

## Written evidence submitted by Electoral Reform Society

*The Electoral Reform Society is the UK's leading voice for democratic reform. We work with everyone – from political parties, civil society groups and academics to our own members and supporters and the wider public – to campaign for a better democracy in the UK.*

*Our vision is of a democracy fit for the 21st century, where every voice is heard, every vote is valued equally, and every citizen is empowered to take part. We make the case for lasting political reforms, we seek to embed democracy into the heart of public debate, and we foster the democratic spaces which encourage active citizenship.*

We welcome the establishment of the Modernisation Committee and its focus on improving working practices and emphasis on procedures. Alongside this we would welcome consideration of the wider workings of our democratic system to ensure that those who work in Parliament have the democratic authority and trust of the public to enable them to carry out their role.

Ensuring that parliament has a strong voice in a system that is traditionally highly centralised and Executive dominated is an important consideration. Within this we would welcome a focus on the various changes that could be made to pre-legislative scrutiny considering a greater role both for parliamentarians and for wider society.

**Legislative scrutiny and public participation**

There are a number of examples in recent years of reduced scrutiny of parliamentary bills. In some cases, multiple controversial bills have been timetabled concurrently reducing Parliament's ability to scrutinise effectively. For example, at the end of the 2021-22 session, the House of Lords was simultaneously considering the Elections Bill, Nationality and Borders Bill and Police, Crime, Sentencing and Courts Bill, limiting the second chamber's scope for pressing for concessions.

There has also been a tendency for legislation to be fast-tracked, again limiting Parliament's ability to properly scrutinise the legislation and, in some cases, significant changes have been added to bills after their introduction, again reducing scrutiny. The House of Lord's Secondary Legislation Scrutiny Committee has in recent years, warned of the increased use of skeleton bills, delegated legislation and the speed of legislation.<sup>i</sup>

Pre-legislative scrutiny (PLS) can help improve the quality and longevity of policy, but unfortunately, it is more often an optional extra rather than being integrated into procedures. There can be good reasons for not extending the timetable for legislation but where possible, allowing greater scrutiny is beneficial for improving the quality of legislation, smoothing its parliamentary passage, making best use of Members' expertise, and creating opportunities for civil society involvement.

Whilst the UK parliament was an early leader in pre-legislative scrutiny, its use remains at the discretion of the government. By contrast the Irish Oireachtas having partially introduced PLS in 2011 went on to formalise its use as a requirement on all government bills (apart from in exceptional circumstances) in 2013. Pre-legislative scrutiny in Ireland involves Oireachtas Committees scrutinising a bill's General Scheme (which sets out the main objectives of the legislation and an overview of the sections) before sending recommendations to the minister. Analysis of the impact of PLS in the Oireachtas finds that PLS had positive impacts on the quality of legislation and on stakeholder engagement.<sup>ii</sup>

As well as greater use of bill committees and select committees in pre-legislative scrutiny, wider public participation can improve the connection between public bills and those who have experience in the field.

The Scottish parliament has been using deliberative engagement processes to support the work of parliament. Between 2019 and 2024 the parliament ran six "People's Panels" on issues including land management and the natural environment, primary care, covid-19 and public participation. The findings of these panels have fed into scrutiny of those issues including shaping questions to ministers, committee discussions and amendments to primary legislation.

This work is supported by a specific Participation and Communities Team<sup>iii</sup> who are tasked with enabling a wider, more diverse range of views to contribute to committee scrutiny. There is also a digital platform<sup>iv</sup> that allows people to engage with questions and debate. As a result, the parliament has seen an increase in evidence from people with lived experience of the issues being scrutinised. Details of the use of deliberative democracy in the work of the Parliament is set out in the Citizen Participation and Public Petitions Committee (CPPPC) report.<sup>v</sup>

Citizens Assemblies have also supported the work of parliamentary committees at Westminster on both social care and climate. We would welcome further use of deliberative engagement to support the work of parliamentary committees but it is crucially important that this engagement is meaningful and has a clear route to influencing the outcomes.

### **Working practices**

We are cognisant that one of the remits of the Modernisation Committee is to improve the culture and working practices of Parliament. As a member of Centenary Action<sup>vi</sup> we support their recommendations to make Parliament a modern working environment.

It is important that alongside this, Parliament also reflects the diversity of the population it represents. Enacting Section 106 of the Equalities Act would compel political parties to publish the diversity data of candidates successfully elected and those that fail to be elected to the UK Parliament, as well as to devolved administrations across the UK. There is currently a lack of information published on the diversity of candidates and elected representatives. It is vitally important that this information is publicly available to allow for monitoring of progress and to identify areas where representation needs to be improved.

Enacting Section 106 is one step on the journey to building a Parliament which represents the UK in all its diversity.

Research has also shown that increasing diversity of representation may go some way to improving trust in Parliament as “increased representation of women in elected office is associated with counteracting corruption and focusing resources on the quality and consistency of public service delivery” as well as giving democratic institutions greater legitimacy.<sup>vii</sup>

At a time when trust in political institutions and politicians, and confidence in systems of government are at an all-time low,<sup>viii</sup> it is imperative that Parliament considers a broad range of ways to help restore the connection between people and politics.

### **Wider democratic engagement**

How members arrive at parliament and the public support they command shapes the authority on which they undertake their duties as MPs. It is essential therefore that consideration is given to our electoral processes. Elections are the primary point at which most people engage with democratic institutions, yet a worrying number of people are not taking part.

### ***Voter registration***

Turnout at the 2024 General Election was just 59.9%, narrowly missing the previous historical low turnout of 59.4% in 2001. What this figure doesn't show is how many people were unable to vote because they weren't registered to vote in the first place. ERS estimates the total number of eligible people missing, or inaccurately registered, to be in the region of 8.2 million across England, Scotland and Wales.<sup>ix</sup> In total 28.8 million people voted in the 2024 election but with around 27.5 million people not participating either by not turning out or not registering, nearly as many people didn't vote as did.

It is well documented that some groups are less likely to register to vote than others depending on age, ethnicity, social grade, housing tenure and disability. Research has found that young people, minority ethnic groups, people in lower DE socio-economic groups and people in privately rented accommodation are less likely to be registered to vote.<sup>xxi</sup>

Automatic Voter Registration (AVR) (currently being piloted in Wales)<sup>xii</sup> would ensure that a significant barrier to taking part in the democratic process is removed, improving the completeness of the register and ensuring under-registered groups are on the electoral rolls.

AVR would also reduce the pressure on Electoral Registration Officers in the run up to elections. Between the election being called in May 2024 and the deadline for registration, just under 2.9 million applications we submitted online - on the last day, over 600,000 applications were submitted. AVR would remove this last-minute dash for registration.

### ***Voter ID***

The Electoral Commission reported that in the 2024 General Election around 16,000 electors attempted to but were unable to vote due to the Voter ID requirement. This equates to 1 in every 1,200 voters. In addition, when given a list of options, 10% of non-voters gave voter ID as the reason that they did not vote in the 2024 General Election.<sup>xiii</sup> Ipsos polling also found that 8% of people said that voter ID made them less likely to want to vote in the May 2023 local elections.<sup>xiv</sup> Together these findings suggesting that voter ID has had a chilling effect on turnout in recent elections.

Evidence from the Electoral Commission also suggests that some groups were more likely to have a problem voting due to the voter ID requirement than others at the 2024 General Election: 8% of C2DE non-voters, when prompted, said they didn't vote because they didn't have required ID in comparison to 3% of ABC1 voters. The same research also showed that in comparison to the general population, voter ID created more of a barrier to voting for disabled people and unemployed people.<sup>xv</sup>

This is echoed in the 2023 Electoral Commission survey which showed that unemployed and disabled non-voters were more likely to say that they didn't vote because they didn't have ID, and that young people and people from black and minority ethnic communities were more likely to have not been able to vote because they turned up without ID. In addition, the EC found that in 2023 more deprived areas had a higher proportion of voters turned away compared to less deprived areas.<sup>xvi</sup>

There are a number of ways to reduce the impact of voter ID by extending the range of acceptable IDs to include non-photographic ID and by allowing attestation and/or vouching, to give voters an on-the-day option at polling stations.<sup>xvii</sup>

### ***Lowering the voting age***

There is also an opportunity to bring UK-wide elections in line with those in Scotland and Wales by extending the vote to 16- and 17-year-olds.

Young people are less likely to vote than older people, and if you don't vote, you are less likely to vote in future. There is a real danger that 18-year-olds who don't vote now, will become 50-year-olds who don't vote in the future. We need to break this cycle, and the evidence points to extending the franchise as a way to do it.

Lowering the voting age to 16 would also allow a seamless transition from learning about voting, elections and democracy to putting such knowledge into practice and modernising electoral registration would also help get a new cohort of younger voters onto the electoral register.

Now that 16- and 17-year-olds in Scotland and Wales can vote for their members of the Scottish and Welsh Parliaments, as well as their local councillors, it's time to extend this right to all 16- and 17-year-olds and give those who can vote for their MSP or MS the chance to vote for their MP too.