

SUMMARY:

The proposal in Part 1 of the Bill to allow councils to switch their voting system to the single transferable vote is without doubt a positive step. While the bill as it stands is a significant improvement on the current situation, it would be preferable for the default voting system in section 7 (2) of the Bill to be the single transferable vote, rather than first past the post.

Dear Assembly Members,

1. I would like to make the following submission please. While I do not live in Wales, I do have some experience of how the single transferable vote works in practice, in the Republic of Ireland and Northern Ireland. This includes running for election twice under this system, as a member of the Green Party. I have a Master's degree from Queen's University Belfast, writing my dissertation on the right to free elections under human rights law. I also have worked for an electoral reform organisation in the state of Maine in the United States, and am about to take up a role with an electoral reform campaign in the UK. I am writing this submission in a personal capacity.

Voting Systems and the Single Transferable Vote

2. Of course, it is for you and the people of Wales to determine the final provisions of this Bill. However, I feel that when it comes to the specific question of the voting system, it may be helpful to have international comparisons and an idea of what the single transferable vote (STV) looks like in practice.

3. STV is used in several different jurisdictions. As you may be aware, the Dáil (parliament) and local councils in the Republic of Ireland have used STV for about a century. It is also used in Northern Ireland, and has been used for all Scottish local council elections since 2007. It is used for general elections in Malta. A number of local authorities in New Zealand use it, including Wellington City Council. In the United States, it was previously used for the city council in cities such as New York and Cincinnati, and continues to be in use for Cambridge City Council in Massachusetts (home to Harvard University and MIT). The point is that STV is not a new and untested system, and in fact there is ample real-world evidence that it delivers better, more robust democracy than first past the post.

STV eliminates pressure to vote tactically

4. While under first past the post many voters feel pressure to vote for a party they don't really support in order to keep out a party they dislike more, STV allows a voter to support their true first preference candidate, with the ability to rank "the lesser evil" as their number 2 or 3 choice, and the party they dislike most at the very bottom. This allows voters to be themselves, and STV can make more voters feel like it is worth turning out and voting, as they can vote positively for something that inspires them rather than vote negatively against something they fear.

5. STV also frees candidates and their campaigns to focus more on actual policy and issues that are important to voters, rather than on competing claims telling voters how they are going to "waste" their vote, and that "only party X can win here".

6. Voters can choose to give all of their top preferences to candidates from the same party, and very many do. But the beauty of STV is that it allows voters to choose what matters to them, and for quite a few voters this is not the party label. For example, voters may vote across party lines because of a stance that candidates have on a particular local issue. In Ireland many voters choose to vote for candidates from the same geographical area, or just all the candidates who knocked on their door and listened to them. In the USA some voters choose to vote for candidates who will bring better gender or ethnic balance to the council. The power is with the voter – STV allows each voter to prioritise whatever is most important to them.

STV is a system of proportional representation

7. Under STV, the number of councillors a party receives is roughly proportional to the number of people who vote for them. While this may appear to be a basic requirement of democracy, this does not necessarily happen with first past the post. For example, at the recent Westminster election, there were 38,264 Conservative voters for every Conservative MP elected across the UK. By contrast, it took 50,718 Labour voters to elect a Labour MP. The SNP got an MP for every 25,883 SNP voters, while the Liberal Democrats needed 336,038 voters per MP and the Green Party 865,697. 644,257 people voted for the Brexit Party yet first past the post did not award them any MPs. If all parties were awarded an MP for every 38,264 votes (the rate at which Conservative voters are represented), the last election would have returned 96 Liberal Democrats, 22 Greens, and 16 Brexit Party MPs, instead of 11, one, and zero respectively. By contrast to first past the post, STV gives all voters a roughly equal voice, regardless of their political views.

STV is actually better at delivering the supposed benefits of first past the post

8. There are a couple reasons why some people like first past the post. Fortunately, STV does a better job at delivering those things than first past the post does. Contrary to claims, first past the post makes it difficult for the public to make a clear statement or to kick out a government. For example, at last month's Westminster election 56%

of voters voted for opposition parties, yet the government has a majority of dozens in the Commons. The random barbs of first past the post can afflict the Conservative Party too though – for example in the 2017 Westminster election the Conservatives increased their UK-wide vote by a significant 5.5%, yet rather than gaining seats they lost 13.

9. By contrast, STV empowers voters to send a clear message. In almost all cases, if more people decide to vote for a party, it will increase its number of seats, and the fewer people vote for them, the fewer seats they will get.

10. Another advantage of STV is that it creates stronger local constituency links than first past the post. The main reason for this is that there are much fewer “safe seats” where the outcome of the election is all but guaranteed. This forces public representatives who wish to be re-elected to engage much better with their constituents, or be out-competed by rivals. The net result for the constituent is that both sitting and prospective public representatives spend more effort building local links.

11. Under STV, each voter is represented by at least 3 councillors, much like in multi-member wards presently. But whereas in the current system it is common for all councillors in a ward to be from the same party, this is rare in STV, as councillors are elected roughly in proportion to the vote they receive. This means that as a constituent, you are more likely to have at least one representative that aligns closer with your beliefs. As well as increasing your feeling of representation, it also means that you may be more likely to approach a councillor with an issue or request if you feel that they are like-minded and understand you.

Diversity

12. STV helps create more diverse councils. While it is not a silver bullet, it does significantly help remove some barriers. In fact, one of the reasons some American cities repealed it was precisely because it was effective at creating more racially diverse councils – unfortunately there were many opposed to representation for ethnic and racial minorities, especially at the time, before the civil rights movement.

13. STV also boosts political diversity, ensuring that a broad spectrum of voices are heard, in rough proportion to their support among the public. By contrast, first past the post can artificially inflate seats given to the dominant party in a region, to the point where some areas effectively become single party councils, with token or no opposition. This is not conducive to good governance.

14. STV also helps with geographic balance within parties. Because it is a proportional system, it means that rather than the lion’s share of a party’s councillors coming exclusively from their heartlands, a major party will instead be able to elect some councillors in most or all wards of a council and most or all regions of a nation.

This helps parties develop more rounded and balanced cohorts of representatives. It also helps more voters feel like their council represents them, as even if they are the minority in their local area they may still have one local councillor from their party.

Voter Education

15. Once STV is explained, people do understand how to use it, but there is a need to ensure sufficient resources are provided for this initial voter education.

Other provisions in the Bill

16. While the voting system is the section of the Bill I feel I can contribute the most expertise on, I can also share my experience of another change contained in the bill. All residents of the Republic of Ireland are entitled to vote in local elections, regardless of nationality. My experience from a number of election campaigns is that this is a positive policy, and that many foreign citizens very much appreciate being included in the democratic process. While some foreign citizens do choose not to exercise their right to vote in the country that they live in, many do, and they should be allowed to do so. It aids in integration of migrants, showing new residents that they have a stake in society, forcing at least one level of the political system to better listen to their concerns, and incentivises political parties and candidates to reach out to migrant communities in order to earn their votes. But aside from those practical benefits, I believe it is simply the democratic thing to do – if you live somewhere, pay the council taxes, use the parks and amenities, and contribute to your locality, I can't see how it would be fair to exclude you from having a voice in how the council is run.

17. However, many Irish residents are unaware that they do have the right to vote in local elections, so if the local franchise is extended in Wales, I would argue that voter outreach is essential, to make sure that people are aware of their rights.

18. Finally, with regards to the provisions in the Bill facilitating better electoral registration, you may be aware that a significant number of jurisdictions in the United States have adopted similar Automatic Voter Registration policies in the past few years. That is, if you interact with one government department (such as getting a driving licence), you will automatically be registered to vote, unless you opt out. By and large these programmes have been successful in practice, and as long as there is adequate data protection I think it is a very positive policy.

Conclusion

19. Given the clear advantages that the single transferable vote holds over first past the post, I would argue that it should be the default system for councils in Wales. That is, if councils are to have the power to choose their own voting system, it would be much more democratic to have a default STV system with the option for councils to

change to first past the post, than a default first past the post with the option to change to STV. My experience has been that when held to scrutiny, first past the post cannot deliver any of its stated advantages as well as STV can.

20. In the past few decades, the UK created many new elected positions. None of these are elected through first past the post – not devolved legislatures in Wales, in Scotland, or in Northern Ireland, not the London Assembly, not Police and Crime Commissioners, and not directly-elected mayors. When starting from scratch, first past the post is actually very difficult to justify, and if Welsh voters are given the chance to try STV I believe they will be grateful to be given the opportunity. Indeed, I believe that the biggest reason that first past the post has not been switched to STV already is not the merit of the system but rather inertia and familiarity with the old system. Twice in the past century opponents of proportional representation in Ireland have held referendums to replace the Irish STV system with first past the post, and twice the public chose to retain STV. Once people are familiar with STV, they like it. I would predict that after one or two elections under STV, very very few Welsh councils would choose to go back to first past the post.

21. Thank you for taking the time to read my submission. If I can provide any further information of use please feel free to get in touch.