

**Written evidence from Julie James AS/MS, Minister for Housing and Local
Government, Welsh Government (TEC 26)**

**Public Administration and Constitutional Affairs Committee
The work of the Electoral Commission**

I would like to provide evidence to the Committee's inquiry on the work of the Electoral Commission.

As you will be aware electoral law is generally devolved to Wales as are the functions of the Electoral Commission in relation to devolved elections. The Senedd and Elections (Wales) Act 2020 sets out the requirements of the Electoral Commission to report to a Committee of the Senedd.

I welcome the inquiry and am pleased to be able to offer a perspective in relation to the Electoral Commission in Wales.

Electoral Law is newly devolved to Wales and so direct experience of the role of the Electoral Commission in relation to those devolved elections is limited. However, I am satisfied with the way in which the Electoral Commission discharges its statutory obligations in relation to the preparation for those devolved elections.

The production of guidance for candidates, political parties and electoral administrators is invaluable and in my view they have dealt skilfully with the complexity of devolution of electoral law as well as instances where electoral law diverges across the United Kingdom.

I refer to this below but the Electoral Commission's reporting and learning from elections, and from electoral innovations, is of particular value as is their timely advice on Government changes to electoral law. I would welcome further leadership by the Electoral Commission, where the law allows, in relation to innovation in electoral processes. As you will be aware from the Law Commission report, electoral law is complex and difficult for individual electoral administrators to navigate in relation to where there may be scope for innovation.

The Senedd elections in 2021 will be the first direct hand experience of the Electoral Commission's voter education campaigns since the devolution of electoral law and we are keen to observe its effectiveness in reducing any concerns electors might have in relation to electoral processes, social media and transparency in campaigning.

In relation to the effect of COVID-19 on elections, Returning Officers in Wales are holding previously postponed by-elections from February 2021 through to April 2021 and a great deal of preparation is taking place across all Governments for those as well as for the general elections in May. For Welsh Returning Officers both the by-elections and the general elections are a particularly complex set of elections. The by-elections because of the challenging period in which they take place with particular focus on ensuring public health. Those public health criteria will also apply to the general elections in May 2021 which will include additional complexity around two sets of elections (devolved and non-devolved) as well as different franchises applying to each. The Electoral Commission will prepare a report as is usual and the learning from that report will be essential for future elections.

One final point in relation to public confidence in the impartiality of the Electoral Commission. I am impressed by the professionalism and experience of the Commission and value their advice in relation to electoral law in particular. If there is an area which I would suggest careful consideration it would be in relation to the fines regime available to the Commission.

I look forward to the outcome of your review as well as that of the Committee for Standards in Public Life to which I also submitted a response.

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