scottish Liberal Democrats</p>		<input type="checkbox"/>
<p>MILLIGAN, Eric 2 Craighlight Terrace, Edinburgh Scottish Labour Party</p>		<input type="checkbox"/>
<p>MUNN, Rob 67 Montgomery Road Scottish National Party</p>		<input type="checkbox"/>
<p>ROSE, Cameron 21 Blair Close, Edinburgh Scottish Conservative and Unionist Party</p>		<input type="checkbox"/>
<p>WHITTAKER, Judith 3/3 Inverleith Court, Edinburgh Scottish Socialist Party</p>		<input type="checkbox"/>

Sample STV Ballot Paper for Edinburgh City Council.

How it's counted

To be elected, a candidate needs a set amount of votes, known as the quota. At the count, the quota is calculated by dividing the total number of valid ballot papers by the number of people to be elected plus one. For example, with 100 valid ballot papers and 3 places to be filled, the quota would be 25.

³ See Hix, Johnson and McLean, (2010) 'Choosing an electoral system' report prepared for the British Academy Policy Centre.

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The ballot papers are sorted into piles according to the first preferences. Once the counting has finished, if any candidate has more first preference votes than the quota, they are immediately elected. But, rather than ignore extra votes a candidate received after the amount they needed to win, these surplus votes for elected candidates are transferred to each voter's second favourite candidate. To avoid the problem of deciding which of the votes are surplus, all ballot papers are transferred but at a reduced value so that the total adds up to the number of surplus votes.

If no one reaches the quota after the first round of counting, then the least popular candidate is removed. People who voted for them have their votes transferred to their second favourite candidate. This process continues until every vacancy is filled.

This process of transferring surpluses and excluding candidates continues until enough candidates have reached the quota to fill all the places to be elected.

Although the counting process is more complex than with FPTP, it can be done by, or with the help of, a computer and it is a small price to pay for improving the voting power of every single elector.

Effects

Democratic outcomes

The Single Transferable Vote scores very highly across most criteria against which to evaluate an electoral system, in particular proportionality, voter choice, diversity and member accountability. Voters are more likely to have representatives they want and the overall result is likely to be broadly proportional to the number of votes cast for each party. Each area will almost certainly be represented by a number of people from different parties.

Voter choice:

- STV maximises voter choice, allowing voters to express as many or as few nuanced preferences as they wish. Voters are able to rank all the candidates in order of preference, which means few votes are wasted. It also removes the incentive for tactical voting, thus enhancing voter choice. With STV, a voter can safely give their first preference vote to their favourite candidate in the knowledge that, if that candidate cannot win or already has sufficient votes to be elected, the vote will be transferred according to their instructions.
- Unlike AMS and List PR, STV gives voters, rather than parties, power to choose which candidates represent them.

Proportionality:

- STV gives fair representation to political parties in proportion to their support. Under STV, minor parties with a significant degree of support will have a voice. Arguments that 'X can't win here, so vote for Y' no longer apply. Whereas a party's support may be significantly understated under FPTP due to tactical voting, STV ensures that latent support becomes apparent. A party whose vote has in the past been squeezed for tactical reasons can bounce upwards because people are now free to cast first preferences for the party they support, rather than a negative vote to stop the party they like least from winning.
- Two-horse races and safe seats are virtually eliminated. Under STV, parties are incentivised to campaign in all seats, as – depending on their level of support – they might stand a

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chance of being elected. In turn, this leads parties to pay more attention to the local issues affecting voters as a way of obtaining their preferences. Further, it also changes parties' campaigning techniques – being overtly vitriolic about other candidates/parties is unlikely to be helpful in attracting second and lower preferences, and in forming a coalition post-election.

Diversity:

- Parties have an incentive to put up a team of candidates who reflect the diversity of society.
- Because each party typically puts up a number of candidates and voters can choose between them, the voter is not stuck with the party's favourite. They can choose who they think will work hardest; or on the basis of gender or age; or for people they agree with on a particular issue.
- STV with an integrated gender quota could ensure even greater diversity and, in the words of the Expert Panel, 'could therefore be the most appropriate electoral system for Wales.'

Member accountability:

- Unlike List PR, STV maintains the link between an elected representative and a local constituency area. The constituencies are much smaller than the regions used for list seats and the direct link is there as members are chosen, as individuals, by the voters.

In addition, there will be voters who voted for an unsuccessful candidate with their first preference but for a winner with their second or subsequent preference.

Voter behaviour

STV is an electoral system designed to maximise voter choice, as electors can rank candidates in order of preference, rather than just being able to express one preference as currently happens under FPTP.

The main change for voters under STV is that they need to decide on how they would like to rank the candidates on the ballot paper. STV allows voters to express much more nuanced preferences than FPTP – for example, voters can decide to rank a candidate from party A as their first preference, but a candidate from party B as their second preference, and so on. Evidence from Scotland and Ireland suggests voters use it in quite sophisticated ways.

Outside of the winner-takes-all mentality of FPTP, voters are no longer incentivised to vote tactically in certain seats and opt for the least-worst option as a way of ensuring the candidate they dislike does not get elected.

Being able to express more than one preference and to vote for independent candidates means that voters are incentivised to find out more about candidates' positions, rather than relying on party heuristics, and engage more actively in politics, as they know their vote will be heard and make a difference.

Party behaviour and campaigning under STV

STV by and large rewards parties in proportion to their support among the electors. As mentioned above, smaller parties have the chance of securing representation in proportion to their share of the

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vote, enhancing their willingness to contest seats. Two-horse races and safe seats are virtually eliminated, meaning that all parties have an incentive to campaign as best as they can to secure one or more seats. Both of these contribute to ensuring that elected representatives fairly reflect the diversity of opinion in an area and that voters are engaged in an active and informative contest. Energetic, imaginative campaigning and a popular message will also be good both for the individual candidate and the party.

For example, a ward under FPTP where, say, Labour poll 50-55% or so and the rest of the vote is scattered between the other parties would be a very predictable Labour seat to which nobody would devote much attention. But if it were a four-member STV seat, Labour's campaigning efforts might make the difference between winning two seats or three seats. The other parties would also find it worth campaigning, not only to try to deprive Labour of the third seat but also to come top in the race for the non-Labour seat or seats, and to persuade supporters of other parties to transfer their lower preferences in the right direction.

There are some aspects of campaigning which will be affected by STV and merit consideration by parties.

First off, there is information gathering. On top of familiar campaigning issues (such as local issues and general pattern of support), parties will need to pay attention to the following considerations when deciding on their campaign strategy and, in particular, how many candidates to stand:

- How many people are strong supporters of the party?
- How many people might vote for one of the party's candidates because of personal or other factors?
- How is support for the party, and for individual candidates, distributed throughout the area?
- Are supporters of other candidates and parties prepared to give your candidates transfers? If so, which candidate is most attractive to transfers?

In Ireland, political parties take information-gathering very seriously. In general elections it is considered normal for the party to reach out to a majority of voters. The key, first question to ask voters during the campaign is to whom they will give their first preference. Between general elections the major political parties are able to conduct detailed opinion surveys in important constituencies. Although these are carried out by volunteer party members, mainly door to door on Saturdays, the surveys are conducted by random sampling and in numbers (perhaps 400 in a constituency) which allow statistically significant findings. The high level of political activism in Ireland makes gathering this sort of information possible at a reasonable cost.

STV does not necessarily require all the sophisticated information and campaigning techniques that are used in Ireland – though if resources allow these methods are of course useful. What it does mean is that well-organised parties that have taken care to listen to the electorate and communicate with it are rewarded for their efforts.

Second, under STV choosing how many candidates to run is one of the most important decisions to be made by a party. There will be very few cases in which a party can expect to win all the seats on offer in a ward. There is no single, simple answer to the question of how many candidates a party should run in a particular ward. Much depends on one's assessment of local circumstances and

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personalities. However, there are several arguments and considerations that should affect the decision.

Arguments for running fewer candidates include:

- **Keeping a party's vote intact:** Running too many candidates means that some will be eliminated early in the count and, because of vote 'leakage' (where a voter's second and lower preferences are transferred to candidates from other parties/independents), fail to pass on the full strength of their votes to their running mates. This means that parties can at times mount a better challenge with one or few candidates. This is especially the case with small parties. The longer the ballot paper, the more leakage will take place, as voters may not wish to go through all candidates to ensure they are voting for the same party. Keeping nominations down means that one's voters will have less work to do when they try to vote for all of a party's candidates.
- **Internal party management** might influence how many candidates are put forward in a ward, given that parties might wish to protect the chances of incumbents or leading figures.

Arguments for running more candidates include:

- **Making full use of a party's support:** A party might experience a surge in support during the campaign or miscalculate its levels of support, and thus fail to stand enough candidates.
- **Broadening a party's appeal:** Running more candidates allows the party to poll more first preference votes.
- **Insurance:** If a party is running only one candidate and they are hit by a scandal or some other serious problem, the party's support can sink. If the party has more than one candidate, it can still hope to elect the untainted running mates.
- **Managing transition:** In a transitional situation, running a large number of candidates might be better for party management than easing out sitting councillors, particularly in areas where, say, four incumbents are being reduced to perhaps two.

Provided that voters attracted to a party's candidates place at least some importance on the party label, and that rivalries between candidates can be contained by a framework of party discipline, the balance will tend to be tipped towards running more candidates rather than fewer. In Ireland, a rough rule of thumb (varied depending on local circumstances) is that a party will run one more candidate than it expects to see elected.

The extra party activity that comes with having several candidates can stimulate voter interest and turnout. A party with one seat it thinks it can take for granted is exposed to the risk of differential turnout in favour of parties that campaign harder, offer voters a genuine choice, and have two or more motivated candidates in the field.

There are different options under STV for dealing with by-elections/casual vacancies. In Scotland local government, where there is only one vacancy, the by-election is carried out under AV. Where there is more than one vacancy, which happened in a by-election a few weeks ago, the election is carried out under STV. An alternative approach would be to go back to the result from the previous election and re-distribute the votes, so that the next person that would have been elected takes their place as a councillor.

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Expert Panel model

STV is the Expert Panel's preferred option, subject to the implementation of an integrated gender quota. They argued that STV would be sufficiently flexible to elect an Assembly increased in size as it would provide increased proportionality, high member accountability, equivalent status of all members, while maximising voter choice. They also outlined ways that multi-member constituencies could provide a degree of familiarity and local identity for voters.

In terms of how this would work for elections the Panel considered options including pairing the current 40 constituencies to develop 20 new multi-member constituencies. The number of members elected for each of those 20 constituencies would range from 4 to 5 depending on the size of the assembly agreed upon and the number of electors in each constituency. This method could be used to elect an assembly of 89 to 90 members.

They also modelled this using 17 multi-member constituencies based on local authority areas (with smaller authorities becoming one constituency e.g. Ynys Mon and Gwynedd). This method could be used to elect an assembly of 83 to 84 members.

Additional Member System (AMS)/Mixed-Member Proportional (MMP)



Key decisions for voters under AMS/MMP:

- There are two main decisions for voters under AMS/MMP: which party do they prefer and therefore wish to give their list vote to, and which candidate do they prefer for the constituency. In all MMP/AMP systems, however, an elector may be unable to vote for her/his preferred party in the constituency contest if it does not field a candidate there, making split-ticket voting – i.e. supporting two different parties in the election's separate components – virtually inevitable.

Key decisions for parties under AMS/MMP:

- How many constituencies to contest
- For smaller parties, whether to focus on a few constituencies or the national list vote.
- For larger parties seeking to govern, the list vote is essential

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What is AMS/MMP?

AMS is a hybrid voting system: it combines elements of First Past the Post (FPTP) where voters choose a candidate to represent their constituency, and party-list Proportional Representation. List seats are allocated to parties in a way that partially compensates for the disproportionality associated with First Past the Post elections.

Voters in the UK use the Additional Member System (AMS) to elect the Welsh Senedd, the Scottish Parliament, and the London Assembly. When used in Germany and New Zealand it is called Mixed Member Proportional (MMP).

How AMS works in Wales is different from Scotland. In Scotland, 73 representatives are elected through the constituency seats, and 56 from the party regional list. In Wales 40 AMs are elected through the constituency seats, and 20 on the list. Having only one-third of members allocated proportionally via the list is a relatively low percentage and means that the Welsh version of AMS is inherently less proportional than that used in Scotland or in most other countries and regions that use the AMS system. For this reason, some have called for an increase in the proportion of AMs elected on the list. The Expert Panel found that increasing the number of list seats would be 'defensible, but not optimal' and would make any increase in the size of the Assembly beyond 80 members unfeasible in 2020.

Voter experience

Voters have two ballot papers. On the first is a list of candidates who want to be the constituency AM. Like a Westminster election, the voter marks their preferred candidate with a cross. On the second ballot paper is a list of parties who want seats in the Senedd. Each party will publish a list of candidates in advance. A vote for a party is a vote to make more of their list of candidates into regional AMs. Voters can cast both votes for the same party or vote for different parties in their

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constituency and regional ballots. In Wales, voters do not have to complete both ballots for their votes to be valid.

Sample ballot paper for Senedd elections


How it's counted


Form CK
Constituency Ballot Paper


National Assembly for Wales election Etholiad Cynulliad Cenedlaethol Cymru


Ballot paper to elect the Assembly Member for theconstituency **Papur pleidleisio i ethol Aelod Cynulliad ar gyfer etholaeth.....**


Vote once only Pleidleisioiwch unwaith yn unig


ASHTON Peter
27 Bryn Nant, Abertillery, EN 47 13WA
Labour Party / Y Blaid Lafur 


BONDS John
14 Empress Way, Haverfordwest WA28 1RSC
Liberal Democrat / Democratiaid Rhyddfrydol 

COLE Lindsay
5 Gordon Road, Penarth, IR31 5WA
Plaid Cymru – The Party of Wales 

DAILLY Andrea
Chez Moi, Heol Dan y Coed, Newport WA6 35IT
Independent / Annibynnol 


ETHERINGTON David
21 Home Avenue, Frederickstown, WA6 40FR
UK Independence Party / Plaid Annibyniaeth y DU 

FLETCHER Susan
12 Baker Street, Newtown, VB45 6TY
Conservative Party / Y Blaid Geidwadol 


GALE Sarah
65 Justin Street, Brecon, LD93 5YR
Farmers of Wales / Ffermwyr Cymru 

CL: Regional Ballot Paper


National Assembly for Wales election Ballot paper to elect the Assembly Member for the region	Etholiad Cynulliad Cenedlaethol Cymru Papur pleidleisio i ethol yr Aelod Cynulliad ar gyfer rhanbarth
Vote only once by putting a cross <input checked="" type="checkbox"/> in the box next to your choice	Pleidleisioiwch unwaith yn unig trwy roi croes <input checked="" type="checkbox"/> yn y blwch wrth ochr eich dewis

Conservative Party / Y Blaid Geidwadol 


1 David Brandon	5 Claire Williams	9 Andrew Williams
2 Paul David Evans	6 Mushaq Singh	10 Cherie Bold
3 Sue Mullaney	7 Heather Painter	11 Owain Green
4 Nick Webb	8 Joan Hazel Smith	12 Diana Green

Democratiaid Rhyddfrydol Cymru / Welsh Liberal Democrats 


1 Roberta Watson	5 George Mason	9 David Fitzroy
2 Stephen Jones	6 William Richards	10 James Stuart
3 Trisha Phillips	7 Kate Walker	11 William Trip
4 Wendy Pelham	8 Margaret Sullivan	12 Lucy Cavendish

Labour Party / Y Blaid Lafur 


1 Tony John Fisher	5 Ceri Brown	9 David Hart
2 Charles Cook	6 Iqbal Khan	10 Emma Heslop
3 Kathleen Hughes	7 Margaret Davies	11 Ioan Hurst
4 Robin Mason	8 Paula Katie Smith	12 Jason George

Plaid Cymru – The Party of Wales 

1 Sheila Stacey	5 Rhian Helen Collins	9 Denise Pike
2 Fiona Chambers	6 Megan Dixon	10 Hugh Phipps
3 Michael Cole	7 Janice Farr	11 Gerat Griffiths
4 Shekeer Mohammed	8 Cerys Singer	12 Clement Morris

United Kingdom Independence Party / Plaid Annibyniaeth Y Deyrnas Unedig 

1 Hugh David Jones	5 Yvonne Brown	9 William Parry
2 Seren Cole	6 Desmond Wallis	10 Paul Ryan Jones
3 Herbert Cole	7 Grace Walsh	11 Jim Donald
4 Roger Thomas	8 Joan Susan Maynard	12 Mary Foulkes

XAVIER Alfonso
Independent / Annibynnol 

The Westminster-style ballot papers are counted first. The candidate with the most votes wins, even if most people didn't vote for them, as is the case under FPTP.

The second ballot papers are then counted, with an electoral formula being applied to allocate the regional seats to political parties. The people counting look at how many seats a party won on the first ballot paper. They then add 'additional members' from the party lists to make parliament match how the country voted. The goal is to provide a proportional parliament but also keep a single local AM. In Wales, the D'Hondt electoral formula is applied and each region in Wales returns four AMs.

Effects

The Additional Member System has become popular as some see it as a compromise solution. But, as a compromise, it keeps Westminster's 'safe seats' that rarely change hands. While a significant improvement over Westminster's system, parties still have a lot of control over who gets elected.

AMS scores highly in terms of proportionality, but lower on the other criteria/principles of a good electoral system, particularly voter choice and equivalent status of representatives.

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Proportionality:

- List MPs ensure that every party can potentially win seats in every area and can provide for a fairer representation of the diversity of public opinion. This ensures the government cannot ignore parts of the country. Over the course of five elections now in Wales, AMS has demonstrated itself as a superior voting system to Westminster's FPTP system, delivering results which have allowed for the inclusion of a far wider range of voices in policymaking and governance in Wales.

Voter choice:

- The problems of safe seats found under FPTP are also a symptom of AMS, and the bulk of votes for constituency AMs wasted (either because they are cast for candidates who aren't elected or for candidates who are elected with more votes than are needed for a plurality).
- The 'top-up' list element of AMS is also problematic. Voters who particularly dislike a candidate at the top of their preferred party's list, or like a candidate from a party they otherwise do not support, are unable to express this at the polling station. Power over AMs is once again concentrated amongst the party, who choose the order of party lists.

Equivalent status:

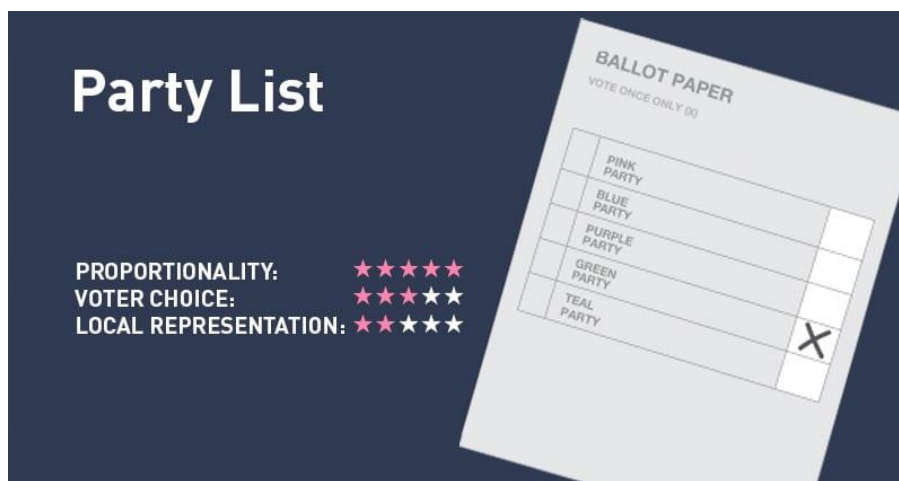
- The Additional Member System effectively creates two classes of MPs, and this can lead to tension. For instance, there might be increased local recognition for constituency AMs, whereas some list AMs might feel that they are perceived as not doing casework when they often do.

Expert Panel model

The Expert Panel concluded that, if the Assembly were not to implement either STV or a Flexible List, an adapted version of AMS/MMP (with more list candidates, which should not exceed more than 50% of AMs) might be used to elect the Assembly within their recommended size bracket. However, they made clear that this was not their preferred option. They state that it would not be possible to elect an Assembly larger than 80 members and that the system would not provide equivalent status of all members.

The model proposed for this would be to have 40 constituency seats and 40 regional seats using the existing five electoral regions, which would vary in number of members according to the total electors in the region. The panel also suggested you could apportion eight members for each region.

List PR – Flexible List



Key decisions for voters under the Flexible List:

- The main question facing voters is whether to vote for a party list, thus accepting their ranking of candidates, or for an individual candidate within a party.

Key decisions for parties under the Flexible List:

- Parties will need to decide which candidates to select for their slate and, especially, how to rank them on the list
- How to ensure diversity amongst the selected candidates

What is List PR/Flexible List?

Party Lists are the most commonly used way to elect representatives in the world, with more than 80 countries using a variation of this system to elect their parliament.

There are three main ways to vote in Party List elections in use around the world, with their main difference being whether or not voters may cast their vote for a party or an individual candidate:

- Closed List: Each party publishes a list of candidates for each area. On polling day the ballot paper just has a list of parties. Voters mark the party they support. This is the system used in Great Britain to elect members of the European Parliament. In this system, a party gets seats roughly in proportion to its vote, and seats are filled by the party depending on the order they choose.
- Flexible/Open List: On the ballot paper, each party has a list of candidates. In some open-list systems voters must vote for an individual candidate. In others, voters can choose between voting for a party or their choice of candidate. Votes for a candidate make that candidate more likely to be in the party's group of MPs that get elected. A vote for a candidate is counted as a vote for their party when it is decided how many seats each party should receive. This means it is possible for a vote for a candidate to help a candidate a voter dislikes, if that candidate is popular with the supporters of the rest of their party.
- Semi-Open List: in a semi-open list voters are presented with a ballot like that of an open-list system.

Voter experience

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In the Flexible List system proposed by the Expert Panel, voters have a single vote and can choose whether to vote for a party (in this case, the party’s preferred candidate order would apply) or for an individual candidate within a party’s list.

The image shows a sample ballot paper for the European Parliament elections in Luxembourg on June 10, 1979. It is divided into two columns: French on the left and German on the right. Each column lists eight political parties, numbered 1 to 8. Below each party name is a list of candidates. Each candidate's name is enclosed in a small rectangular box, representing a voteable space. The parties and their candidates are as follows:

Party (French)	Party (German)
1 LSAP (Lëtzebuerg Sozialistesche Arbechter-Partei)	1 Chreschtlech-Sozial Vollekspartei (C.S.V.)
2 Sozialdemokratesch Partei vu Lëtzebuerg (SDP)	2 Ligue Communiste Révolutionnaire (IV ^e Internationale)
3 Parti Communiste Luxembourgeois	3 Liberal Partei
4 Demokratesch Partei (DP)	
5 Alternativ Lëscht – Wiert Iech	
6	
7	
8	

The candidates listed on the ballot are:

Abens Victor	Bosser Albert	Urbany René	Thorn Gaston	Dörner Charles	Wiener Pierre	Gorza Thérèse	Bertrand Jean Pierre
Berg Benny	Conter Claude	Bernard Zénon	Barthel Joy	Grubusch Gilbert J. F.	Boden Fernand	Kremer Gaston	Besch André
Doeselinger Willy	Cavatte Henry	Bischoff Aloys	Eyschen Joy	Houss Jules	Birger René	Kremer André	Dörner Charles Pierre
Hansen Frankle	Gaumen-Bertram Lily	Grébin Francis	Fleisch Calotte	Krier-Binsfeld Marieles	Eitgen Nicolas	Lalling Jean Pierre	Dupont Albert
Krieps Robert	Georges Fernand	Hilshch Fernand	Giltzinger Robert	Reifing Jean-Claude	Fischbach Marc	Mertzig Robert	Faltz Madeleine
Meis Robert	Goedert Albert	Krier Clement	Goerens Charles	Schoon Guy	Lentz-Cornette Marcelle	Portante Jean	Goergen François
Poos Jacques F.	Hart Georges	Leick Georges dit Jorj	Hamilton Jean		Mour Nic		Goetzinger Henri
Schlechter Marcel	van Kaavenbergh Adrien	Passer-Rechberger Marianna	Krieps Emile		Ney Camille		Meiers Jules
Schmit Lydie	Lalling Astrid	Piltz Marcel	Mart René		Santer Jacques		Nisuman Norbert
Thoss Maurice	Schleimer Roger	Sorn Nicole	Meintz Carlo		Schilling Marie-Madeleine		Scherer Pierre
Van den Bulcke René	Schroeder François	Wehenkel Henri	Prussen Robert		Spantz Jean		Weides Henri
Wohlfart Joseph	Weyler Pierre	Wespqet Jean	Schoon Jean-François		Wolter Jean		Weides Roger

Sample Flexible List ballot paper as used in Luxembourg.

Counting the votes

There are a number of stages in counting votes in a List PR system. First, if there is an electoral threshold, this is applied to the total vote shares a party received either in a constituency or at the national level (depending on the type of threshold).

Second, an electoral formula is applied to allocate seats. In all three types of list PR, votes are aggregated across parties to determine the number of seats they receive. There are two main methods of allocating seats in party-list elections. The D’Hondt method, which slightly favours larger parties and the Sainte-Laguë method which does not. Modelling commissioned by the Expert Panel showed that the D’Hondt formula could produce less proportional outcomes than the current electoral system, which led them to recommend that the Sainte-Laguë formula should be used if the Assembly chose to adopt a Flexible List system.

After determining which parties are to be allocated seats, the third step is to determine which candidates are elected. This is another key difference among the three main types of List PR systems. A Flexible List system balances party influence and voter choice over which candidates are elected, though the degree to which one or the other prevails can vary depending on flexibility and the mechanisms used to determine the final ordering of candidates. In terms of flexibility, this can vary from lists that are almost closed (with the party’s ordering prevailing) to ones that are almost open (with voters’ choice dominating). There are a variety of mechanisms that can be used to determine the final ordering of candidates. The Expert Panel recommended using a threshold: parties determine the order in which candidates’ names appear on the ballot; if no candidate receives enough personal votes to meet a specified candidate threshold, the party’s ordering is used to determine which candidates are elected. But if a candidate receives enough personal votes to meet the threshold, they move to the top of the party list. If several candidates meet the threshold, they are ordered by the number of votes they each received.

Effects

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Democratic outcomes

The Flexible List scores highly on some of the indicators of a good electoral system, especially proportionality.

Proportionality:

- In Party List systems, seats in parliament closely match how many votes each party receives. Countries with party-list PR tend to have lots of parties as list systems are highly proportionate, though thresholds can be applied to prevent parties with very low levels of support from gaining representation. Unlike AMS/MMP (including the list boost proposed by the Expert Panel), where constituency candidates elected under FPTP reduce proportionality, the Flexible List returns representatives in proportion to their share of the vote.

Voter choice:

- The Flexible List is an improvement on FPTP and closed list proportional systems as it allows electors to either vote for a party's list of candidates or vote for their preferred candidate within a list, depending on the flexibility of the system. But as a non-preferential voting system, the Flexible List reduces voter choice, compared with STV, as electors cannot express more than one preference and nuance their choice.

Diversity:

- Party List PR and closed lists, in particular, tend to provide excellent opportunities for the election of more diverse candidates, because parties can balance their candidates over larger areas. Flexible and open lists can also increase diversity by allowing voters to choose candidates from particular backgrounds or with specific skills and expertise.

Equivalent status:

- By removing the distinction between constituency and regional candidates/representatives, List PR is an improvement on AMS/MMP in terms of the equivalent status of members elected.

Member accountability:

- Under List PR systems, there is often a weaker constituency link, as a slate of candidates is elected to represent a larger area than under other electoral systems. Reducing the size of a constituency might improve member accountability, though this would affect proportionality.

Voter behaviour

Voters' experience under the Flexible List is in some ways similar to that of FPTP – voters have only one vote and cannot rank candidates in order of preference. The main decision voters have to make is whether to vote for a party list, thus accepting their ranking of candidates, or for an individual candidate within a party.

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There is some potential for voter confusion under List PR – for example, if a voter votes for a candidate from Party A, but also votes for Party B. In this case, it would be hard for those counting the election to figure out who the voter intended to vote for.

Party behaviour

Parties' behaviour under the Flexible List is not too dissimilar as their behaviour with regards to the regional list aspect of AMS/MMP. Their main decision regards which candidates to select for their list and, especially, how to rank them within the list.

In the absence of gender quotas, parties may also wish to ensure diversity amongst the selected candidates.

If thresholds for representation in the legislature are applied, smaller parties may want to concentrate their resources on obtaining a certain percentage of the vote – which might impact the diversity of candidates they select.

Expert Panel model

The variant of Flexible List system proposed by the Expert Panel would give voters a single vote, where they could choose to either vote for a party- which would be interpreted as a vote for the party's preferred candidate order- or for an individual candidate within a party's list. This model is similar to the one used in Sweden.

The candidate threshold chosen (where a candidate would be elected in a different order to their party list if their threshold were to be reached) can have a significant effect on who actually gets elected under the Flexible List. The Expert Panel concluded a threshold of about 10% would be the most effective in Wales, due to the high numbers of voters already used to voting for individual candidates, but called for it to be reviewed after the first election.

The Expert Panel concluded this system would retain a direct constituency link, result in equivalent status for members and would promote voter choice due to voters being able to choose to vote for either a party or an individual candidate. However, voter choice would also be limited as each voter only has one vote.

In terms of how this would work in practicality the expert panel suggested using the method outlined for STV where either 20 constituencies would be developed based on the current 40 constituencies or 17 would be developed based upon the current 22 local authorities.

First Past the Post (FPTP)



FPTP is not a recommendation of the expert panel but we have included it here for comparison. No country has switched from a proportional electoral system to FPTP.

Key decisions for voters under FPTP:

- Whether to choose the candidate who is best for the constituency or the party that they wish to see in government
- Whether to vote tactically (against their preferred candidate) to ensure the party they want to govern wins over another party
- Whether to abstain from voting because their preferred candidate is so unlikely to win that voting would be a waste or so likely to win that their vote is unnecessary

Key decisions for parties under FPTP:

- Whether to contest every constituency
- How actively to campaign in each constituency/ Whether to focus resources on only marginal constituencies
- Whether to focus on national issues or local candidates in those campaigns

How does first past the post voting work?

On election day, voters receive a ballot paper with a list of candidates. As only one MP will represent the area, each party only stands one candidate to choose from. Voters usually put a cross next to their favourite candidate. But if they think their favourite has a low chance of winning, they may put a cross next to one they like with a better chance of winning.

How are first past the post votes counted?

During a General Election, 650 constituencies across the country each hold separate contests. To become an MP, a candidate needs the largest number of votes in their area. This means every MP has a different level of local support. In many areas, the majority of people will not have voted for their MP. Even if millions of voters support the same party, if they are thinly spread out they may only get the largest number of votes in a couple of these contests. Tens of thousands of voters supporting the same party and living in the same area will end up with more MPs. This means the number of MPs a party has in parliament rarely matches their popularity with the public.

Effects

Democratic outcomes

Under FPTP, candidates can win even if they do not have an overall majority of the votes cast. This can result in governments being elected even though a majority of voters have supported opposition parties.

FPTP scores quite low on most indicators of a good electoral system, with the exception of member accountability – electing an MP to represent a constituency provides a clear local link.

Proportionality:

- FPTP tends to produce distributions of seats that bear little relationship to the proportion of votes won by parties. In the 2016 Assembly election, the Labour party won 67.5 per cent of the constituency seats from 34.7 per cent of the vote. If FPTP had been used in devolved elections, Labour would have won strong to overwhelming majorities in every Assembly election, despite never approaching a majority of the vote.
- Many swing seats have two candidates where either could get elected. But some have more. The more candidates with a chance of getting elected the fewer votes the winner needs. In 2015 a candidate won the Belfast South election with only 9,560 votes, or 24.5% of the total, a record low. Under Westminster's First Past the Post system it is common for constituencies to elect MPs that more than half the voters didn't want. To combat this, voters try to second-guess the results. If a voter thinks their favourite candidate can't win, they may vote for one with the best chance of stopping a candidate they dislike from winning.

Voter choice:

- Under FPTP, voter choice is limited to a single candidate per party – citizens cannot preferentially rank candidates or choose between different candidates from the same party, who might offer different skills or come from different backgrounds.
- Some constituencies become very safe for one party and therefore campaigning tends to focus on just the winnable seats, excluding voters in some areas from vital, energetic debate which is fundamental to making an informed decision at an election.

Diversity:

- International experience shows that single-member systems provide less of an incentive for gender balance and diversity than multi-member systems. With one candidate to choose there is more likelihood of selecting what is perceived as a 'safe' candidate, whereas having more than one candidate can encourage a more 'balanced ticket'.

Government accountability and effectiveness:

- As the number of MPs a party gets doesn't match their level of support with the public, it can be hard for the public to hold the government to account. More people can vote for a party's candidates compared to the last election, but they can lose MPs. The reverse can also happen. In 1951 and 1974, the party that had the most MPs wasn't the party that got the

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most votes from the public. In New Zealand, the Labour Party won more votes than the National Party in 1978 and 1981, but the National Party remained the largest party and formed the government on both occasions.

Voter behaviour

Unlike the other electoral systems discussed in this briefing, voter behaviour under FPTP is more restricted as voters can only pick one candidate, as opposed to being able to express more than one preference or rank candidates. Though voters technically vote for the candidate, as opposed to a party, under FPTP, party preference is what determines one's vote – apart from highly exceptional cases where an independent candidate is well-known and respected locally.

Given the winner-takes-all logic of FPTP, voters are incentivised to vote tactically (thus not for their preferred candidate) to ensure the party they dislike the most does not win.

In some areas, particularly safe seats, voters might decide to abstain from voting altogether because their preferred candidate is so unlikely to win that voting would be a waste or so likely to win that their vote is unnecessary in making a difference.

Party behaviour

The idea of 'safe seats' and 'marginal seats' is central to campaigning in First Past the Post elections. A key decision for parties under FPTP is whether or not to contest every constituency and how actively to campaign in those they do contest. The campaign focuses on the marginal seats, where the work of party activists can make the difference between winning and losing. A party can depend on its safe seats sticking with it, unless there are strong local factors or a particular tide in public opinion.

There is no advantage, at least in terms of seats, in piling up a majority of 1,000 when the ward can just as easily and securely be won with 500 with no work. Similarly, there is no immediate value in fighting hard in a hopeless seat to gain 17% rather than 7% of the vote.

Another key decision for parties is whether to focus their campaigning (and resources) on national issues – which may boost the party's overall standing among the public, but may return little benefits if support is not sufficiently concentrated – or on local candidates in specific constituencies. The latter might benefit the party in terms of gaining key seats, but its chances of winning other seats – which, while not marginal, it could win with a boost in the polls – might be reduced.

Expert Panel model

The Expert Panel rejected this system citing it was "less proportional than the current electoral system" and "Unlikely to adequately encourage diversity of representation".

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Appendix 1: [Evidence from Scottish 2012 local elections regarding transfers](#)

Transfers reflect the nature of the political context. As such this is an example from 2012 in Scotland of how transfers flowed in this specific election.

Non-terminal transfers = when the votes of a candidate are redistributed and a candidate from the same party remains in the count

For non-terminal transfers in 2012, on average the following proportion of votes were transferred to a candidate from the same party. The figures suggest that Conservative and Lib Dem candidates may have been somewhat more reliant on personal votes than party labels. These figures are not dissimilar to those seen at the 2007 election.

SNP = 79%

Lab = 78%

Con = 68%

Lib Dem = 67%

Terminal transfers = when the votes of a candidate are redistributed and no other candidate for that party remains in the count.

Transfers from parties (2012 Scottish local elections) - Looking at first terminal transfers of a major party (Con/Lab/LD/SNP), in a ward, where all the other major parties still had a candidate in the count (Independent or Other candidate may or may not have been left in the count)

Con: 34% non-transferrable; 32% to LD; 18% to Ind/Oth; 8% to SNP; 8% to Lab

Lab: 48% non-transferrable; 17% to Ind/Oth; 17% to SNP; 13% to LD; 6% to Con

LD: 23% non-transferrable; 22% to Con; 20% to Lab; 19% to Ind/Oth; 16% to SNP

SNP: 44% non-transferrable; 18% to Lab; 18% to Ind/Oth; 14% to LD; 6% to Con

On average, 40% of votes were deemed non-transferrable when the first major party terminal transfer occurred. A majority of voters were willing to express a degree of support to candidates of more than one partisan colour.

Lib Dem and Conservative voters were more likely to have voted in a way that allowed transfers to a different party or Independent candidate.

Labour and SNP voters were most likely to have been presented with more than one candidate and thus may well have been more likely to feel it sufficient to confine their preferences to candidates of their preferred party. In contrast most Conservative and Liberal Democrat voters will only have had one candidate for whom they could vote, and thus could only express more than one preference by giving one or more lower preferences to a candidate of a different party. Liberal Democrat supporters may also have been aware that their candidate's prospects of being elected were much

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weaker than five years previously, and that thus they might need to cast a lower preference in order to ensure that their vote was not wasted

Where votes were transferred to another candidate, some patterns were more common than others. As in 2007, both Labour and SNP supporters were reluctant to give a lower preference to a Conservative candidate, an indication of the degree to which the Conservative party remains marginalised in the eyes of many voters. However, this time this reluctance was less obvious amongst Liberal Democrat supporters. In contrast to 2007, meanwhile, the Liberal Democrats were no longer the most popular next preference of Labour supporters, nor were they, as they had been in 2007, as popular a choice as Labour amongst SNP supporters. These patterns suggest that the formation of the coalition between the Conservatives and the Liberal Democrats at Westminster had an impact on the lower preferences expressed by some voters.

What often appears to have been a relatively attractive option for supporters of all four main parties when it was available, however, was to give a lower preference to an Independent or other party candidate. Here it might be noted that Table 3.3 actually rather understates voters' propensity to do so as our average rates of transfer to Independents and Others are calculated across all the wards in the relevant sample, in some of which no Independent or other party candidate remained in the count. If we calculate the average rate of transfer to Independents and Others in just those wards where such a candidate was still in the count, we find that no less than 27% of Conservative and Liberal Democrat votes were transferred in that way, as were 24% of SNP votes and 21% of Labour ones. It would seem that for many voters, giving a lower preference to an Independent or Other party candidate was an easier Rubicon to cross.

We can also undertake a similar analysis of what happened when a Green candidate either had their surplus distributed or they were eliminated from the count. Of particular interest are those wards, some 14 in all, where this happened at a stage when at least one candidate from all four of the main parties was still in the count. Two features, are of interest. First, much like Liberal Democrat voters, Green supporters appear to have been relatively willing to give a lower preference to a candidate of a different political persuasion. Just one in five votes cast for Green candidates was nontransferable when all of the principal alternative options remained in the count. Second, Green supporters appear to have been more or less equally inclined to give a lower preference to a Labour, Liberal Democrat or SNP candidate, whereas in 2007 they were most likely to switch to the Liberal Democrats. Only the Conservatives proved to be a relatively unpopular option. Many Green supporters too switched to an Independent or Other candidate when available; in the 12 of the 14 instances included in the table where at least one such candidate was still in the count, as many as 20% of Green votes transferred on average in that direction.

Average Green terminal transfer rate in 14 wards where Green candidate eliminated and candidates from all four major parties were still in the count

Transfers from Green to: non-transferrable (20%); Lib Dem (20%); Lab (19%); SNP (18%); Ind/Oth (17%); Con (5%)

At the 2012 Scottish local elections, 68 candidates who were not in the top 3 places (3 members wards) or 4 places (4 member wards) on first preferences were able to leapfrog other candidates to get elected. This represents 5.6% of all elected candidates.

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At the 2017 Scottish local elections, 86% of voters gave more than one preference, the same figure as in 2012. This represents an increase of 8 points on the first Scottish local elections held under STV, in 2007, indicating a greater willingness to make use of their preferences, as they become more familiar with the system - refs: <https://www.electoral-reform.org.uk/latest-news-and-research/publications/2012-scottish-local-elections/>

<https://www.electoral-reform.org.uk/wp-content/uploads/2019/08/Democracy-Denied-The-2019-Election-Audit.pdf>

In 2017, 61% of voters gave three preferences and 29% gave four preferences, both figures slightly higher than for the 2012 Scottish local elections. The vast majority of voters are using the extra power handed to them by STV - ref: <https://www.electoral-reform.org.uk/wp-content/uploads/2019/08/Democracy-Denied-The-2019-Election-Audit.pdf>

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Appendix 2: How to campaign under STV in detail

Selecting several candidates at once involves different considerations from just selecting a single person and affects important relationships within the party, for example:

- Should the party have the final say over how many candidates are nominated?
- Should there be rules set down controlling the process (e.g. to ensure gender balance)?
- How can the party best ensure that its slate of candidates represents different areas and interests within the ward?
- What voting system should be used in the local party's internal elections to decide who should be the candidates?

A third consideration for parties is how to run the campaign. In multi-member local government wards in England and Wales, the party's candidates normally share an agent, campaign as a team and – if any other volunteers can be rounded up – make up a formal or informal campaign committee with the agent. The agent normally has responsibility for the whole borough. This sort of structure would be easily adaptable for use in STV.

Candidates can campaign as a team – leading to less vote leakage – or as individuals – meaning that the party's overall first preference vote may be higher. Which is more advantageous will depend on the circumstances, though ultimately it will be voters' choice to determine how the votes fall between candidates. A controlled and regulated system of candidate-centred promotion is more likely to work than an outright ban on personal campaigning, and less likely to lead to divisive internal party discipline cases. A common identity among different candidates from the same party can still be fostered through using the same branding and promoting running mates in campaign material.

One method of regulating personal campaigning is to divide the ward into areas and set rules about what is permitted in each area. Parties would be well advised to ensure that geographical subdivisions are allocated fairly – for instance, that areas of known strength and weakness for the party are distributed equally. Parties may also want to play to the strengths, contacts and local profiles of their candidates.

In Ireland, and indeed in other countries that use STV, it is usually considered a bad idea for the central party to specify the order of preference between candidates. Overt favouritism between candidates – particularly in public campaigning – is almost guaranteed to create bad feeling between the candidates and hinder the party's effort to present its team. It also may not be successful with the electorate, because people dislike the feeling of being dictated to by party headquarters, and may decide not to follow instructions. Attempting to maximise the party's representation by telling voters to vote in a particular order can also misfire even if the voters do what they are told. If the party's calculations about the strength of the party's vote are even a little inaccurate, it can result in the candidate the strategy is designed to help losing out when the votes are counted.

Parties' central publicity generally advises 'vote for all our candidates in the order you prefer', or a similar form of words. Publicity for individual candidates generally advocates a first preference for that candidate and then, if there are two candidates from the party, a second preference for the running mate. If there are several candidates, the pitch will tend to be 'vote for me first, and then for all my party colleagues in the order you prefer.'

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For reasons of individual popularity or seniority within a party, one candidate might be the leading figure. In that case, one usually works with the leader's popularity. Although it technically makes no difference, a strong personal vote can be a political virility symbol and strengthen the leader's hand in coalition negotiations. Electorally, the strategy in this case would be to promote the popular leader as the face of the party, and make the argument that people should vote for the leader and the team. For this approach to work, one needs to have confidence that the leader's popularity will rub off on the party in general. Campaign techniques can emphasise the importance of supporting the rest of the team, but in some circumstances a purely personal vote will not come across.

A fourth consideration are second preferences. Parties which can make a successful appeal for second preferences can build up enough to win seats even if they do not have many first choice votes, while others that seem just short of a quota may not win a seat. Appealing for second preferences is a tricky area of campaigning, as an overt appeal for second preferences might dissuade people from giving you a first preference. Strategy will depend on whether your party is more or less transfer-friendly than the others in the election. A party that attracts few transfers might be best off consolidating its base. But you need enough first preference votes not to get eliminated during the early stages of the count before you have attracted any transfers.

Perhaps the most important implication of second preferences for campaign strategy is that it is worth canvassing and leafleting in areas which do not produce many first preference votes for your party.

Finally there is the issue of coalition building/alliances. Parties may wish to help each others' candidates by advising their supporters on where their lower preferences should go once all of their first choice party's candidates are eliminated. In Ireland there are sometimes formal agreements between the parties about preference transfers. In 1997, for instance, there were two broad coalition options (Fianna Fáil and Progressive Democrat, or the 'rainbow' coalition of Fine Gael, Labour and Democratic Left). In forming a government it made obvious sense for the parties to encourage supporters to use lower preferences to help allies rather than opponents.

Minor parties can also benefit from being in alliance with each other and pooling their electoral resources as the count progresses.

It is pointless to discourage people from using their lower preferences. It could make the difference between electing a councillor from another party you can work with, and one you can't. It is better to encourage voters to make as many sensible choices as they can.

Building coalitions both during the election campaign and after polling day leads parties to embrace a more consensual politics, moving away from the antagonism of FPTP and outdated language of who 'won' or 'lost' the election. Under STV, parties represent different proportions of the electorate, and have to try to work together for a greater good, as opposed to pursuing overtly partisan objectives on the false premise that they alone have the right to drive policy on the basis of 20%-30% of the electorate that actually voted for them.

Response to consultation on Electoral Reform – February 2020

Prof. Denis Mollison

Heriot-Watt University, Edinburgh EH14 4AS

Thank you for this consultation. I hope that a view from Scotland may help in setting your reform process in a wider context.

CONTEXT

1 I strongly support changing the electoral system for the Senedd to STV, and in particular the option with constituencies based on local authority areas. This response aims to explain why this fits best with the principles for a good electoral system, and to address some of the technical details that can help optimise the scheme. I will be delighted if I can help further, by providing either written or oral evidence.

2 The underlying principles of democracy are universal. While a good system should have some flexibility to cope with particular problems of minorities or geography, these should be justified through a principled approach. It would be good to work towards parallel systems in Northern Ireland, Scotland and Wales that follow broadly the same principles. Scotland in particular is currently reviewing the details of its STV council election system which has been in use since 2007, and it would be good if each country can learn from the other's ideas and experience.

It is suggested here that using STV with boundaries based on natural community areas – one of the options proposed in the Report of your Expert Panel chaired by Professor McAllister – is the best way forward. It would be that much better if accompanied by also using STV for all local authority elections, as is already done in Northern Ireland and Scotland; again, ideally the electoral areas should be based on natural communities, e.g. community council or school catchment areas.

I have tried to tie my answers to the five questions posed in this consultation. Most of my answers relate to the first of these, namely:

Examining the implications of the electoral systems and boundaries recommended by the Expert Panel for democratic representation in Wales, and considering how the principles identified by the Expert Panel might be weighted to ensure that the Assembly's electoral arrangements are appropriate to the Welsh context

PRINCIPLES

3 It is encouraging that there is close agreement between the principles identified by the McAllister expert panel and those of the Good Systems Agreement (GSA) launched by Make Votes Matter in July 2019, which has won considerable cross-party support¹. Among the relatively slight differences, the McAllister principles include 'Equivalent status', which is recognised as a problem of the MMP (aka AMS) system currently used in Wales and Scotland. The GSA puts more emphasis on voter choice, where the McAllister report rather oddly inserts the somewhat unprincipled qualification 'Where appropriate within its design'; and the GSA recognises the desirability of minimising tactical voting.

¹<https://www.makevotesmatter.org.uk/sites/default/files/Good-Systems-Agreement.pdf>

4 It is also encouraging that the arguments and conclusions of the McAllister report are broadly similar to those of its predecessor, the Richard commission of 2004, which recommended a similar increase in Assembly size (to 80 members), and adopting STV with constituencies of 4–6 seats (or exceptionally 3) based on grouping Westminster seats or on local authority boundaries.

5 In relation to the principles set out by the McAllister report, I do not see any in which STV is inferior to Flexible Lists (otherwise known as Openlists) or MMP. STV is superior to both the alternatives in respect of Voter Choice, Simplicity (in terms of what matters most, meaning that voters can express their real preferences rather than voting tactically, or being concerned that their vote may be wasted), and Member Accountability; and also to MMP in respect of Equivalent Status.

For a more analytic explanation of why STV is better than Openlists, which in turn is better than MMP, see my *Comments on MVM's Good System Proposals*².

BOUNDARIES AND NUMBERS OF SEATS

6 Of the options considered, the scheme based on local authority areas is strongly preferable, as representing natural communities to a degree that Assembly constituencies generally do not. I think the Expert Panel may have preferred the latter because of their more equal size: but variation in size is inevitable if natural communities are to be well fitted.

Basing constituencies on LAAs is good for both voters and representatives, minimising overlaps of responsibilities for communities and public services. Also, such a pattern of constituencies can be extremely stable. Changes in electorates over time can usually be accommodated by changing the numbers of AMs for some seats, with no changes in boundaries; this means that the seat allocations can be very easily updated in accord with current voter numbers prior to each election.

7 The Report very reasonably argues that 4–6 is a good size (meaning number of seats) for a constituency, but gets a little lost in trying to find an overall size of Senedd that gives the best pattern of seat sizes for current electorates (83 or 84 is suggested). It would be more principled, and in particular more stable in the long run, to fix the size of the Parliament first, and then choose seat allocation rules that will give reasonable seat sizes for the long term, accepting that a few seats with either 3 or 7 members should be allowed if necessary.

8 The overall size should be at the upper end of the range considered, *i.e.* 90 seats. The electorate of Wales falls roughly half-way between those of Northern Ireland and Scotland, which have respectively 90 and 129 seat parliaments, neither of which attracts significant criticism for being too large.

9 Beside overall size, and preferred range of seat sizes, any allowance for remote or sparsely-populated areas needs to be fixed. Once these factors are determined, constituencies can be fixed: as the Report shows, most of these will be whole single LAAs, with subjectivity only entering in the few cases where it is necessary to join up or split LAAs. With all this done, seat allocation can be done by straightforward calculation (as the Report's examples show), and can be brought up to date very easily whenever electoral numbers change.

²https://www.macs.hw.ac.uk/~denis/stv/mollison_mvm_27apr18.pdf

10 Examples showing how numbers of seats might have varied over the period since 1999 are presented at <https://www.macs.hw.ac.uk/~denis/stv/wales2020.html>, for two cases: the constituencies proposed in the Report and an alternative allowing slightly greater flexibility in seat numbers. Both alternatives are highly stable, with no constituency boundaries needing to be changed over the period.

IMPLEMENTING STV

11 Experience of e-counting in Scotland has been very positive; combined with the retention of paper ballot papers it provides a reliable and easy to audit system that is valuable in itself, independent of its utility for counts under STV. The cost of the current contract to provide a 'complete solution for infrastructure and services to support Scottish local government elections and by-elections' for the 5-year electoral cycle 2016–21 is £6.5m.³

12 The Report suggests using the Weighted Inclusive Gregory (WIG) method as is done in Scotland. This ignores the conceptually simpler Meek STV⁴, which has a number of advantages: its results are easier to explain and justify to the voter, and it makes it possible to adjust the quota when votes become non-transferable. WIG was only preferred to Meek for Scotland because it kept open the option of hand-counting. Now that e-counting is well-established this reason no longer applies.

13 The Report proposes that candidates on the ballot paper be grouped by party, ordering parties by lot, proposals I would support. But they do not consider a significant problem of ballot paper order that has been identified in the Scottish review, namely the bias between candidates of the same party favouring whoever's name appears first. The best answer to this is to permute the order of such candidates on the ballot paper. It would also reduce the problem if voters were allowed to express equal preferences⁵, as is possible provided e-counting is used.

14 The Report suggests using countback for filling casual vacancies. They do not seem to have considered the very substantial fault of this option, which is that it encourages parties to put forward many more candidates. For example in Tasmania this leads to having about 25 candidates instead of perhaps 10 for its 5-seat constituencies, too many for most voters to consider individually. It would be better to use either by-elections (as in Scotland) or nomination (as in Northern Ireland). None of these solutions is very satisfactory, but then neither are the rules for filling casual vacancies under MMP.

Exploring public sentiment and understanding of the Assembly's current electoral arrangements and boundaries and the options recommended by the Expert Panel

15 Having no local expertise on public sentiment and understanding in Wales, I can only report on the Scottish context, where we also currently use MMP to elect our Parliament. As a first point, there is poor understanding of how MMP works, in particular that winning a constituency seat will – if the system is working as it should – be balanced by losing a

³<https://www.cgi-group.co.uk/scotland/en-ca/node/42199>

⁴As used in New Zealand and by many public bodies

⁵STV allowing equal preferences is relatively novel, but has been used successfully by a number of bodies since 1998

list seat. Also, there are incentives to vote tactically at both constituency and list level; one of the advantages of STV is that its system of transfers minimises the incentive to vote tactically.

16 If STV is adopted, then having stable seat boundaries corresponding to local authority areas, and a single-tier system with all AMs on an equal footing, should be attractive to the public. The great majority will have an AM who had their first preference vote.

17 My personal experience as a constituent in Scotland has been that STV, as used in our local elections, is a more engaging and responsive system than MMP, as used in our Parliamentary elections. A particular difficulty is having a local MSP most of whose constituency is in a different local authority, and conversely not being a constituent of the MSP responsible for most of my local authority area.

Considering the implications for political parties in Wales of changing the electoral system and boundary models

18 STV should encourage more cooperation between parties, because of its use of preferential voting, so that it is in the interest of parties that agree on some issues to encourage second preferences for each other. A corollary of this is that extreme parties are disadvantaged to the extent that few voters will help by giving them second preference. Also STV is an inherently positive voting system: you vote for the candidates you favour; you are not put in the position where you feel you must vote for someone other than your first choice in order to stop a candidate you dislike.

19 Because there are no safe seats or no-hope areas, parties will need to engage with voters everywhere, rather than concentrating on marginal constituencies. For the same reason, parties will be encouraged to put up diverse sets of candidates that will appeal across the range of voters.

20 The use of constituencies with boundaries based on local authority areas, and boundaries that change only very seldom, should be as attractive to parties and AMs as to their electorate.

Exploring the principles and practicalities of establishing boundary review arrangements for Assembly electoral areas

21 If constituencies are based on local authority areas, then as discussed above (paras. 6–7) boundary reviews would be greatly simplified. They would usually require only running a simple calculation before each election, to make any necessary adjustments to the allocation of seats between constituencies⁶. There would need to be provision for a review of any seats whose electorates went outside the range that would allocate them a permitted number of seats (3 to 7). Otherwise, boundary reviews would only be required when changes to local authority areas – amalgamation, fragmentation, or major changes in boundaries – are considered.

⁶Revised electoral numbers are published by the Office for National Statistics each March, giving numbers of electors as at the previous 1 December

22 Additionally, there should be a review of the chosen boundaries and allocation methodology after experience of two elections under the new scheme.

Considering the cost and resource implications of reforming the electoral system and Assembly boundaries – see 14 above

APPENDIX: LIST OF DETAILED SUGGESTIONS

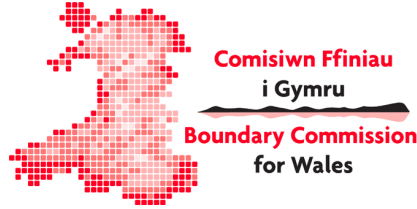
I have tried to keep technical details to a minimum in this submission. I should be happy to give evidence, written or oral, enlarging on any of these suggestions if required.

- a Seat numbers: allow 3-seat constituencies, especially in sparsely-populated areas. Evidence from Scotland – and the recent election in Ireland – show that systems with 3–4 or 3–5 seat constituencies provide a good degree of proportionality, with parties whose national support is 5% or lower gaining their fair share of seats.
- b Make some allowance for sparsely-populated and remote areas
Geographically, Wales divides fairly sharply between 9 LAAs with under 100 people/sq.km and 13 with over 200 people/sq.km. Also, many of the low-density LAAs are relatively remote from the seat of government, while overall they are distinctly a minority of the population. All this suggest that some modest positive discrimination in seat numbers might be appropriate.
Two international comparisons are of relevance here. In both Norway and Denmark geographical area is taken into account when allocating seats to areas. While in the European parliament, less populous countries are given ‘more than their fair share’ of seats – there is mathematical justification for this, considering voting power in a collection of independent units of unequal size⁷.
- c Seat allocation: use criterion of minimising proportional departure from parity (as is done in allocating Congressional seats to states in the US), rather than Saint-Lague.
- d Use e-counting (see 11)
- e To inform and engage voters, ensure that count information is well-presented both live at the count and subsequently. See e.g. presentation of Scottish council election results at https://www.macs.hw.ac.uk/~denis/stv_elections/SC2017/
- f Use Meek STV rather than Weighted Inclusive Gregory (see 12). Consider allowing voters to express equal preference (see 13).
[See sections 3 and 4 of <https://www.macs.hw.ac.uk/~denis/stv/fine-tuningSTV.pdf>]
- g Permute order of candidates on the ballot paper – or as a minimum, reverse order on alternate ballots (see 13).

⁷Penrose, LS (1946) ‘The elementary statistics of majority voting’, *J Roy Statist Soc* **109**, 53–57

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18 Chwefror 2020

Annwyl Ms Bowden AC,

Diolch i chi am y gwahoddiad i ddarparu ymateb i'r ymgynghoriad ar yr Ymchwiliad i'r Systemau a Ffiniau Etholiadol.

Ar ôl ystyried Cylch Gorchwyl a chylch gwaith y Comisiwn, teimlwyd mai'r mewnbwn mwyaf priodol fyddai rhoi cipolwg i'r Pwyllgor o'r meini prawf a'r prosesau sy'n gysylltiedig â chynnal Arolwg Seneddol. Cynhelir yr arolygon hyn ar sail Cymru gyfan ac o fewn un cylch arolygon.

Ar hyn o bryd, nid oes unrhyw fecanwaith deddfwriaethol ar gyfer cynnal arolwg o etholaethau'r Senedd ac mae sylwadau wedi'u cynnwys yn ymateb y Comisiwn er mwyn tynnu sylw at ystyriaethau y dylid eu rhoi wrth ddrafftio'r gyfryw ddeddfwriaeth.

Mae pob croeso i chi gysylltu â'r Comisiwn pe bai angen gwybodaeth ac eglurhad ychwanegol arnoch.

Shereen Williams

Ysgrifennydd / Secretary
Comisiwn Ffiniau i Gymru
Boundary Commission for Wales

**Y Pwyllgor ar Ddiwygio Etholiadol y Cynulliad
Systemau a ffiniau etholiadol
ESB 02 Comisiwn Ffiniau i Gymru**

**Ymchwiliad i Systemau a Ffiniau Etholiadol
Ymateb i Ymgynghoriad
Comisiwn Ffiniau i Gymru**

Comisiwn Ffiniau i Gymru (Y Comisiwn)

1. Mae'r Comisiwn Ffiniau i Gymru yn un o bedwar comisiwn ffiniau Seneddol, sy'n cwmpasu pob rhan o'r Deyrnas Unedig, a sefydlwyd gyntaf gan Ddeddf Tŷ'r Cyffredin (Ailddosbarthu Seddi) 1944. Mae pob Comisiwn yn annibynnol ar y Llywodraeth, ac mae pob un ohonynt wedi cwblhau chwech o arolygon cyffredinol i ffiniau etholaethau seneddol ers ei sefydlu.
2. Mae'r Comisiwn Ffiniau i Gymru yn gweithredu o dan Ddeddf Etholaethau Seneddol 1986 sy'n ei gwneud yn ofynnol, fel y'i diwygiwyd gan Ddeddf Comisiynau Ffiniau 1992 a Deddf System Bleidleisio Seneddol ac Etholaethau 2011, i bob un o'r pedwar Comisiwn gynnal arolwg parhaus o'r etholaethau seneddol trwy gynnal arolwg o'r holl etholaethau yn eu hardal bob pum mlynedd.
3. Llefarydd Tŷ'r Cyffredin yw Cadeirydd y Comisiwn ond, trwy gonfensiwn, nid yw ef neu hi yn cyfranogi yn y broses o gynnal arolygon ffiniau na ffurfio argymhellion y Comisiwn.
4. Y Dirprwy Gadeirydd felly sy'n arwain y Comisiwn yn ei waith. Mae'n rhaid i'r Dirprwy Gadeirydd fod yn Farnwr sy'n gweithio yn yr Uchel Lys ac fe'i penodir gan yr Arglwydd Ganghellor. Cynorthwyr y Dirprwy Gadeirydd gan ddau Aelod arall, y gwneir eu penodiadau gan y Gweinidog dros Swyddfa'r Cabinet.
5. Cynorthwyr y Comisiwn Ffiniau i Gymru gan ysgrifenyddiaeth fach sydd hefyd yn cynorthwyo Comisiwn Ffiniau a Democratiaeth Leol Cymru (CFfDLC). Mae'r ysgrifenyddiaeth yn cynnwys swyddogion cyhoeddus ac fe'i harweinir gan yr Ysgrifennydd i'r Comisiwn. Mae rôl yr Ysgrifenyddiaeth yn cynnwys paratoi cynigion cychwynnol i'w hystyried gan y Comisiwn.

Meini Prawf a Phroses Arolwg Seneddol

6. Wrth baratoi ar gyfer yr arolwg mae'n ofynnol i'r Comisiwn gael gafael ar y data sylfaenol sydd ei angen arno. Mae'r Ddeddf yn amodi mai'r ffigurau etholiadol sydd i'w defnyddio ar gyfer arolwg yw'r rheiny sydd yn y gofrestr etholiadol ar 'dyddiad yr arolwg'. Diffinnir dyddiad yr arolwg gan y Ddeddf, ar hyn o bryd, fel y dyddiad ddwy flynedd a deng mis cyn ei bod yn ofynnol i'r Comisiwn adrodd ar yr arolwg i'r Llywodraeth. Cyhoeddir y wybodaeth hon gan y Comisiwn.

Dylai unrhyw ddeddfwriaeth yn ymwneud â'r arolwg o etholaethau'r Senedd fod yn eglur o ran pa fersiwn o gofrestr etholiadol y Senedd y dylid ei defnyddio.

7. Mae'r Ddeddf yn datgan y gall y Comisiwn ystyried 'ffiniau llywodraeth leol' wrth ddatblygu ei gynigion. Mae'r Ddeddf yn diffinio'r cyfryw ffiniau yng Nghymru fel ffiniau siroedd, bwrdeistrefi sirol, wardiau etholiadol, a chymunedau fel yr oeddent yn bodoli ar ddiwrnod cyffredin ethol cynghorwyr mwyaf diweddar cyn dyddiad yr arolwg. Mae'r Comisiwn yn defnyddio'r wardiau etholiadol fel sylfeini etholaethau ac yn creu etholaethau o wardiau etholiadol sy'n gyffiniol â'i gilydd, o gymunedau cyfan; ac, nid ydynt yn cynnwys 'rhannau datgysylltiedig', h.y. lle byddai'r unig gysylltiad ffisegol rhwng un rhan o'r etholaeth a'r gweddill yn mynnu croesi trwy etholaeth wahanol. Byddai'r Comisiwn yn torri wardiau etholiadol ond nid cymunedau pe bai angen, er mwyn cyflawni cwota etholiadol y DU (UKEQ) (gweler 11 ii)
8. Nid yw'r Comisiwn yn ystyried effaith ei gynigion ar ganlyniadau etholiadau yn y dyfodol, na newidiadau i ffiniau llywodraeth leol a newidiadau i nifer etholwyr ar ôl dyddiad yr arolwg.

Mae CFFDLC yn cynnal arolwg o bob un o'r 22 awdurdod lleol yng Nghymru ar hyn o bryd a fydd yn galluogi Gorchmynion newydd i fod mewn grym ar gyfer etholiadau Llywodraeth Leol 2022. Dylai unrhyw ddeddfwriaeth yn ymwneud â'r arolwg o etholaethau'r Senedd egluro sylfeini ei etholaethau e.e. wardiau etholiadol, a chymunedau.

Dylai hefyd ystyried y bydd CFFDLC yn ailddechrau ei gylch arolygon deng mlynedd arferol ym mis Medi 2022 a dylai arolwg o etholaethau'r Senedd fod â chylch nas effeithir arno gan newidiadau i ffiniau etholiadol yng nghanol y cylch.

9. Wrth wneud ei argymhellion, mae'r Ddeddf yn mynnu hefyd bod y Comisiwn yn pennu enw a dynodiad ar gyfer pob etholaeth arfaethedig.

Mae'n bwysig sefydlu'r confensiynau a ddefnyddir wrth enwi etholaethau, yn enwedig o ran defnyddio'r Gymraeg a'r Saesneg.

10. Mae'n rhaid i'r Comisiwn gymhwyso darpariaethau Deddf Etholaethau Seneddol 1986, fel y'i diwygiwyd (yn bennaf gan Ddeddf System Bleidleisio Seneddol ac Etholaethau 2011).

11. Dyma'r meini prawf allweddol wrth gynnal arolwg o etholaethau Seneddol:

- i) Nifer yr etholaethau
- ii) Amrediad etholiadol statudol: Mae'r Ddeddf, fel y'i diwygiwyd, yn pennu nifer o Reolau sy'n berthnasol i ddatblygu cynigion manwl ar gyfer etholaethau unigol. Ar wahân i bedwar eithriad penodedig (nid yw'r un ohonynt yng Nghymru) – mae'n rhaid i bob etholaeth fod â nifer etholwyr (fel ar 'ddyddiad yr arolwg' fel y diffinnir yn y Ddeddf) nad yw ddim llai na 95% a ddim uwch na 105% o 'gwota etholiadol y DU' ("UKEQ"). Yr UKEQ ar gyfer Arolwg 2018, i'r cyfanrif agosaf, oedd 74,7691. Yn gyfatebol, mae'n rhaid i bob etholaeth yng Nghymru fod â nifer etholwyr ar ddyddiad yr arolwg nad yw'n ddim llai na 71,031 a ddim mwy na 78,507 (yr amrediad etholiadol statudol).
- iii) Ffactorau statudol eraill: Ffactorau eraill y mae'n rhaid i'r Comisiwn eu hystyried wrth bennu ei argymhellion ar gyfer etholaethau yn Arolwg 2018, yn benodol:
 1. Ystyriaethau daearyddol arbennig, gan gynnwys yn arbennig maint, siâp a hygyrchedd etholaeth;
 2. Ffiniau llywodraeth leol fel y'u diffiniwyd yn y Ddeddf fel yr oeddent yn bodoli ar 7 Mai 2015;
 3. Ffiniau etholaethau presennol; ac,
 4. Unrhyw gysylltiadau lleol a fyddai'n cael eu torri gan newidiadau mewn etholaethau.

12. Yn unol â darpariaethau'r Ddeddf, roedd yn rhaid i'r Comisiwn ddyfeisio cynigion ar gyfer 29 o etholaethau yn lle'r 40 presennol sy'n dod o fewn yr amrediad etholiadol statudol. O ganlyniad, roedd gallu'r Comisiwn i ystyried y ffactorau arbennig a restrwyd yn Rheol 5 yn gyfyngedig; canfuwyd nad oedd opsiynau amgen yn ymarferol gan na ellir darparu ar eu cyfer o ran maint etholaeth neu oherwydd eu heffeithiau canlyniadol ar etholaethau arfaethedig eraill. Ymagwedd y Comisiwn oedd argymhell etholaethau a oedd yn adlewyrchu'r meini prawf statudol yn gyffredinol.

Dylai unrhyw ddeddfwriaeth yn ymwneud ag arolwg o etholaethau'r Senedd gynnwys y meini prawf allweddol ar gyfer adolygu etholaethau yn cynnwys system bleidleisio, nifer yr etholaethau ac ati. Yn benodol, gallai'r arolwg fod eisiau ystyried p'un a yw'n ddymunol sefydlu etholaethau â nifer debyg o etholwyr.

Cynigion ac Ymgynghoriadau

13. Wrth ystyried y gweithdrefnau ar gyfer arolwg, mae'r Comisiwn yn ymgynghori â'r prif randdeiliaid a'r pleidiau gwleidyddol Seneddol cymwys ar faterion eang sy'n ymwneud â pholisi cyn yr arolwg.
14. Caiff proses yr arolwg ei llywio'n drwm gan ymgynghori cyhoeddus. Mae'r Comisiwn yn datblygu ac yn cyhoeddi cynigion cychwynnol ar gyfer etholaethau ledled Cymru. Wedyn, cymerir cynrychiolaethau gan y cyhoedd ynglŷn â'r cynigion hyn, yn ysgrifenedig ac mewn gwrandawiadau cyhoeddus yng Nghymru.

Dylai unrhyw ddeddfwriaeth yn ymwneud ag arolwg o etholaethau'r Senedd bennu Ymgynghoreion gorfodol.

15. Yn wahanol i'r broses gyda'r arolygon etholiadol a gynhelir gan CFFDLC, nid yw'r Comisiwn yn cynnal cyfnod ymgynghori cychwynnol er mwyn ffurfio ei gynigion cychwynnol. Mae'r Comisiwn yn arfer ei farn ei hun ac nid yw'n ymgynghori â'r pleidiau gwleidyddol Seneddol cymwys, awdurdodau lleol nac unrhyw grwpiau neu unigolion eraill â diddordeb. Pan fydd y cynigion wedi'u cyhoeddi, mae'r gweithdrefnau statudol yn caniatáu ar gyfer ymgynghoriad cyhoeddus o 12 wythnos lle gall pleidiau gwleidyddol ac eraill ddweud eu barn am y ffiniau arfaethedig wrth y Comisiwn.
16. Er mwyn rhoi cyhoeddusrwydd i'r cynigion cychwynnol, bydd y Comisiwn yn ymgymryd ag ymgyrch hysbysebu sy'n canolbwyntio ar ddod â'r cynigion, y cyfnod ymgynghori, a dyddiadau a lleoliadau gwrandawiadau cyhoeddus i sylw'r cyhoedd. Hefyd, bydd y Comisiwn yn anfon copïau o'i gynigion i'r holl bartion â buddiant (er enghraifft, prif gynghorau ac Aelodau Seneddol). Bydd Prif Gynghorau a llyfrgell Tŷ'r Cyffredin yn derbyn copïau o fapiau manwl yr etholaethau arfaethedig hefyd.
17. Mae'r Comisiwn yn dibynnu ar gyfuniad o gynrychiolaethau ysgrifenedig a chynrychiolaethau llafar mewn gwrandawiadau cyhoeddus. Nid ymchwiliadau, cyfarfodydd cyhoeddus na dadleuon yw'r gwrandawiadau hyn, ond maent yno i roi cyfle i'r Comisiwn egluro ei gynigion cychwynnol ac i'r cyhoedd roi eu barn ar y cynigion hynny. Mae'r gwrandawiadau cyhoeddus wedi'u cyfyngu'n llym i bara ddim mwy na dau ddiwrnod yr un, a chynhelir isafswm o ddau ac uchafswm o bum gwrandawiad cyhoeddus ledled Cymru. Mae'r Comisiwn yn rhoi'r un pwys ar gynrychiolaethau a wneir yn ysgrifenedig â'r rheiny a wneir ar lafar mewn gwrandawiadau cyhoeddus.
18. Caiff y gwrandawiadau eu cadeirio gan Gomisiynydd Cynorthwyol annibynnol a ddewisir gan y Comisiwn, sy'n rheoli'r trafodion, a gall ofyn gwestiynau i unigolyn sy'n rhoi cynrychiolaeth - neu gellir gofyn cwestiynau i'r Comisiynydd Cynorthwyol. Yn gyffredinol, dylid gofyn cwestiynau drwy'r Cadeirydd a dylid gofyn am eglurhad yn hytrach na cheisio 'croesholi'r' siaradwr ynglŷn â'i farnau.
19. Cyn gynted ag y bo modd ar ôl yr ymgynghoriad 12 wythnos cychwynnol ar gynigion cychwynnol y Comisiwn, bydd y Comisiwn yn cyhoeddi ar ei wefan yr holl gynrychiolaethau y mae wedi'u derbyn (gan gynnwys trawsgrifiadau o'r gwrandawiadau cyhoeddus). Pan fydd y cynrychiolaethau wedi'u cyhoeddi, ceir cyfnod statudol pellach o bedair wythnos pan fydd pobl yn gallu cyflwyno sylwadau ysgrifenedig i'r Comisiwn ar y cynrychiolaethau hynny a dderbyniodd yn ystod y cyfnod ymgynghori cychwynnol, er enghraifft, yn herio neu'n cefnogi honiadau a wnaed mewn cynrychiolaeth.

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ESB 02 Comisiwn Ffiniau i Gymru**

20. Bydd Comisiynwyr Cynorthwyol, wedi'u penodi gan y Comisiwn, yn ystyried yr holl gynrychiolaethau ysgrifenedig a dderbyniwyd a chynrychiolaethau llafar a wnaed yn y gwrandawiadau cyhoeddus yn y cyfnod ymgynghori cychwynnol, a'r holl gynrychiolaethau ysgrifenedig a wnaed yn yr ail gyfnod ymgynghori pedair wythnos. Yna bydd adroddiad yn cael ei baratoi ar gyfer y Comisiwn, yn crynhoi ac yn ystyried y cynrychiolaethau ac yn argymhell pa un a ddylid diwygio'r cynigion cychwynnol yng ngolau'r cynrychiolaethau hynny – ac os felly, sut. Wedyn mae'r Comisiwn yn ystyried yr adroddiad ac yn penderfynu p'un a ddylid gwneud diwygiadau i'w gynigion cychwynnol, ac i ba raddau.
21. Yna mae'r Comisiwn yn cyhoeddi hysbysiad ac adroddiad cynigion diwygiedig, fel y gwnaeth ar gyfer y cynigion cychwynnol. Os nad oes unrhyw ddiwygiadau, byddai adroddiad yn cael ei gyhoeddi o hyd gan roi eglurhad ynglŷn â pham na wnaed unrhyw newidiadau. Mae'r Ddeddf yn darparu ar gyfer cyfnod pellach o wyth wythnos ar gyfer gwneud cynrychiolaethau ysgrifenedig i'r Comisiwn ar y cynigion diwygiedig. Nid oes unrhyw wrandawiadau cyhoeddus yn cael eu cynnal yn y cam hwn; nid yw'r cyfnod pedair wythnos yn cael ei ailadrodd ychwaith ar gyfer gwneud sylwadau ar gynrychiolaethau pobl eraill.
22. Bydd y Comisiwn yn cyhoeddi'r holl gynrychiolaethau ysgrifenedig a dderbyniwyd yn ystod yr ymgynghoriad wyth wythnos ar y cynigion diwygiedig ar yr un pryd â chyhoeddi'r adroddiad Argymhellion Terfynol.

Dylai unrhyw ddeddfwriaeth yn ymwneud ag arolwg o etholaethau'r Senedd amlinellu'r broses ymgynghori h.y. esbonio os oes cyfnod ymgynghori cychwynnol, y camau ymgynghori amrywiol, y cyfnodau ymgynghori statudol, y broses ar gyfer cyflwyno cynrychiolaethau, defnyddio Comisiynwyr Cynorthwyol ac ati.

23. Yn ystod cyfnod yr arolwg, mae Swyddfa'r Cabinet yn darparu'r adnoddau ariannol i'r Comisiwn Ffiniau i Gymru. Mae hyn yn amrywio rhwng £1filiwn i £1.2miliwn y flwyddyn am ryw ddwy flynedd a hanner. Mae hyn yn galluogi'r Comisiwn i dalu am gostau cyhoeddusrwydd, y porth ar-lein ar gyfer cyflwyniadau, cyflogai'r Ysgrifenyddiaeth a ffioedd Comisiynwyr.

Yn ei gyflwyniad bydd CFfDLC yn darparu gwybodaeth yn ymwneud â'r trefniadau gweithredol ar gyfer yr Ysgrifenyddiaeth.

**Y Pwyllgor ar Ddiwygio Etholiadol y Cynulliad
Systemau a ffiniau etholiadol
ESB 03 Peter Varley**

To: SeneddReform@assembly.wales

1. I write to submit a response to the Inquiry into Electoral Systems and Boundaries.
2. This is a personal response, based largely on my previous personal responses to the 2017 consultation on local government reform and the 2018 consultation on "A Parliament which Works for Wales".
3. I stress that this is a personal response, as I currently hold the office of Elections Coordinator for Wales Green Party. My response is partly based on personal experiences both in that office and while using STV to conduct internal elections within Wales Green Party. While I have confirmed with my party colleagues that my response is compatible with Wales Green Party policy, It is nevertheless my response, and not a Wales Green Party response, and any controversial opinions should be attributed to me, and not to Wales Green Party.
4. Please also note that I am on the mailing list of the Make Votes Matter campaign, and I anticipate that their recommendations will be close to my own personal opinions.
5. In my response, I stress two topics:
 - 5a The importance of cooperation between parties, and how best to achieve it;
 - 5b The importance of a diverse National Assembly, and how best to achieve it.
6. My interest is in Electoral Systems. I have few if any comments to make on Boundaries. In the terms of reference of the inquiry I address:
 - 6a Examining the implications of the electoral systems and boundaries recommended by the Expert Panel for democratic representation in Wales, and considering how the principles identified by the Expert Panel might be weighted to ensure that the Assembly's electoral arrangements are appropriate to the Welsh context;
 - 6b Exploring public sentiment and understanding of the Assembly's current electoral arrangements and boundaries and the options recommended by the Expert Panel;
 - 6c Considering the implications for political parties in Wales of changing the electoral system and boundary models.
7. I do not address:
 - 7a Exploring the principles and practicalities of establishing boundary review arrangements for Assembly electoral areas;
 - 7b Considering the cost and resource implications of reforming the electoral system and Assembly boundaries.
8. The last two are, in any case, a job for politically-neutral civil servants, and not for politicians.

The importance of cooperation between parties, and how best to achieve it

9. Under voting systems which do not include vote transfers (e.g. FPTP or closed party lists), parties endeavour to maximise turnout of their own voters, while minimising turnout of other parties' voters. "Best play" is therefore to demonise other parties, by emphasising how they get everything wrong, and only the "one true faith" will do.
10. Under voting systems which do include vote transfers (AV and STV), "best play" is to emphasise the points which parties have in common, in order to attract second-preference votes.

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11. Parties and their agents will inevitably try to game the system, so it is important to have a system which encourages cooperation and not demonisation.
12. As an example of how emphasising points in common works in practice, I cite the recent Irish General Election. The Green Party candidates prospered largely through transfer votes from Sinn Fein. This could well lead on to further cooperation between the two parties, and even to them working together in coalition.
13. As an example of how proportional representation without vote transfers fails to provide stable government, I cite the 2019 Spanish General Elections, where each of four parties typically obtains about a quarter of the vote, and none of them has any history of cooperation with any other. The April election resulted in a short-lived single-party minority government, and the subsequent November election resulted in a coalition between two parties both losing ground to a common enemy.
14. Thus, both theory and practice confirm that voting systems with vote transfers encourage cooperation and stable coalition governments, whereas voting systems without transfers encourage mutual antagonism and unstable single-party minority governments. It is vital that the voting system should include vote transfers.
15. For this reason: I support Single Transferable Vote, and oppose any system (FPTP, AMS, closed lists) without vote transfers.
16. A secondary benefit of STV is that it allows voters to choose between candidates of the same party. Voters get the representation they want, not the candidate imposed on them by the party closest to their views. Voters cannot do this with FPTP, AMS or closed lists, and it is only theoretically possible with flexible lists.
17. It is not unknown for political parties to parachute candidates in to constituencies with which they had no previous connection. This should be discouraged, and by allowing voters to choose local candidates in preference to parachute candidates from the same party, STV would be a very effective method of discouraging parachute candidates.
18. On the question of the number of constituencies, either 17 to 20 constituencies would give about the right balance between localism and proportionality, and either alternative would be entirely acceptable. My personal preference would be the 20-constituency model.

The importance of a diverse National Assembly, and how best to achieve it

19. Most of the "diversity" in the 2018 consultation document refers specifically to gender. There are a few general references to disability, age is only considered in the section on reducing the minimum voting age, and I cannot find anything relating to ethnic or religious diversity. This is a serious weakness in what was otherwise an excellent document. Diversity should be more diverse.
20. Diversity, while welcome, is not to be pursued for its own sake. The objective is good legislation.
21. Diversity is important because it will result in an Assembly with a wider range of experience and knowledge, thus leading to good legislation. Increasing the size of the Assembly is also important, for the same reason: a larger Assembly will have a wider range of experience and knowledge. Similarly, job-sharing should be permitted.
22. In considering how to widen the range of experience and knowledge in the Assembly, we should look at what is currently missing.

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23. For example, as far as I can tell from information in the public domain, only five of the sixty AMs have a degree in a STEM subject, only two have worked in manufacturing industry, and none are chartered engineers. Asking this group of people to create an industrial policy for the years to come is absurd—they do not have the required expertise.
24. Other expertise is also missing. Cultural funding is determined by AMs who have neither produced nor appeared in a feature film nor released an album. Sports funding is determined by AMs who have not represented Wales in any international sporting contest.
25. Wales is famous for its actors and singers. Their fame is the source of our "soft power", our influence in the world. Since it is likely that, in future, the Welsh economy will depend even more on our cultural exports, we shall need creative artists, not paper-pushers, in the National Assembly.
26. Wales is known for punching above its weight in international competitions, and positive role-models are found on the rugby field, not in the Assembly. Indeed, it is the lack of positive role-models in the Assembly that is the source of the problem.
27. The stereotypical politician is a middle-aged white man in a badly-fitting suit. He speaks political gobbledegook, and on the rare occasions that he speaks plainly, he is lying.
28. This negative stereotype is presumably the source of the opposition to expanding the National Assembly. We do not need more stereotypical politicians—we have more than enough of them already.
29. Obviously, this stereotype discourages women from entering politics. It also deters those from minority ethnicities, and also (in no particular order) the fashion-conscious, the young, the old and the honest.
30. Thus, the problem to be addressed is that politicians are not positive role-models. It is this, not the voting system, which puts people off entering politics. And it is thus the public perception of politicians which we must change.
31. As a first step, more should be done to spread the idea that politics is for everyone, including women and minority groups. Until this idea takes root, artificial measures to promote diversity in politics are unlikely to succeed.
32. The 2018 consultation recommended STV with quotas. As noted above, I am strongly in favour of STV, so much so that I will accept quotas if that is what it takes to introduce STV. Perhaps quotas are worth trying, but there are reasons to believe that they will not succeed.
33. Of the many problems with quotas, the most serious is that of intersectionality. Diversity is not simply a matter of gender, and enforcing gender quotas while doing nothing for other underrepresented groups could lead to an Assembly where "all the women are white, and all the black people are men".
34. There are also technical difficulties in implementing quotas. Experts on STV have considered STV with quotas—see the papers in Voting Matters by:
Hill (<http://www.votingmatters.org.uk/ISSUE9/P1.HTM>)
Hill responding to Kitchener (<http://www.votingmatters.org.uk/ISSUE10/P3.HTM>)
Otten (<http://www.votingmatters.org.uk/ISSUE13/P3.HTM>).
35. Hill's recommendation is "don't do it".

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36. A further objection is that requiring a party to stand at least two candidates (one male, one female) in any constituency which they wish to contest discriminates against small parties. It is hard enough finding £500 for one deposit; finding £1000 for two deposits is too much to ask. (But a flat deposit which was the same whether the party put up one candidate or two would avoid this objection.)
37. Other suggested methods of addressing the problem are also unlikely to succeed. Leaving gender balance to political parties is unlikely to help much, as the first priority of any political party is to get its candidates elected, and they do this by selecting candidates on the basis of voter appeal. Zipping lists doesn't work for smaller parties, as only the head-of-list candidate has much chance of being elected, so the ordering of any remaining candidates is irrelevant.

Other comments

38. I am pleased to see that some of the recommendations of the 2018 report have already passed into law: 16-year-olds can now vote in Assembly elections; prisoners can vote if they will be released before the expected end of the lifetime of the body being elected; and those with incompatible jobs can stand for election to the National Assembly, only relinquishing their previous jobs if elected. Thank you.
39. I am happy to be contacted in the future in relation to this consultation and my submission, and I am happy for you to retain my contact details and contact me for these purposes

With best wishes,

Peter Varley MA MSc PhD CEng MIET

Ymateb i'r Pwyllgor ar ymchwiliad i systemau a ffiniau etholiadol fel rhan o Ddiwygio Etholiadol y Cynulliad

18 Chwefror 2020

1. Mae'r ymateb hwn yn darparu gwybodaeth i lywio ymchwiliad y Pwyllgor i systemau a ffiniau etholiadol.
2. Rydym yn ymateb i'r ymgynghoriad hwn fel rhan o'n rôl statudol i barhau i adolygu cyfraith etholiadol a gwneud argymhellion os credwn fod angen eu cyflwyno. Mae'n pwysleisio ein barn am faint y Cynulliad a sut y caiff Aelodau eu hethol, fel y nodwyd yn ein hymateb i ddogfen ymgynghori Cynulliad Cenedlaethol Cymru 'Creu Senedd i Gymru' ym mis [Ebrill 2018](#). Mae hefyd yn mynd i'r afael â phwyntiau penodol o Gylch Gorchwyl y Pwyllgor, lle y maent yn briodol i'n cylch gwaith.

Sut y caiff aelodau'r Cynulliad eu hethol

3. Mae penderfynu pa system bleidleisio i'w defnyddio ar gyfer etholiadau gwahanol yn fater cyfansoddiadol pwysig, a mater i Lywodraethau a Seneddau, nid y Comisiwn Etholiadol, ydyw. Ein rôl ni yw sicrhau bod pleidleiswyr yn deall y system etholiadol a ddefnyddir fel eu bod yn gallu bwrw eu pleidlais yn y ffordd a fwriadwyd a bod gwaith cynllunio gweinyddol priodol yn cael ei wneud gan y Swyddog Canlyniadau perthnasol.
4. Gallai effaith system etholiadol newydd ar etholwyr yng Nghymru fod yn sylweddol a bydd yn bwysig er mwyn sicrhau bod pleidleiswyr yn ymwybodol o'r system newydd, yn enwedig mewn perthynas â deall sut i fwrw eu pleidlais. Dylai Comisiwn y Cynulliad hefyd ystyried yr effaith ar Swyddogion Canlyniadau a'u staff er mwyn sicrhau eu bod yn gallu cynllunio'n effeithiol ar gyfer unrhyw newid etholiadol a darparu adnoddau ar ei gyfer.
5. Pe bai'r system yn newid, byddai angen i'r Comisiwn Etholiadol hefyd ystyried sut y mae'n cefnogi'r etholiad. Mae'n debygol y byddai gweithgarwch, lle y byddai angen cyllid ychwanegol ar ei gyfer, yn cynnwys:
 - Trefnu ymgyrch ymwybyddiaeth y cyhoedd cyn etholiad y Cynulliad;
 - Datblygu adnoddau addysg a phartneriaeth;
 - Rhoi cyngor a hyfforddiant i bleidiau gwleidyddol, ymgeiswyr a'u hasiantiaid ac ymgyrchwyr nad ydynt yn bleidiau;
 - Rhoi cyngor ac arweiniad **Tudalen 93 o 93** adnoddau a'u staff.

6. Dylai pob deddfwriaeth fod yn ei lle o leiaf chwe mis cyn y dyddiad y daw'n ofynnol ei rhoi ar waith neu y daw'n ofynnol i ymgyrchwyr, Swyddogion Canlyniadau neu Swyddogion Cofrestru Etholiadol gydymffurfio â hi fel y gallant roi cynlluniau ar waith i gyflwyno unrhyw newidiadau i brosesau.

7. Mae'r Comisiwn yn ymrwymedig i gydweithio â'r gymuned etholiadol yng Nghymru wrth roi unrhyw system etholiadol newydd ar waith. Mae dull cyson ar gyfer trefnu a rheoli etholiadau yng Nghymru wedi'i ddatblygu o fewn Bwrdd Cydlynu Etholiadol Cymru. Y Bwrdd hwn ddylai fod yn gyfrifol am gynllunio a rheoli newid etholiadol mawr ledled Cymru yn effeithiol.

Pwyntiau penodol o gyloch gorchwyl y Pwyllgor:

Deall trefniadau etholiadol cyfredol y Cynulliad:

8. Yn dilyn Etholiad Cynulliad Cenedlaethol Cymru yn 2016, awgrymodd ein hymchwil i farn y cyhoedd fod y rhan fwyaf o bleidleiswyr o'r farn bod yr etholiadau wedi cael eu cynnal yn dda (83% yn hyderus) a'u bod yn fodlon ar y broses o gofrestru i bleidleisio (91% yn fodlon) a'r broses bleidleisio (87% yn fodlon). O ran yr etholiad ei hun, dywedodd y rhan fwyaf o'r ymatebwyr eu bod yn gwybod llawer neu gryn dipyn am yr etholiadau hyn, gydag 80% yn cytuno bod ganddynt ddigon o wybodaeth am sut i fwrw eu pleidlais. Roedd hyn yn dangos cynnydd ers yr etholiad cyffredinol yng Nghymru yn 2011.

Pleidiau ac ymgeiswyr gwleidyddol

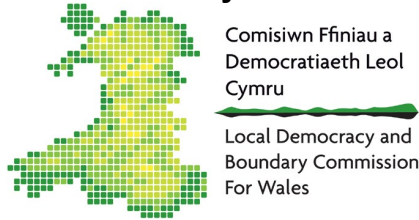
9. Yn ein harolwg o ymgeiswyr ar ôl yr etholiad, yn 2016 unwaith eto, roedd 77% o ymgeiswyr yn cytuno ei bod yn hawdd cael gwybod sut i ddod yn ymgeisydd. Roedd y rhan fwyaf o'r ymgeiswyr (73%) yn deall y rheolau er mwyn dod yn ymgeisydd a sut i'w dilyn. Roedd llai na hanner yr ymgeiswyr yn cytuno bod y rheolau ar wariant a rhoddion yn glir, a oedd yn llawer is nag etholiadau eraill.

Newid ffiniau

10. Er nad oes gan y Comisiwn Etholiadol unrhyw farn am newid ffiniau, byddem yn argymhell y dylid cytuno ar unrhyw newidiadau i'r system bresennol ymhell ymlaen llaw er mwyn sicrhau nad ydynt yn cael effaith sylweddol ar yr etholiad.

**Y Pwyllgor ar Ddiwygio Etholiadol y Cynulliad
Systemau a ffiniau etholiadol
ESB 05 Comisiwn Ffiniau a Democratiaeth Leol Cymru**

Tŷ Hastings
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19 Chwefror 2020

Annwyl Ms Bowden AC,

Diolch i chi am y gwahoddiad i ddarparu ymateb i'r ymgynghoriad ar yr Ymchwiliad i'r Systemau a Ffiniau Etholiadol.

Ar ôl ystyried Cylch Gorchwyl a chylch gwaith y Comisiwn, teimlwyd mai'r mewnbyn mwyaf priodol fyddai rhoi cipolwg i'r Pwyllgor o drefniadau gweithredol y Comisiwn wrth gynnal yr Ysgrifenyddiaeth.

Ar hyn o bryd, nid oes unrhyw fecanwaith deddfwriaethol ar gyfer cynnal arolwg o etholaethau'r Senedd ac mae sylwadau wedi'u cynnwys yn ymateb y Comisiwn er mwyn tynnu sylw at ystyriaethau y dylid eu rhoi wrth ddrafftio'r gyfryw deddfwriaeth.

Pe bai deddfwriaeth yn cael ei drafftio i gyfarwyddo'r arolwg o etholaethau'r Senedd, mae'r Comisiwn o'r farn fod ganddo'r staff cymwys a phrofiadol i weithredu fel Ysgrifenyddiaeth Comisiwn o'r fath.

Mae pob croeso i chi gysylltu â'r Comisiwn pe bai angen gwybodaeth ac eglurhad ychwanegol arnoch.



Shereen Williams

Prif Weithredwr / Chief Executive
Comisiwn Ffiniau a Democratiaeth Leol Cymru
Local Democracy and Boundary Commission for Wales

**Ymchwiliad i Systemau a Ffiniau Etholiadol
Cyflwyniad Tystiolaeth Ysgrifenedig**

Comisiwn Ffiniau a Democratiaeth Leol Cymru (Y Comisiwn)

1. Mae Comisiwn Ffiniau a Democratiaeth Leol Cymru yn Gorff a Noddir gan Lywodraeth Cymru a sefydlwyd yn ei ffurf wreiddiol gan Ddeddf Llywodraeth Leol 1972 ac o dan ei enw a'i swyddogaethau presennol gan Ddeddf Llywodraeth Leol (Democratiaeth) Cymru 2013. Dyletswydd y Comisiwn o dan y ddeddfwriaeth yw monitro'r ardaloedd a'r trefniadau etholiadol sy'n berthnasol i lywodraeth leol yng Nghymru at y diben o ystyried p'un a yw'n briodol gwneud neu argymhell newidiadau. Wrth gyflawni ei ddyletswyddau, mae'n rhaid i'r Comisiwn geisio sicrhau llywodraeth leol effeithiol a chyfleus.
2. Mae fframwaith wedi cael ei gytuno rhwng y Comisiwn a'i Is-adran Noddi yn Llywodraeth Cymru (yr Is-adran Democratiaeth Llywodraeth Leol). Mae hwn yn amlinellu'r fframwaith y mae'r Comisiwn yn gweithredu o'i fewn ac yn manylu ar y telerau a'r amodau sy'n rheoli sut mae Gweinidogion Cymru'n darparu cymorth grant i'r Comisiwn.
3. Bob blwyddyn, mae Gweinidogion Cymru yn gosod nodau polisi'r Llywodraeth a'i meysydd ar gyfer dangosyddion perfformiad allweddol trwy gyfrwng Llythyr Cylch Gorchwyl at y Comisiwn. Mae'r Llythyr Cylch Gorchwyl hefyd yn cynnwys manylion y ffigur cymorth grant a bleidleisiwyd a chyfansymiau rheolaeth gyllidebol cysylltiedig ar gyfer y flwyddyn ariannol i ddod.

Mae Ysgrifenyddiaeth y Comisiwn hefyd yn cynorthwyo'r Comisiwn Ffiniau i Gymru sy'n gyfrifol am arolygu etholaethau Seneddol y Deyrnas Unedig yng Nghymru. Ariennir yr Ysgrifenyddiaeth ar wahân gan Swyddfa'r Cabinet ar gyfer y gwaith hwnnw. Mae'r Comisiwn Ffiniau i Gymru wedi cyflwyno ymateb ar wahân.

Os oes dull gweithredu 'Comisiwn' tebyg i'w ddefnyddio ar gyfer cynnal arolygon o etholaethau'r Senedd, mae'r profiad a'r arbenigedd gan yr Ysgrifenyddiaeth o gynorthwyo Comisiwn Ffiniau Senedd. Dylid ystyried pethau ymarferol fel y trefniadau darparu adnoddau, nifer y Comisiynwyr ac unrhyw ofynion ychwanegol e.e. penodiadau Comisiynwyr Cynorthwyol, rôl Swyddog Cyfrifyddu ac ati. Gall y ddeddfwriaeth naill ai gynnwys paramedrau'r etholaethau (yn gyson â'r ddeddfwriaeth seneddol) neu gyfarwyddo'r Comisiwn Ffiniau Senedd i ddatblygu polisi ac arfer sy'n pennu'r paramedrau (sydd ar waith ar hyn o bryd yn yr arolygon etholiadol).

Arolygon a Systemau Pleidleisio

4. Mae Deddf Llywodraeth Leol (Democratiaeth) (Cymru) 2013 (Deddf 2013) yn mynnu bod y Comisiwn yn cynnal arolwg o'r trefniadau etholiadol ar gyfer pob prif ardal o leiaf unwaith bob deng mlynedd. Dechreuodd y cyfnod deng mlynedd ar ddechrau mis Hydref 2013 a daw i ben ar ddiwedd mis Medi 2023.

5. Yn dilyn cais gan Weinidogion i atal dechrau'r rhaglen, ym Mehefin 2016 ysgrifennodd Ysgrifennydd y Cabinet dros Gyllid a Llywodraeth Leol ar y pryd at y Comisiwn i ofyn iddo ddechrau rhaglen o arolygon etholiadol i'w chwblhau mewn pryd ar gyfer etholiadau llywodraeth leol 2022.
6. Mae Polisi ac Arfer presennol y Comisiwn ar gyfer Rhaglen Arolygon Etholiadol 2017 yn seiliedig ar system 'Y Cyntaf i'r Felin'. Mae'r polisi hwn yn darparu ar gyfer gwneud argymhellion y bydd pob ward etholiadol yn cael ei chynrychioli gan rhwng un a phedwar aelod, gan ddibynnu ar nodweddion y ward.
7. Ar hyn o bryd, mae cynigion deddfwriaethol cyfredol i alluogi prif gynghorau i ddewis naill ai'r system Y Cyntaf i'r Felin neu 'Bleidlais Sengl Drosglwyddadwy' ar gyfer cylchoedd etholiadol yn y dyfodol.

Mae'r Comisiwn yn cynnal arolygon ar sail y systemau etholiadol a bennir yn y deddfwriaeth ac nid yw'n ffafrio nac yn argymhell dim mewn perthynas â'r mater hwn. Bydd y Comisiwn yn cael ei arwain gan y system sydd wedi'u nodi mewn deddfwriaeth wrth gynnal arolygon. Materion i'w hystyried yn benodol os defnyddir y Bleidlais Sengl Drosglwyddadwy yw isafswm ac uchafswm nifer yr aelodau ar gyfer etholaethau arfaethedig, a'r dyraniad seddi rhanbarthol ar gyfer etholaethau'r Senedd.

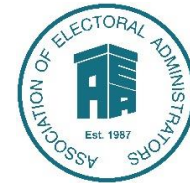
Rôl Comisiynwyr

8. Caiff y Cadeirydd a'r Comisiynwyr eu penodi gan y Gweinidog Tai a Llywodraeth Leol a gwneir y penodiadau yn unol â chod ymarfer y Comisiynydd penodiadau cyhoeddus. Mae Adran 4(1) o Ddeddf 2013 yn datgan fod cyfansoddiad y Comisiwn yn cynnwys Cadeirydd, Dirprwy Gadeirydd a dim mwy na thri Aelod arall.
9. Rôl y Comisiynwyr yw:
 - darparu arweinyddiaeth effeithiol; diffinio a datblygu cyfeiriad strategol a gosod amcanion sy'n cynnig her;
 - hyrwyddo safonau uchel ar gyfer cyllid cyhoeddus, a chynnal egwyddorion rheoleidd-dra, priodoldeb a gwerth am arian;
 - sicrhau bod gweithgareddau'r Comisiwn yn cael eu cynnal yn effeithlon ac effeithiol; a
 - monitro perfformiad i sicrhau bod y Comisiwn yn bodloni ei nodau, amcanion a thargedau perfformiad yn llawn;
 - cynrychioli barnau'r Comisiwn i'r cyhoedd a'i randdeiliaid;
 - sicrhau gwella a chynnal enw da'r Comisiwn drwy weithredoedd a phenderfyniadau'r Comisiwn a'r ffordd y caiff y rhain eu cyfleu i randdeiliaid.

10. Yn benodol, mae'r Comisiynwyr yn gyfrifol am:

- bennu a dwyn yn eu blaen nodau ac amcanion strategol y Comisiwn yn gyson â'i ddiben cyffredinol ac o fewn y fframwaith polisi ac adnoddau a bennwyd gan y Gweinidog;
- sicrhau bod y Gweinidog yn cael gwybodaeth lawn am unrhyw newidiadau sy'n debygol o effeithio ar gyfeiriad strategol y Comisiwn neu ar y gallu i gyrraedd ei dargedau, a'r camau sydd eu hangen i ddelio â'r cyfryw newidiadau;
- sicrhau cydymffurfio ac unrhyw ofynion statudol neu weinyddol mewn perthynas â defnyddio cyllid cyhoeddus; ei fod yn gweithredu o fewn terfynau ei awdurdod statudol ac unrhyw awdurdod dirprwyedig a gytunwyd gyda'r adran noddi, ac yn unol ag unrhyw amodau eraill yn ymwneud â defnyddio cyllid cyhoeddus; a'i fod, wrth wneud penderfyniadau, yn ystyried canllawiau a gyhoeddwyd gan Lywodraeth Cymru;
- sicrhau ei fod yn derbyn gwybodaeth ariannol yn ymwneud â rheolaeth y Comisiwn ac yn ei hadolygu'n rheolaidd; ei fod yn cael gwybod mewn modd amserol am unrhyw bryderon ynghylch gweithgareddau'r Comisiwn a'i fod, lle bo'n berthnasol, yn darparu sicrwydd cadarnhaol i'r Gweinidog drwy'r tîm noddi fod camau unioni priodol wedi'u cymryd i fynd i'r afael ag unrhyw bryderon o'r fath;
- dangos safonau uchel o lywodraethu corfforaethol bob amser, yn cynnwys trwy ddefnyddio'r pwyllgor archwilio a sicrwydd risg i helpu'r Comisiynwyr i fynd i'r afael â risgiau ariannol allweddol a risgiau eraill.
- Yn ogystal, mae'r Comisiynwyr yn goruchwyllo manylion pob arolwg unigol gan gymryd cydgyfrifoldeb am y cynigion a'r argymhellion ynddynt.

Os yw Comisiynwyr i'w defnyddio ar gyfer arolygon o etholaethau Senedd, mae'n rhaid iddynt feddu ar ddealltwriaeth o lywodraethu sefydliadau'r sector cyhoeddus. Dylai fod gwybodaeth ganddynt hefyd am gyd-destun a daearyddiaeth Cymru. Dylid rhoi ystyriaeth ddyledus i'r Gymraeg hefyd. Dylid rhoi tâl i'r penodiadau hyn yn unol â lfeleau tâl Penodiadau Cyhoeddus.



The Association of Electoral Administrators

Response to the National Assembly for Wales consultation on electoral systems and boundaries

Organisation: Association of Electoral Administrators (AEA). A joint response from the National AEA and the Wales Branch of the AEA.

Summary of Organisation: The Association of Electoral Administrators (AEA) was founded in 1987 and is the professional body representing the interests of electoral administrators in the United Kingdom. It is a non-governmental and non-partisan body and has just under 2,000 members, the majority of whom are employed by local authorities to provide electoral registration and election services. There are eleven regional branches of the Association covering the United Kingdom one of which is Wales.

Contact Details:

[Redacted contact information]
[Redacted contact information]

Responses to the terms of reference:

Examine the recommendations of the Expert Panel on Assembly Electoral Reform relating to electoral systems and boundaries, and the principles underpinning them, by:

- **Examining the implications of the electoral systems and boundaries recommended by the Expert Panel for democratic representation in Wales, and considering how the principles identified by the Expert Panel might be weighted to ensure that the Assembly's electoral arrangements are appropriate to the Welsh context;**

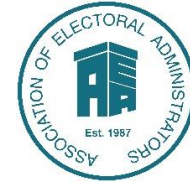
The AEA is supportive of any changes introduced to encourage a Senedd that more accurately reflects the diverse nature of society in Wales. However, it is a matter for Welsh Government and the Senedd as to how they would wish to implement this.

- **Exploring public sentiment and understanding of the Assembly's current electoral arrangements and boundaries and the options recommended by the Expert Panel;**

The Expert Panel have recommended three electoral systems which could be suitable for use in Wales.

The AEA maintains a neutral stance on this as we believe it is for the Senedd to make decisions of this nature.

We would recommend that in introducing any changes to the voting system, that careful consideration should be given to the potential risk of voter confusion that comes with different voting systems. Additionally, consideration should be given to the risks that



The Association of Electoral Administrators

will be introduced and the challenges different voting systems will bring to administering polls using the different systems.

There will be a need to ensure that an effective public awareness campaign is undertaken ahead of any specific event.

Furthermore, we would also encourage the Senedd to consider how Returning Officers and their staff will be able to effectively plan for and resource any electoral change.

We would call on the Senedd to work closely with the electoral community in Wales in implementing any new electoral system to ensure consistency, ideally using the Wales Electoral Co-ordination Board.

The AEA supports any measures that, after full and proper evaluation, enhance public confidence in democratic systems, are deliverable and do not add unnecessary bureaucracy, cost and risk into the process. We would urge the Senedd to consider these factors when making their final decision on electoral change.

- **Considering the implications for political parties in Wales of changing the electoral system and boundary models;**

No comment - this is not a matter for the AEA and is for the political parties to answer.

- **Exploring the principles and practicalities of establishing boundary review arrangements for Assembly electoral areas;**

The Senedd and UK Parliamentary boundaries have generally mirrored each other and are well established. The diverging of the Senedd and UK Parliamentary boundaries will inevitably create administrative difficulties and voter confusion.

Consideration needs to be given to the complexity that comes with introducing different electoral systems for different election types. This is in addition to the challenges of elections not being run on coterminous boundaries. Boundaries crossing local authorities will increase risk to the successful delivery of a poll. They also risk increasing voter confusion in relation to who is responsible for administering their election with different Councils administering different elements of the process.

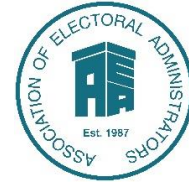
We support establishing boundary review arrangements for Senedd electoral areas. In our statement on the 2019 UK Parliamentary general election, we addressed the challenges of setting a legislative timeframe for such reviews that cannot be extended when unscheduled electoral events are required. We stated:

We believe that the UK Government should introduce changes to legislation so that, in the event of an unscheduled UK national poll or referendum, local authorities may extend their polling district and polling places review.

We would ask the Senedd to ensure any arrangements are flexible enough to allow processes to be administered even when other priorities occur.

- **Considering the cost and resource implications of reforming the electoral system and Assembly boundaries.**

Changes to electoral systems and boundaries will increase costs, both in the short and longer term. As such we would seek a commitment from the Welsh Government and the Senedd to fully fund any new burden/initiative resulting from legislative reforms. We would also ask them to fully engage with the electoral community in relation to the



The Association of Electoral Administrators

planning, developing and implementation of any new mechanisms or processes, including the drafting of legislation.

Angela Holden

Policy Manager on behalf of the AEA

Rhys George

Chair of Wales AEA Branch

19 February 2020



**Committee on Assembly Electoral Reform
Consultation on Electoral Systems and Boundaries
ERS Cymru response
February 2020**

At ERS Cymru we welcome the opportunity to respond to this consultation on electoral systems and boundaries.

Our view is that the work of the Expert Panel on Assembly Electoral Reform was comprehensive and we fully endorse its main recommendations. We remain frustrated that the implementation of these recommendations has not been taken further and are disappointed that the opportunity to legislate to increase the Senedd's size and change its voting system has been missed in this parliament.

We hope that the Committee can build on the recommendations of the Expert Panel and can influence the political parties in the Senedd to commit to urgent reform.

It is more apparent than ever that the size of the Senedd is not fit for purpose and, alongside an increase in the number of members, we must consider how elections could work in the future.

Examining the implications of the electoral systems and boundaries recommended by the Expert Panel for democratic representation in Wales, and considering how the principles identified by the Expert Panel might be weighted to ensure that the Assembly's electoral arrangements are appropriate to the Welsh context;

The Expert Panel did extensive analysis of multiple systems during the course of their work. Our preferred option has always been consistent with their recommendation of STV alongside an integrated gender quota. We have long been advocates of STV but believe it would be particularly appropriate in the Welsh context.

STV

The Single Transferable Vote scores very highly across most criteria against which to evaluate an electoral system, in particular proportionality, voter choice, diversity and member accountability. Voters are more likely to have representatives they want and the overall result is likely to be broadly proportional to the number of votes cast for each party. Each area will almost certainly be represented by a number of people from different parties.

Unlike a list system, STV maintains the link between an elected representative and a local constituency area. The constituencies are much smaller than the regions under the current AMS system and the direct link is there as members are chosen, as individuals, by the voters. In addition, voters who did not get their first choice of candidate may see their second or third preference candidate succeed. This increases the number of voters who have given their support to their representative.

In terms of how STV would work in practice, the Expert Panel considered options including pairing the current 40 constituencies to develop 20 new multi-member constituencies. The number of members elected for each of those 20 constituencies would range from 4 to 5 depending on the size of the Senedd agreed upon and the number of electors in each constituency. This method could be used to elect a Senedd of 89 to 90 members.

They also modelled this using 17 multi-member constituencies based on local authority areas (with smaller authorities becoming one constituency, e.g. Ynys Mon and Gwynedd). This method could be used to elect an Assembly of 83 to 84 members.

Our view is that the right size for the Senedd should be towards the higher end of the bracket and electing members based on pairing existing constituencies as detailed by the Panel could be relatively simple and would ensure a relatively consistent number of electors per Members of the Senedd across Wales. As the Expert Panel argues, going towards the higher end of the bracket ensures “the benefits would be greater, providing a more meaningful difference in the ability of many Members to specialise, with consequent benefits for scrutiny and representation”.¹

This does create larger constituencies than are currently in practice. In urban cases this will be a lot easier for elected members as, for example, Cardiff Central and Cardiff South and Penarth are both relatively small geographic areas. However, STV would still encourage a local link between a member and their constituency even in rural areas. Furthermore, STV would ensure more voters have actually voted for one of their local Members of the Senedd and that votes are far more proportional across the country, which must be prioritised over concerns around geography.

Flexible List system

The Expert Panel’s second preference for a voting system for a larger Senedd was the Flexible List system. This system is perhaps much less familiar to voters across the UK but list systems are the most commonly used worldwide.

The Flexible List scores highly on some of the indicators of a good electoral system, especially proportionality and diversity.

1

<https://www.assembly.wales/NAfW%20Documents/About%20the%20Assembly%20section%20documents/Expert%20Panel%20on%20Assembly%20Electoral%20Reform/A%20Parliament%20that%20Works%20for%20Wales.pdf>

In Party List systems, seats in a parliament closely match how many votes each party receives. Countries with Party List PR tend to have lots of parties as list systems are highly proportionate, though thresholds can be applied to prevent parties with very low levels of support from gaining representation. Unlike AMS (including the list boost proposed by the Expert Panel), where constituency candidates elected under FPTP reduce proportionality, the Flexible List returns representatives in proportion to their share of the vote.

The Flexible List is an improvement on FPTP and closed list proportional systems as it allows electors to either vote for a party's list of candidates or vote for their preferred candidate within a list, depending on the flexibility of the system. But as a non-preferential voting system, the Flexible List reduces voter choice, compared with STV, as electors cannot express more than one preference and nuance their choice. In addition, under List PR systems, there is often a weaker constituency link, as a slate of candidates is elected to represent a larger area than under other electoral systems. Reducing the size of a constituency might improve member accountability, though this would affect proportionality.

The variant of Flexible List system proposed by the Expert Panel would give voters a single vote, where they could choose to either vote for a party – which would be interpreted as a vote for the party's preferred candidate order – or for an individual candidate within a party's list. This model is similar to the one used in Sweden and improves voter choice as voters can choose to vote for the candidate they prefer.

The candidate threshold chosen (where a candidate would be elected in a different order to their party list if the threshold were to be reached) can have a significant effect on who actually gets elected under the Flexible List.

The Expert Panel concluded a threshold of about 10% would be the most effective in Wales, due to the high numbers of voters already used to voting for individual candidates, but called for it to be reviewed after the first election. This appears to make sense logically given a shift from a mostly First Past the Post system.

In terms of how this would work in practicality the Expert Panel suggested using the method outlined for STV where either 20 constituencies would be developed based on the current 40 constituencies or 17 would be developed based upon the current 22 local authorities.

As we have outlined above, our preferred option would be through pairing the existing 40 constituencies. This would also retain a direct constituency link under the Flexible List system, however we would prefer an STV system as it gives voters the ability to vote preferentially and increases voter choice.

Additional Member System

We share the Expert Panel's reservations around the ability of an AMS system to support the required increase in the number of Members of the Senedd. While the Panel concluded it would be possible to entirely redesign boundaries in order to support a larger Senedd, we believe that this still does not adequately outweigh the downsides in terms of how we elect members.

Fundamentally, the First Past the Post element of the AMS system remains disproportionate and perpetuates problems such as wasted votes, lack of voter choice and 'safe' seats. While the list system acts as a way to mitigate these issues it essentially creates two classes of members. In addition, it also fails to resolve issues around voter choice. Voters who particularly dislike a candidate at the top of their preferred party's list, or like a candidate from a party they otherwise do not support, are unable to express this at the polling station. Power over AMs is once again concentrated within the party, who chooses the order of its list.

Principles for an appropriate electoral system

The ten principles against which the Expert Panel measured each electoral system they reviewed largely overlap with those we used in our 2016 report "Reshaping the Senedd".²

The IDEA handbook has criteria for designing an electoral system, which includes areas such as 'providing representation' and 'holding the government accountable', however these are not developed for a specific UK context, so their impact in this case is limited.³

Therefore, we believe that the Expert Panel's list of principles offer a sound basis with which to examine the best system for this specific context.

In terms of the areas we believe should be prioritised, those are proportionality, voter choice and an equal mandate. Proportionality is vital as it ensures voters are properly represented and their choices are reflected in the makeup of any parliament. Disproportionate systems, such as First Past the Post, have ensured wasted votes, 'safe' seats and a lack of diversity leading to systemic problems with democracy at a UK level. For example in the 2019 General Election 52.2% of voters in Wales didn't vote for their MP,⁴ a figure unheard of in any proportional system.

Systems such as STV maximise voter choice as voters are represented by multiple members and have the opportunity to rank as many candidates as they would like to. Whereas the Flexible List system offers proportionality, it does not offer as much voter choice as STV as it does not allow voters to rank their preferences.

An equal mandate would be our final area to prioritise. One of the major flaws with the current AMS system in the Senedd is that it elects two 'types' of members. We have increasingly seen this cause issues, whether this be through limits in practicalities with the geographical spread of regions or the perception among some Members that Regional Members do less casework. It has also anecdotally led to some confusion among voters about who they can contact for issues within their local area.

² <https://www.electoral-reform.org.uk/latest-news-and-research/publications/reshaping-the-senedd/#sub-section-5>

³ <https://www.idea.int/sites/default/files/publications/electoral-system-design-the-new-international-idea-handbook.pdf>

⁴ <https://ge2019.electoral-reform.org.uk/region/wales>

Exploring public sentiment and understanding of the Assembly's current electoral arrangements and boundaries and the options recommended by the Expert Panel;

There is a fundamental lack of understanding about the Senedd as a whole in Wales. Our work on political education through our [Missing Voices](#) and [Our Voices Heard](#) projects has highlighted a major democratic deficit in Wales, which is backed up by low turnout at Senedd elections and a low recognition of Wales' political leaders.⁵

This suggests public understanding of the Senedd's current electoral arrangements is likely to be limited, as would be awareness of the detail in the Expert Panel's report. It is also likely that understanding of boundary changes and voting system changes would also be limited until the implementation of a communication campaign closer to the first election using a different system.

However, all evidence we have points to STV, our preferred choice for the Senedd electoral system and that of the Expert Panel, being very easy to understand for voters. STV is simple for voters – all they have to do is rank as many or as few candidates as they wish in order of preference. The main change that will need to be communicated to voters is that they need to decide on how they would like to rank the candidates on the ballot paper. There is also a need to brief parties and candidates separately about the different requirements and consequences of campaigning under STV.

Considering the implications for political parties in Wales of changing the electoral system and boundary models;

Campaigning under different systems

One of the biggest differences for political parties under a different voting system is that parties need to campaign slightly differently.

Under the current AMS voting system, parties arguably have not really changed the way they campaign from First Past the Post elections. In constituencies at least, we see the same issues during Senedd election campaigns as we do for UK wide elections, where parties put resources into seats they already hold or hope to gain. On the whole, parties with less chance of winning a seat will put less resource and time into campaigning there.

This changes markedly under a more proportional system as we have seen in the recent Republic of Ireland election, where the campaign was very different to the recent 2019 General Election in the UK. We have highlighted this in a [recent blog series](#) on our website, where people who have voted in both Irish and UK elections have described their experiences.

In terms of how parties campaign differently under STV, one of the biggest differences is that smaller parties have the chance of securing representation in proportion to their share of the

⁵ <https://blogs.cardiff.ac.uk/electionsinwales/2019/07/30/the-new-welsh-political-barometer-poll-party-leader-ratings/>

vote, enhancing their willingness to contest seats. Two-horse races and safe seats are virtually eliminated, meaning that all parties have an incentive to campaign as best as they can to secure one or more seats. Both of these contribute to ensuring that elected representatives fairly reflect the diversity of opinion in an area and that voters are engaged in an active and informative contest. Energetic, imaginative campaigning and a popular message will also be good both for the individual candidate and the party.

For example, a FPTP ward where Labour poll 50–55% and the rest of the vote is scattered between the other parties, would be a very predictable Labour seat to which nobody would devote much attention. But if it were within a four-member STV seat, Labour’s campaigning efforts might make the difference between winning two seats or three seats. The other parties would also find it worth campaigning, not only to try to deprive Labour of the third seat, but also to come top in the race for the fourth seat, and to persuade supporters of other parties to transfer their lower preferences in the right direction.

This has been highlighted in our blog series where one contributor, Feargal, said:

“In Ireland under STV, the TDs [Irish MPs] know that small shifts in opinion will affect who gets elected. They want everyone’s vote, even if it’s not the first preference: they all want to be your second and third preference. They can not afford to ignore people.”⁶

Another, Martha Shearer, offered her opinion:

“I think the voting system has an impact on the campaign. There’s a sense of individual candidates wanting to engage with the electorate on their own terms – not just as part of the party machinery. Partly as they’re competing with more candidates. It feels much more politically engaged. The election in Ireland saw disaffection with the duopoly of two big parties. That opinion was reflected in the results, rather than creating anger at politics in general.”⁷

Electoral implications of a new system

We are currently in the process of commissioning new modelling to update the Expert Panel’s polling on the makeup of a larger Senedd under different voting systems. We hope to have this publicly available by May 2020 and are happy to engage further with the Committee on this.

Exploring the principles and practicalities of establishing boundary review arrangements for Assembly electoral areas;

Boundary review arrangements should be included in legislation introduced immediately after the next election, thus giving them the same level of scrutiny as the rest of the changes.

⁶ <https://www.electoral-reform.org.uk/in-ireland-under-stv-politicians-can-not-afford-to-ignore-people/>

⁷ <https://www.electoral-reform.org.uk/voting-with-proportional-representation-feels-much-more-meaningful-than-westminsters-system/>

The reviews themselves should be undertaken by the Boundary Commission with significant consultation with the public and decision makers. Lessons should be learnt from the introduction of STV for local elections in Scotland in 2007. While the number of those elected in local elections is obviously vastly higher than those of parliamentary elections, the principles of boundary reform should not be hugely different. The Commission could also look to the Republic of Ireland and learn how their constituencies work under their General Elections, which are held under STV.

The principles of new boundaries for a different system should include a relatively consistent number of electors per member in each constituency and also the combination of seats that make practical sense in terms of geography.

Considering the cost and resource implications of reforming the electoral system and Assembly boundaries.

The Expert Panel assessed the potential costs of increasing the size of the Senedd in Annex F of their report. This covered the cost of additional members, staffing, IT and other services which Members of the Senedd have access to, including training and development.

In terms of additional costs around reforming the electoral system and Assembly boundaries, we would anticipate cost to be incurred from the Boundary Commission's work and a public information campaign around the change to the voting system. These would both be one off costs rather than recurrent.

When making the case around incurring additional costs for reform, it is vital we remember that these costs are both relatively small and that improvement in scrutiny (as a consequence of having an increase in members) can deliver real dividends for public services. We should look at these reforms in the round as they will deliver a larger, stronger Senedd with a higher level of accountability to the public. That is a worthwhile investment.

For further information please contact:

Jess Blair
Director, ERS Cymru

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**Y Pwyllgor ar Ddiwygio Etholiadol y Cynulliad
Systemau a ffiniau etholiadol
ESB 08 Plaid Annibyniaeth y Deyrnas Unedig**

UKIP Consultation Response to the National Assembly for Wales Committee on Assembly Electoral Reform Inquiry into Electoral Systems and Boundaries

1. The United Kingdom Independence Party (UKIP) exists as a Political Party registered with the UK Electoral Commission under the PPERA, bearing the Electoral Commission Registration Number PP85. The Party exists as a Limited Liability Company registered with Companies House (Registration Number: 05090691) in accordance with the Companies Act 2006. Copies of the party's constitution are available on the web and the most recent edition of the party rulebook is available on request. UKIP is a democratic and libertarian party. We espouse policies including favouring the ability of individuals to make decisions in respect of themselves; seeking to diminish the role of the State; lowering the burden of taxation on individuals and businesses; ensuring proper control over the United Kingdom's borders; strengthening and guaranteeing the essential, traditional freedoms and liberties of all people in the United Kingdom; and promoting and encouraging those who aspire to improve their personal situation and those who seek to be self-reliant, whilst providing protection for those genuinely in need. UKIP believes that the United Kingdom of Great Britain and Northern Ireland (hereafter "The United Kingdom") should only be governed by her own citizens, and that its governance shall at all times be conducted first and foremost in the interests of the United Kingdom and its peoples, and that the only laws that should apply within the jurisdiction of the United Kingdom are those wholly made by the Parliament of the United Kingdom.
2. In the 2016 Welsh Assembly elections, seven UKIP candidates were elected as representatives by the 'list system'. The current Leader of UKIP in Wales is Neil Hamilton AM.
3. On 7th February 2018, the UKIP group of elected representatives in the National Assembly of Wales (hereafter *the Assembly*) proposed a motion for debate (Motion NDM6645) arguing that: (a) currently, there should be no increase in the number of the Assembly's elected members; and (b) the electorate must demonstrate their consent to any future increase in the number of elected members by way of a referendum. The Labour and Plaid Cymru groups of elected representatives in the Assembly (and the Welsh Government representatives) opted not to speak on the motion at all. The (Plaid Cymru) Presiding Officer spoke on behalf of the Assembly Commission, not her party. The motion was *not* passed, even though two of the largest groups in the Assembly *failed* to advise, at length, in speeches in the Assembly chamber, as to *why* they believed that it was appropriate (or otherwise) to ask the whole electorate, by referendum, whether the number of Assembly Members should be radically increased.
4. The position of UKIP is that there should be no change at all to the number of Assembly members and that the boundaries of Assembly electoral constituencies and regions should not be changed. Consequently, we also oppose any resourcing or costing to consider the implications of reforming the electoral system and Assembly boundaries.
5. Furthermore, given that all of the current political groups in the Assembly, apart from the UKIP group, would not, in 2018, assent to directly asking *all* of the Welsh electorate to consent to one of the prime and most important changes to the electoral system, by way of a referendum, we consider the current proposals of the committee to "[explore] public sentiment and [understand] the Assembly's current electoral arrangements and boundaries and the options recommended by the Expert panel" to be a retrograde step compared to our proposal, and we also oppose it. Further reasons for this are set out more fully later on in this document.
6. We are also opposed to 16 and 17 year-old people voting in Assembly elections and we oppose votes for foreign nationals in Assembly elections. The legislation enabling this was passed by the slimmest of majorities: only one vote enabled the two-thirds majority for the motion to be exceeded, which included the Presiding Officer and Deputy Presiding Officer's own (potentially) self-interested and partisan votes.

7. In what follows we shall comment on each of the five bullet pointed terms of reference that you asked us to consider in your letter dated 8th January 2020 before, briefly, providing concluding remarks.

Bullet Point #1: “Examining the implications of the electoral systems and boundaries recommended by the Expert Panel ..., and considering how the principles identified by the Expert Panel might be weighted ...”

8. We believe that the Panel’s principle labelled “Simplicity” should be given the highest weighting of the panel’s eight principles: "Simplicity: the system should be designed with simplicity and intelligibility for voters in mind."
9. The Panel’s Principle labelled “Equivalent Status” is not of the *highest priority* to us but it is, nonetheless, a *high priority*: "Equivalent status: as far as possible, the system should ensure that all Members are elected with broadly equivalent mandates which afford them equal status."
10. However, we believe that the *existing* Assembly Electoral system achieves these principles adequately. The feedback from our elected representatives and their constituents is that after many years of experience and practice, the electorate have fully grasped the current electoral system. Therefore, further change to the existing system would do violence to the *Simplicity Principle*, in our view. In our view, it would be wrong to view the *Simplicity Principle* in a historical and temporal vacuum. We believe that the existing electoral system satisfies the *Equivalent Status Principle*.
11. We attach much less weight to the *Diversity* principle: "Diversity: *the system* should encourage and support the election of a body of representatives which broadly reflects the population" (our *italics*)
12. We believe that it is not the role of *an (electoral) system*, nor any formal or informal mechanism or *piece of legislation*, to ensure that their elected representatives broadly reflect certain characteristics of the population such as age, gender, ethnicity, faith and so on. If it is anyone or anything’s role, we believe that it should be that of *the electorate* during the time of an election. We believe that all elected representatives should represent their constituents appropriately. Moreover, we believe that it is for the electorate to express themselves at the ballot box, if they feel strongly about the number and ratios of candidates according to characteristics such as gender, faith, ethnicity and so on compared to those of the general population. Similarly, it is by expressing a preference at the ballot box that the electorate can express whether or not a candidate or party will best represent them or other members of the electorate.
13. We attach no weight to the *Sustainability and Adaptability Principle*: "Sustainability and adaptability: the system should be able to be implemented in 2021, and subsequently respond and adapt to changing political, demographic and legislative trends, needs and circumstances without requiring further fundamental change in the near future.
14. We believe that to implement electoral reform in 2021 and beyond, at this point in time, would be an exceedingly rushed reform: much more thought should be given to the principles and the composition of the current and any future expert panel. Furthermore, it will be difficult to explain any reform of Assembly electoral system in such a short time to the electorate.

15. We attach some degree of weight to the *Boundaries Principle*: "Boundaries: the system should be based on clearly defined geographic areas which are meaningful to people and take into account existing communities of interest, and existing electoral and administrative boundaries." However, we believe that the existing electoral system, where existing constituencies and regions have been used and made clear to the public for two decades, is the best way of satisfying this principle.
16. We attach an intermediate degree of weight to the remaining principles but, again, believe that the existing electoral system satisfies these principles best *when considered conjointly*, given the high weight that we attach to *Simplicity, Equivalent Status* and *Boundaries Principles* - and our opinion that the *existing* electoral system satisfies those principles adequately.

Bullet Point #2: "Exploring public sentiment and understanding of the Assembly's current electoral arrangements and boundaries and the options recommended by the Expert Panel"

17. We consider the issue of expanding the number of assembly members to be a prime issue and one of utmost importance that trumps all other proposed reforms to the electoral system. The issue should be settled prior to consideration of any other reforms.
18. Recall that all of the current political groups in the Assembly, apart from the UKIP group, would not, in 2018, assent to directly asking *all* of the Welsh electorate to consent to expansion of the number of Assembly members, by way of a referendum.
19. Thus, given that all of the current political groups in the Assembly, apart from the UKIP group, would not, in 2018, assent to directly asking *all* of the Welsh electorate to consent to one of the prime and most important changes to the electoral system, by way of a referendum, we consider the current proposals of the committee to "[explore] public sentiment and [understand] the Assembly's current electoral arrangements and boundaries and the options recommended by the 'Expert' panel" to be a retrograde step and we also oppose it.
20. We envisage that such an "exploration" would consist in asking a *very very selected subset of the population* their opinions on these topics. The subset of the population, in our view, will likely consist of 'third sector' organisations and 'stakeholders', some of whom we have observed show favourable bias toward at least one of the Labour or Cymru parties or the Assembly Commission itself (each of whom have tentatively supported changes to the electoral system via their spokespeople). We also believe that at least some 'third sector' and 'stakeholder' organisations in Wales are, at least, in part, funded by the Welsh Government (which has also had the support of the Plaid Cymru Assembly group in passing its budget motions in the Assembly chamber). We believe that the reliance of these organisations on Welsh (Labour) Government funding will further result in them showing favourable bias to the official views of the Labour or Plaid Cymru parties or the Assembly Commission on electoral reform.
21. In our opinion, the options recommended by the Expert Panel are most certainly not *exhaustive* of all of the possible options, nor of the *most sensible, practical and cost-effective* options. Consequently, focussing on the narrow set of options suggested by the Panel, will likely radically skew or contaminate the committee's proposed assessment exercise of public sentiment and understanding of the Assembly's current electoral arrangements. Consequently, we believe that such an exercise should not take place.

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22. We believe that the best and most inclusive exploration of public sentiment would have been to ask all of the Welsh electorate, by way of a referendum, whether or not they wish to increase the number of members in the Assembly. We believe that an increase to the size of the assembly should be a primary issue that is decided before any further electoral reform.
23. We believe that “more politicians” is almost never the answer to many of the hopes, aspirations, frustrations and problems faced by any electorate. We further believe that the fact that there may be no historical precedent for such a referendum would actually enhance Wales and the UK’s reputation as a trailblazing progressive country, if one were held.

Bullet Point #3: “Considering the implications...of changing the electoral system and boundary models”

24. We believe that the status quo electoral system (a variant of MMP) strikes the right balance in making a system proportional but neither hyper-proportional, nor under-proportional. Furthermore, the current status quo electoral system allows newer parties to break the stranglehold of the older established parties. We believe that breaking the stranglehold of the older established parties is good for a healthy representative democracy that is proportional but not hyper-proportional.
25. We believe that the variants of the STV system (and the flexible list system) proposed by the expert panel would not benefit newer political parties and favour the older more established parties. This is because we believe that newcomers would get lots of second preference (and lower preference) votes but would get few first preferences in comparison to the older parties.
26. The Expert Panel advocates abandoning the status quo electoral system in favour of a particular variant of the STV system (or flexible list system) because they believe that it best satisfies their *Proportionality Principle* together with satisfying their other proposed principles. We disagree. We believe that these proposed systems frustrate, at the very least, the *Simplicity Principle*, rather than conjointly satisfying it. The *Simplicity Principle* is the principle that UKIP gives greatest weight towards. Furthermore, the reforms proposed by the Expert Panel require increasing the number of Assembly Members, and this is a proposal that UKIP cannot support. In the next three paragraphs we elaborate upon our view.
27. UKIP gives the *Simplicity Principle* the highest weight. The STV variant proposed requires voters to express (potentially) a large number of preferences according to each candidate, and a minimum number of preferences need to be made just for their vote to be judged as valid! This is unnecessarily complicated and far more complicated than the existing system. Consequently, STV frustrates the *Simplicity Principle* in UKIP’s view. Furthermore, the particular version of STV promoted by the Expert Panel recommends, in Sections 13.26-28, that STV be implemented conjointly with 50-50 gender quotas enshrined in legislation: UKIP believes it is not for an electoral *system* or machinery to require such quotas, rather it is for the electorate to make up their own mind at the ballot box on whether they are content or not content with the number and ratios of male and female candidates.
28. In *Recommendation 6* (page 106) the Expert Panel recommend that their proposed variant of STV be implemented in an Assembly with no less than 83 and as many as 90 Member vacancies. This is a substantial increase on the current Assembly’s 60 members. UKIP is opposed to expansion of the Assembly and therefore rejects a STV model requiring at least 83 Assembly member vacancies.

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29. *Recommendation 5* suggests that the Expert Panel recommends implementing STV in multi-member constituencies with at least 4 and at most 6 Assembly Members. UKIP believes that *Recommendation 5* violates – or at the very least frustrates - the *Simplicity Principle* because it produces a constituency system that is more complex than the current status quo of one member per constituency (with 4 additional members per region).
30. Our remarks in the last four paragraphs apply (either *mutatis mutandis* or with suitable emendations) to comparing the Expert Panel’s proposed flexible list system to the current status quo electoral system. Consequently, UKIP reject’s the Expert Panel’s proposed flexible list system in comparison to the status quo electoral system.

Bullet Points #4 & #5: “Exploring the principles and practicalities of establishing boundary review arrangements...” & “Considering the cost and resource implications of reforming the electoral system and...boundaries”

31. We are opposed to establishing boundary review arrangements for Assembly electoral areas. Given that we advocate no such review, there are no principles and practicalities for us to consider.
32. We are opposed to reforming the electoral system and Assembly boundaries. Consequently, we do not support any resources being used for this purpose and we oppose any exercise to *estimate* costs. We believe that the reform exercises should be stopped immediately.

Conclusion

33. UKIP opposes many proposed areas of the Inquiry. We believe that the question of expanding the number of Assembly Members should be settled before any other issues are considered. We oppose expanding the number of Assembly Members. Some of the other items that we oppose include:
- changing or considering changes to the boundaries of Assembly electoral constituencies and regions;
 - proposals to “[explore] public sentiment and [understand] the Assembly’s current electoral arrangements and boundaries and the options recommended by the ‘Expert’ panel”;
 - exploring the principles and practicalities of establishing boundary review arrangements for Assembly electoral areas; and
 - considering the cost and resource implications of reforming the electoral system and Assembly boundaries
34. We attach most weight to the *Simplicity Principle*. We attach high weight to the *Equivalent Status* and *Boundaries Principles*. However, we believe that the existing electoral system satisfies these principles adequately and that there should be no change to the existing system during or prior to 2021. We attach no weight to the *Sustainability and Adaptability Principle*; and much less weight to the *Diversity Principle*.
35. We believe that the current Inquiry should be abandoned and that the Committee on Assembly Electoral Reform and the Expert Panel should be disbanded and scrapped. We believe that, if they are to be considered at all, these matters should be considered afresh *after* the 2021 Assembly elections, where the composition of any future Committee on Assembly Electoral Reform or future Expert Panel or similar should be given detailed thought and scrutiny before their creation. In particular, the older, larger and more established parties, experts, and the Assembly Commission should give the views of newer and smaller parties more respect and weight than they have done so far.

Cyngor Sir Caerfyrddin | Carmarthenshire County Council

***Edrych yn fanwl ar oblygiadau'r systemau a ffiniau etholiadol a argymhellir gan y Panel Arbenigol ar gyfer cynrychiolaeth ddemocrataidd yng Nghymru, ac ystyried sut y gallai'r egwyddorion a nodwyd gan y Panel Arbenigol gael eu pwysoli i sicrhau bod trefniadau etholiadol y Cynulliad yn briodol i gyd-destun Cymru:**

Mae Cyngor Sir Caerfyrddin yn cefnogi unrhyw newid a gyflwynir a fydd yn gwella cynrychiolaeth a chyfranogiad democrataidd; mater i Lywodraeth Cymru a Chomisiwn y Cynulliad yw penderfynu pa systemau a ffiniau etholiadol sy'n cael eu mabwysiadu. Yr unig sylwadau/pryderon sydd gennym fyddai bod pecyn ymgysylltu cynhwysfawr Cymru gyfan yn cael ei roi ar waith o fewn amserlenni digonol i leihau'r dryswch i etholwyr Cymru gan fod pleidleiswyr yng Nghymru eisoes yn defnyddio sawl system etholiadol wahanol. Byddem hefyd yn gofyn bod Swyddogion Canlyniadau a'u staff yn cael digon o amser i gynllunio a darparu adnoddau'n effeithiol ar gyfer unrhyw newid etholiadol.

***Edrych ar ymdeimlad a dealltwriaeth y cyhoedd o drefniadau a ffiniau etholiadol cyfredol y Cynulliad a'r opsiynau a argymhellir gan y Panel Arbenigol:**

Mae Cyngor Sir Caerfyrddin yn llwyr gefnogi bod y Pwyllgor ar Ddiwygio Etholiadol y Cynulliad yn edrych ar ymdeimlad y cyhoedd.

***Ystyried y goblygiadau i bleidiau gwleidyddol yng Nghymru o newid y system etholiadol a'r model ffiniau:**

Nid oes gan Gyngor Sir Caerfyrddin farn am y mater hwn. Fodd bynnag, hoffem bwysleisio ein cefnogaeth i sicrhau bod etholfraint llywodraeth leol yn cyd-fynd ag etholfraint Cynulliad Cymru.

***Edrych yn fanwl ar egwyddorion ac ymarferoldeb sefydlu trefniadau adolygu ffiniau ar gyfer ardaloedd etholiadol y Cynulliad:**

Mae Cyngor Sir Caerfyrddin yn llwyr gefnogi'r cynnig i edrych yn fanwl ar sefydlu trefniadau adolygu ffiniau ar gyfer ardaloedd etholiadol y Cynulliad. Rydym yn deall bod angen edrych yn fanwl ar hyn er mwyn sefydlu system etholiadol y Cynulliad Cenedlaethol yn y dyfodol. Yr unig sylw sydd gennym yw y byddem yn croesawu cadw etholaethau San Steffan a'r Cynulliad yn gydffiniol gan ein bod yn credu nad yw gofyniad ar gyfer dwy set hollol wahanol o ffiniau etholaethol yn ddelfrydol ar gyfer pleidleiswyr.

Ystyried y goblygiadau o ran cost ac adnoddau diwygio'r system etholiadol a ffiniau'r Cynulliad:

Mae Cyngor Sir Caerfyrddin yn annog y Pwyllgor ar Ddiwygio Etholiadol y Cynulliad i ystyried sut y gall Swyddogion Canlyniadau a'u staff gynllunio a darparu adnoddau'n effeithiol ar gyfer unrhyw newid etholiadol.

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Ymateb i ymgynghoriad Cynulliad Cenedlaethol Cymru ar systemau a ffiniau etholiadol

Sefydliad: Mae'r ymateb hwn wedi'i baratoi a'i gyflwyno ar ran y Swyddog Canlyniadau/Swyddog Cofrestru Etholiadol ar gyfer Caerdydd.

Manylion Cyswllt:

Swyddog Canlyniadau/Swyddog Cofrestru Etholiadol (Caerdydd) -Paul Orders

[REDACTED]

Rheolwr Gwasanaethau Etholiadol - Rhys George

[REDACTED]

Ymateb i'r cylch gorchwyl

Archwilio argymhellion y Panel Arbenigol ar Ddiwygio Etholiadol y Cynulliad sy'n ymwneud â systemau a ffiniau etholiadol, a'r egwyddorion sy'n sail iddynt, drwy:

Archwilio goblygiadau'r systemau a'r ffiniau etholiadol a argymhellwyd gan y Panel Arbenigol ar gyfer cynrychiolaeth ddemocrataidd yng Nghymru, ac ystyried sut y gellid pwysoli'r egwyddorion a nodwyd gan y Panel Arbenigol er mwyn sicrhau bod trefniadau etholiadol y Cynulliad yn briodol i'r cyd-destun Cymreig;

Mae'r Swyddog Cofrestru Etholiadol/Swyddog Canlyniadau yn cynnal safbwynt niwtral ar y mater hwn ond mae'n cefnogi'r ymateb ar y cyd gan Gymdeithas Genedlaethol y Gweinyddwyr Etholiadol a changen y Gymdeithas yng Nghymru.

Edrych ar farn a dealltwriaeth y cyhoedd o drefniadau a ffiniau etholiadol presennol y Cynulliad a'r opsiynau a argymhellwyd gan y Panel Arbenigol:

Mae'r Swyddog Cofrestru Etholiadol/Swyddog Canlyniadau yn cynnal safbwynt niwtral ar y mater hwn ond mae'n cefnogi'r ymateb ar y cyd gan Gymdeithas Genedlaethol y Gweinyddwyr Etholiadol a changen y Gymdeithas yng Nghymru.

Ystyried goblygiadau newid y system etholiadol a'r modelau ffiniol ar y pleidiau gwleidyddol yng Nghymru:

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Mae'r Swyddog Cofrestru Etholiadol/Swyddog Canlyniadau yn cynnal safbwynt niwtral ar y mater hwn ond mae'n cefnogi'r ymateb ar y cyd gan Gymdeithas Genedlaethol y Gweinyddwyr Etholiadol a changen y Gymdeithas yng Nghymru.

Archwilio egwyddorion ac agweddau ymarferol sefydlu trefniadau adolygu ffiniau ar gyfer ardaloedd etholiadol y Cynulliad:

Mae'r Swyddog Cofrestru Etholiadol/Swyddog Canlyniadau yn cynnal safbwynt niwtral ar y mater hwn ond mae'n cefnogi'r ymateb ar y cyd gan Gymdeithas Genedlaethol y Gweinyddwyr Etholiadol a changen y Gymdeithas yng Nghymru.

Ystyried goblygiadau cost ac adnoddau diwygio system etholiadol a ffiniau'r Cynulliad.

Mae'r Swyddog Cofrestru Etholiadol/Swyddog Canlyniadau yn cynnal safbwynt niwtral ar y mater hwn ond mae'n cefnogi'r ymateb ar y cyd gan Gymdeithas Genedlaethol y Gweinyddwyr Etholiadol a changen y Gymdeithas yng Nghymru.

MVM submission to the consultation on electoral systems and boundaries

1.1

Make Votes Matter is the cross-party campaign for Proportional Representation. We believe that every voter should be equal, every vote should matter, and no-one should feel like their vote is worth less purely because of where they live. We believe that each party should have seats in the Assembly roughly in proportion to their level of support among the people of Wales. These are goals supported not just by us but by broad sections of the public.

1.2

It is clear that the First Past the Post voting system currently used for Westminster and Welsh local councils does not achieve these goals. While the current way of electing the Assembly is certainly an improvement on First Past the Post, it could be so much better. We welcome this opportunity to respond to this consultation and offer our thoughts on how to make every Welsh vote matter.

1.3

The key point we wish to make is that Wales should use a voting system which adheres to the principles of the [Good Systems Agreement](#). Adapted for the Welsh Assembly, these are:

- **Proportionality:** good systems ensure that seats closely match votes, with representation in the Welsh Assembly at least as proportional as the Scottish Parliament.
- **Representation:** good systems ensure Assembly Members and the Welsh Government represent the views of Welsh voters.
- **Equal votes:** good systems ensure the value of individual votes is not distorted by factors such as geography, and minimise the need for tactical voting.
- **Local links:** good systems maintain links between Assembly Members and specific geographic areas.
- **Diversity:** good systems encourage the election of an Assembly reflecting the population.
- **Voter choice:** good systems allow voters a wide choice of parties, and allow voters to express preferences for people rather than just parties. Any lists used must be democratically determined.

- **Accountability:** good systems ensure Assembly Members and governments are accountable to the voters.
- **Balance of stability and flexibility:** good systems engender stable, flexible government that has the ability to compromise.
- **Sustainability and adaptability:** good systems are able to respond and adapt to changing needs without requiring frequent or fundamental change.
- **Voting simplicity:** good systems and ballot papers are easy for voters to understand and use.

Examining the implications of the electoral systems and boundaries recommended by the Expert Panel for democratic representation in Wales, and considering how the principles identified by the Expert Panel might be weighted to ensure that the Assembly's electoral arrangements are appropriate to the Welsh context

2.1

With a view to increasing the proportionality of Assembly elections, Make Votes Matter recommends putting special emphasis on the Expert Panel's first and fifth recommendations.

2.2

The fifth recommendation (that multimember Assembly constituencies should return no fewer than four and ideally no more than six Members) is important because returning more Members per constituency is an opportunity to increase the proportionality of Assembly elections. In general, the more Members per constituency, the more proportional the result. A system which would otherwise be proportional may become disproportional if the minimum constituency size is too small. Therefore, setting an adequate minimum number of Members per constituency is important. However, we would suggest that the minimum district magnitude is set at five, in keeping with the Northern Ireland Assembly which has produced very proportional results while maintaining strong local accountability.

2.3

The first recommendation (that the number of Members be increased) is important not only because it provides the assembly with more capacity, but because increasing the number of Members is an opportunity to

increase the proportionality of the Assembly while improving the local link between Members and voters. An increase in the total number of Members allows the return of more Members per constituency without using overly large geographical constituencies, and would make the Assembly better represent Wales.

Exploring public sentiment and understanding of the Assembly's current electoral arrangements and boundaries and the options recommended by the Expert Panel

3.1

Studies show that turnout and satisfaction with democracy are both higher under more proportional systems.

3.2

A [Cambridge University report](#) found that 2019 had “the highest level of democratic discontent on record”. It said:

A second literature that is pertinent to explaining the trajectory of the Anglo-Saxon democracies suggests that satisfaction with democracy is lower in majoritarian “winner-takes-all” systems than in consensus-based, proportionally representative democracies, and this could explain why New Zealand – the lone member of this group with elections by proportional representation – appears to have avoided a trajectory of soaring public discontent.

...

There are positive stories amongst our findings which must not be lost. Countries such as Switzerland, Denmark, Norway and Luxembourg are at all-time highs for contentment with their democracies, and may have lessons to offer regarding the role of electoral systems in enhancing democratic responsiveness and representativeness.

3.3

The Expert Panel recommends that “if the Assembly does legislate to lower the minimum voting age for Assembly elections to 16, the Assembly Commission should work with the Welsh Government, the Electoral Commission, political parties and others to support and encourage young people to exercise their right to vote”. Low levels of disproportionality have

been shown to increase turnout.¹ When people feel that their votes matter, they are more likely to use them.

3.4

In light of the dissatisfaction with government under non-proportional systems and the effect of disproportionality on turnout, Make Votes Matter recommends increasing the proportionality of Assembly elections as a high priority.

Considering the implications for political parties in Wales of changing the electoral system and boundary models

4.1

Make Votes Matter recommends a more proportional system, allowing all major parties to achieve representation in every community in Wales, and giving smaller parties a fair hearing. Non-proportional voting systems often artificially divide nations into areas that “always vote for X party” and places where “Y party always wins here”. Semi-proportional systems, such as the one currently used for Assembly elections, don’t adequately avoid this shortcoming of majoritarian systems. In parts of the country where a party has support from half the voters, they might get 100% of the elected representatives, and where they are a significant minority, they often get 0% representation. This means that their elected representatives will disproportionately come from a narrow range of heartlands. A more proportional system removes this lopsided party representation. In areas where a party has 51% of the vote they will get roughly 51% of the seats in that area, and in areas where parties have 20% of the vote they will get roughly 20% of that region’s seats. This allows parties to better connect to and more fully represent all parts of an entire nation.

¹“There is wide agreement among scholars that the proportionality of electoral systems (i.e., the correspondence they tend to produce between party vote shares in the electorate and party seat shares in the elected bodies) is positively associated with voter participation.” Selb, P. (2009). [‘A Deeper Look at the Proportionality-Turnout Nexus’](#). Comparative Political Studies, Vol.42(4), p.527-548

Exploring the principles and practicalities of establishing boundary review arrangements for Assembly electoral areas; considering the cost and resource implications of reforming the electoral system and Assembly boundaries

5.1

Make Votes Matter believes that an advantage of multi-member constituencies is that they introduce reapportionment as an alternative or complement to boundary reviews as a method of keeping constituencies in check with population changes. That is, when the population of an area changes, instead of changing the boundaries of the constituency, it is possible to change the number of Members per constituency. For example, in Finland, each constituency's number of seats is allocated based on the population of that constituency six months prior to a general election. This allows constituency boundaries to better represent natural communities, localities, and regions. These firmer constituency boundaries could allow elected representatives to develop firmer and more long-term links with their constituents. Even very proportional systems do need occasional boundary changes, but multi-member constituencies reduce the required level of changes and disruption in each boundary review. This also saves (public) money. As the Expert Panel report says "seats can be apportioned using the Sainte-Laguë method based on electorate numbers, or taking account of specific local geopolitical factors".

**Y Pwyllgor ar Ddiwygio Etholiadol y Cynulliad
Systemau a ffiniau etholiadol
ESB 12 Cyngor Sir Benfro**

To: Dawn Bowden AM, Chair, Committee on Assembly Electoral Reform

Via email: SeneddReform@assembly.wales

Dear Dawn

Inquiry into electoral systems and boundaries

Thank you for your letter of 8 January 2020 highlighting your inquiry into electoral systems and boundaries: invitation to respond to consultation.

A response from Pembrokeshire County Council is set out below. We are one of 22 unitary authorities in Wales and have a population of around 125,000 people. We have used the Terms of Reference to structure our response.

Examining the implications of the electoral systems and boundaries recommended by the Expert Panel for democratic representation in Wales, and considering how the principles identified by the Expert Panel might be weighted to ensure that the Assembly's electoral arrangements are appropriate to the Welsh context;

We are supportive in principle of changes that enable the Assembly to more accurately reflect the diverse nature of society in Wales. We consider that whatever system is used, it should enjoy the confidence of voters.

We do not have a fixed view on which electoral system should be used for the Assembly, but we note that STV is the preferred system of the Expert Panel and that STV could be used by Councils if the provisions of the LGE Bill are enacted (and our view on the LGE Bill proposals is that it is not appropriate for local authorities to choose their own electoral system). There appears to be a 'head of steam' building behind STV as the system of choice for Welsh elections.

We note that there are a number of practical details to be worked through for STV to work effectively and we would urge early engagement with voters as there are a number of practical differences to the current systems used including the ability to vote for more than one candidate.

Exploring public sentiment and understanding of the Assembly's current electoral arrangements and boundaries and the options recommended by the Expert Panel;

We are not convinced that the Assembly's current electoral arrangements are well understood. There will be a need for a considerable amount of engagement on both the principles of reform as well as any detailed proposals.

We agree with the Expert Panel that there is a case for do-coupling the Assembly's constituencies from those used for Westminster elections. We note that Welsh Government is not proposing changes to local government boundaries (though accept that these may occur through voluntary mergers) and therefore LA boundaries offer a stable and sustainable geography.

We agree with the Association of Electoral Administrators that early and meaningful engagement with their members is necessary.

**Y Pwyllgor ar Ddiwygio Etholiadol y Cynulliad
Systemau a ffiniau etholiadol
ESB 12 Cyngor Sir Benfro**

Considering the implications for political parties in Wales of changing the electoral system and boundary models;

We do not have a comment on this area. However, we consider it is important that electors are not left with the perception that changes to the electoral system are being driven by their ability to systematically advantage or disadvantage particular political parties. If this were to happen, it risks undermining voters' confidence.

We note that adopting a STV system reduces parties' ability to determine which candidate is elected compared with the current system

Exploring the principles and practicalities of establishing boundary review arrangements for Assembly electoral areas;

We support establishing boundary review arrangements for Assembly electoral areas.

There are challenges to elections not being run on coterminous boundaries and boundaries crossing local authorities will increase risk to the successful delivery of a poll. They also risk increasing voter confusion in relation to who is responsible for administering their election with different Councils administering different elements of the process.

Considering the cost and resource implications of reforming the electoral system and Assembly boundaries.

Changes to electoral systems and boundaries will increase costs, both in the short and longer term. As such we would seek a commitment from Welsh Government and the Assembly to fully fund any new burden/initiative resulting from legislative reforms.

Eitem 7

Yn rhinwedd paragraff(au) ix o Reol Sefydlog 17.42

Mae cyfyngiadau ar y ddogfen hon

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Mae cyfyngiadau ar y ddogfen hon

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Eitem 9

Yn rhinwedd paragraff(au) ix o Reol Sefydlog 17.42

Mae cyfyngiadau ar y ddogfen hon