

Briefing



The EU referendum – where we go from here

July 2016

The EU referendum –

The Electoral Reform Society was, from the start, a key commentator on the conduct and nature of the EU referendum and the campaign, calling for a positive, informed EU debate that focused on the issues, rather than the personalities. Like many, the ERS feel that the quality of public debate on the referendum was often lacking.

To this end, the ERS commissioned extensive BMG Research polling on the public's perception of the referendum debate, and was a prominent public voice on the need for real deliberation among citizens. For example, the ERS was a key voice behind the calls to make voter registration a priority, supporting the deadline extension after the technical error in June.

In May, the ERS and leading universities set up '**A Better Referendum**'¹, an online 'toolkit' on the issues of the referendum, bringing together prominent EU academics and both campaigns to walk groups of voters through the issues. It was used by thousands of people to cut through what many felt was a confusing and spin-dominated Westminster discussion.

Key findings

The ERS' polling during the referendum highlighted some major shortcomings with regards to the quality of the referendum debate. Some examples²:

- With just a week to go until polling day, **only 31% of the public said they felt 'well' or 'very well' informed about the EU referendum**. While up from 16% in February, this shows a significant public knowledge deficit
- **34% of the public said the BBC was their most important source of information** about the EU referendum, while 20% said newspapers were most important in helping them make their decision
- **In mid-June 16% of people said they still hadn't been contacted** about the EU referendum.
- **The public were switched off by 'big names' in the EU debate**, with major political personalities often having the opposite impact to the intended effect.

Learning the lessons

Given the experience of the EU referendum and the previous two referendums on Scottish independence and the Alternative Vote, the ERS are now calling for three reforms³ to be made to referendums in the future:

1. Education and awareness-raising need to be an integral part of every campaign

The referendum showed the need for reforming the rules and funding plans in order create a commitment to improving public education and awareness-raising during any referendum campaign. More money for unbiased public information would better equip voters to evaluate the campaigns' claims. The formal campaigns could also be rewarded for activities that focus on capacity-building and time spent with the public, for example providing speakers at local debates, while incentives to the campaigns to encourage registration could also help.

2. Accuracy of information should be safeguarded

Given controversies over accuracy of campaign statistics and claims during the referendum, we believe it is now time to investigate the possibility of establishing or empowering a body with governing disputes over claims made during a campaign that could be viewed as wilfully untruthful. Currently there is no body charged with ensuring information put out by the campaigns is broadly accurate, unlike the case with advertising in the UK.

¹ See <http://betterreferendum.org.uk>

² For all ERS/BMG polling contact Josiah.Mortimer@electoral-reform.org.uk or see <http://electoral-reform.org.uk/press-releases>

³ See <http://electoral-reform.org.uk/blog/we-can-do-referendums-better-uk-heres-how>

New Zealand's Electoral Commission has an important role in monitoring and judging accuracy of campaigns' claims during a referendum, and a comparable role could be handed to Electoral Commission or another regulatory body to fairly govern all sides.

3. There needs to be serious consideration about clarifying the timing of when, how long and why a referendum should be held

While for many in the political sphere the six-month campaign may have felt like a long time, there is a good case to be made that, among the public, this did not allow enough time for an extensive debate about the issues of the referendum or the emergence of vibrant grassroots discussions – particularly given its close proximity to other elections in May.

In contrast to the EU vote's short campaign, in Scotland the two-year campaign allowed time and space to move through different phases of debate, giving people the chance to digest, and get to grips with issues themselves rather than rely solely on the formal campaign mouthpieces.

Finally, **the ERS views it as a missed opportunity that 16 and 17 year olds were denied the vote in the EU referendum**, given the great success of extending the franchise for the Scottish referendum. In Scotland, 75% of 16 and 17 year olds voted and 97% said they would vote in future elections, while they accessed more information from a wider range of sources than any other age group – and voted in larger numbers than other youth age brackets. The ERS support votes at 16/17 for all elections and hopes this will be implemented for future votes.

What's next after June 23rd

The ERS are calling for a **root-and-branch review of referendums in the UK** – including the franchise, campaign conduct, and the logistics of when, why and how to hold them and whether this process needs institutionalising or codifying.

The University College London's Constitution Unit is calling for an enquiry into the conduct of referendums ⁴ in the coming months – something the ERS are supportive of. Ideally, the ERS wants to see a government-backed review of referendum conduct and regulation with a guarantee of recommendations being implemented.

The potential for constitutional crisis generated by the different nations of the UK voting differently on this referendum – and potentially others in the future – strengthens the case for a constitutional convention or other mechanism with strong involvement of the Scottish, Welsh and Northern Irish governments going forward. As ERS Scotland have said, "This vote poses big questions about the constitution of the UK as a political entity going forward, with the UK's nations divided. Without action now we risk descending into constitutional chaos, and it's vital that the public are involved in the discussions that lie ahead about the ramifications of this split vote."

The referendum is over but millions did become energised by the referendum and voted in huge numbers on June 23rd – at 72%, the highest turnout in a UK-wide election since 1992.

The referendum demonstrated a clear public appetite to engage with constitutional issues of where power should lie. Recent pilot studies have shown the considerable ability of randomly selected citizens (through so-called 'citizens' assemblies'⁵) to deliberate on complex constitutional matters such as local devolution.

As Britain takes stock of the biggest constitutional change it has seen for a generation, this must be the beginning not the end of public involvement in shaping our future democracy. Everything from negotiating Brexit terms to implementing much needed reforms of our own institutions should be on the table, involving people, parties and politicians.

The ERS are calling for a process of public engagement in what happens next when it comes to leaving the EU, including the potential of a citizens' assembly on Britain's position in the negotiations.

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⁴ See <https://www.ucl.ac.uk/constitution-unit/constitution-unit-news/2406161>

⁵ See the Citizens' Assemblies organised by the ERS and leading British universities in 2015 - <http://citizensassembly.co.uk/>